

By: Anchia

H.B. No. 3906

A BILL TO BE ENTITLED

1 AN ACT

2 relating to contingent fees paid to influence the purchase of goods
3 or services by a state agency; imposing a penalty.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 305.022, Government Code, is amended by
6 amending Subsection (b) and adding Subsection (e) to read as
7 follows:

8 (b) A person may not accept any employment or render any
9 service to influence legislation or administrative action for
10 compensation contingent on:

11 (1) the passage or defeat of any legislation;

12 (2) [] the governor's approval or veto of any
13 legislation; [] or

14 (3) the outcome of any administrative action,
15 including administrative action relating to the purchase of goods
16 or services by a state agency or the selection of a provider of
17 those goods or services.

18 (e) This section does not prohibit the payment of a sales
19 commission or similar compensation to an employee of a vendor of a
20 product or a provider of a service if:

21 (1) the purchase of the product or service is not
22 subject to competitive bidding or competitive proposal
23 requirements or the cost of the product or service otherwise does
24 not exceed a maximum cost limit established by commission rule; or

1 (2) the product or service is on a state catalog or
2 similar listing of prequalified products or services for purchase
3 by a state agency.

4 SECTION 2. Section 305.022(c), Government Code, is
5 repealed.

6 SECTION 3. The change in law made by this Act applies only
7 to an offense committed on or after September 1, 2007. An offense
8 committed before September 1, 2007, is covered by the law in effect
9 when the offense was committed, and the former law is continued in
10 effect for that purpose. For purposes of this section, an offense
11 was committed before September 1, 2007, if any element of the
12 offense was committed before that date.

13 SECTION 4. This Act takes effect September 1, 2007.