

BILL ANALYSIS

C.S.H.B. 3715
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Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a lobby registrant must report the names and contact information of those individuals who assist the registrant in the registrant's communications to influence legislation or administrative action. This provision requires that the registrant list the names of those who are registered lobbyists as well as those individuals who are not required to register. The law is unclear and is expanded by Texas Ethics Commission rule so that it includes not only persons that are retained or employed by the registrant, but also persons that are reimbursed by a common client. There is no easy manner of accessing this information by the public once it is filed at the commission.

C.S.H.B. 3715 clarifies information required in a lobbyist registration relating to an assistant to the registrant and requires the commission to maintain a searchable database that includes related information.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3715 amends the Government Code to add to the individuals for whom information is required to be contained in a lobbyist registration each person employed or retained to assist the registrant by a person who reimburses, retains, or employs the registrant as a lobbyist to communicate directly with a member of the legislative or executive branch to influence legislative or administrative action and on whose behalf the registrant has done so. The bill requires the registration to include that person's contact information and the subject matter and, if applicable, docket number or administrative designation of lobbying activities by the person. The bill specifies that a registrant is not required to include the required information concerning another person in a registration if the person assisting the registrant is also a registrant and any client required to be included in the registrant's registration is included in the registration of the person assisting the registrant.

C.S.H.B. 3715 requires the Texas Ethics Commission to maintain and make available through the Internet a searchable database that includes, for each registrant, the name of each person employed or retained to assist the registrant in direct communication with a member of the legislative or executive branch to influence legislation or administrative action. The bill requires the database to be established not later than January 1, 2010.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3715 omits a provision included in the original extending the bill's registration requirements to a person employed or retained to assist a registrant that is a business entity. The bill omits a provision included in the original requiring the searchable database to include each client of a person assisting a registrant. The bill differs from the original in nonsubstantive ways by using language reflective of certain bill drafting conventions.