

By: Howard of Travis

H.B. No. 702

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain restrictions on contributions and expenditures
3 from political funds by a lobbyist; providing penalties.

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

5 SECTION 1. Subchapter A, Chapter 253, Election Code, is
6 amended by adding Section 253.006 to read as follows:

7 Sec. 253.006. CERTAIN CONTRIBUTIONS AND EXPENDITURES BY
8 LOBBYISTS RESTRICTED. (a) In this section, "administrative
9 action," "communicates directly with," "legislation," "member of
10 the executive branch," and "member of the legislative branch" have
11 the meanings assigned by Section 305.002, Government Code.

12 (b) Notwithstanding any other provision of law and except as
13 provided by Subsection (c), a person required to register under
14 Chapter 305, Government Code, during a regular session of the
15 legislature may not, during the period beginning on the date that
16 regular legislative session convenes and ending on the date the
17 next regular legislative session convenes, knowingly make or
18 authorize a political contribution or political expenditure from
19 political contributions accepted by the person as a candidate or
20 officeholder.

21 (c) Subsection (b) does not apply to a person who:

22 (1) communicates directly with a member of the
23 legislative or executive branch only to influence legislation or
24 administrative action on behalf of:

- 1 (A) a nonprofit organization;
- 2 (B) a group of low-income individuals; or
- 3 (C) a group of individuals with disabilities;

4 and

5 (2) does not receive compensation other than
6 reimbursement for actual expenses for engaging in communication
7 described by Subdivision (1).

8 (d) A person who violates this section commits an offense.
9 An offense under this section is a Class A misdemeanor.

10 SECTION 2. Subchapter B, Chapter 305, Government Code, is
11 amended by adding Section 305.029 to read as follows:

12 Sec. 305.029. EXPENDITURES FROM POLITICAL CONTRIBUTIONS
13 RESTRICTED. (a) In this section, "political contribution" has the
14 meaning assigned by Section 251.001, Election Code.

15 (b) Notwithstanding any other provision of law and except as
16 provided by Subsection (c), a person required to register under
17 this chapter during a regular session of the legislature may not,
18 during the period beginning on the date that regular legislative
19 session convenes and ending on the date the next regular
20 legislative session convenes, knowingly make or authorize an
21 expenditure under this chapter from political contributions
22 accepted by the person as a candidate or officeholder.

23 (c) Subsection (b) does not apply to a person who:

24 (1) communicates directly with a member of the
25 legislative or executive branch only to influence legislation or
26 administrative action on behalf of:

- 27 (A) a nonprofit organization;

1 (B) a group of low-income individuals; or
2 (C) a group of individuals with disabilities;
3 and
4 (2) does not receive compensation other than
5 reimbursement for actual expenses for engaging in communication
6 described by Subdivision (1).

7 SECTION 3. Section 253.006, Election Code, as added by this
8 Act, and Section 305.029, Government Code, as added by this Act,
9 apply to a political contribution, political expenditure, or
10 lobbying expenditure made on or after September 1, 2011, from funds
11 accepted as a political contribution, regardless of the date the
12 funds were accepted.

13 SECTION 4. This Act takes effect September 1, 2011.