

By: Zedler

H.B. No. 1923

A BILL TO BE ENTITLED

1 AN ACT
2 relating to contract requirements for federal-level government
3 relations consultants and agencies or political subdivisions of
4 this state; providing a civil penalty.

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

6 SECTION 1. Section 751.001, Government Code, is amended to
7 read as follows:

8 In this chapter:

9 (1) "Board" means the Office of State-Federal
10 Relations Advisory Policy Board.

11 (2) "Director" means the director of the Office of
12 State-Federal Relations.

13 (3) "Office" means the Office of State-Federal
14 Relations.

15 (4) "State agency" means a state board, commission,
16 department, institution, or officer having statewide jurisdiction,
17 including a state college or university.

18 (5) "Federal-level government relations consultant"
19 means any individual or organization that is defined by federal law
20 as a "lobbyist" or "lobby firm".

21 SECTION 2. Section 751.002(a), Government Code, is amended
22 to read as follows:

23 (a) The Office of State-Federal Relations is an agency of
24 the state and operates within the executive department. The office

1 is administratively attached to the office of the governor. The
2 governor's office shall provide human resources and other
3 administrative support for the office. The office is funded by
4 appropriations made to the office of the governor and provisions
5 set forth by Section 751.016(d).

6 SECTION 3. Section 751.016, Government Code, is amended to
7 read as follows:

8 (a) In this section, "political subdivision" includes a
9 river authority.

10 (b) An agency or political subdivision of the state shall
11 include in [report to the office on] any contract between the agency
12 or subdivision and a federal-level government relations
13 consultant:

14 (1) requires the federal-level government relations
15 consultant to report to the office:

16 (A) information regarding the contract described
17 by Subdivision (c); and

18 (B) any subcontract the federal-level government
19 relations consultant enters into; and

20 (2) provides for liquidated damages in the amount of
21 \$1,000 for each day the federal-level government relations
22 consultant fails to comply with the requirements of Subdivision (1)
23 ~~[A state agency or political subdivision shall submit one report~~
24 ~~under this section not later than the 30th day after the date the~~
25 ~~contract was executed and a second report not later than the 30th~~
26 ~~day after the contract is terminated. The report must include:].~~

27 (c) ~~[If a state agency contracts with a federal-level~~

1 ~~government relations consultant and the consultant subcontracts~~
2 ~~the work to another firm or individual, the state agency shall~~
3 ~~report the subcontract to the office] A federal-level government
4 relations consultant [~~A state agency or political subdivision~~]
5 shall submit one report under this section not later than the 30th
6 day after the date the contract is executed and a second report not
7 later than the 30th day after the date the contract expires or is
8 terminated. The report must include:~~

9 (1) The name of the federal-level government relations
10 consultant [~~or lobby consulting firm~~];

11 (2) the issue on which the federal-level government
12 relations consultant was hired to provide services [~~consult~~]; and

13 (3) the amount of compensation paid or to be paid to
14 the federal-level government relations consultant under the
15 contract.

16 (d) [~~This section does not apply to a political subdivision~~
17 ~~whose federal-level government relations consultant is required by~~
18 ~~other law to disclose, report, and make available the information~~
19 ~~required by Subsection (b) to:~~

20 (1) ~~the public, and~~

21 (2) ~~a federal or state entity]~~The office shall collect
22 a fee in the amount of \$250 from the federal-level government
23 relations consultant at the time of filing the report prescribed
24 under this section to cover the costs related to administration.

25 SECTION 4. Section 751.016, Government Code, as amended by
26 this Act, applies only to a contract entered into or extended on or
27 after the effective date of this Act. A contract entered into before

1 that date is governed by the law in effect on the date the contract
2 was entered into, and that law is continued in effect for that
3 purpose.

4 SECTION 5. This Act takes effect immediately if it receives
5 a vote of two-thirds of all members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary to take immediate effect,
8 this Act takes effect on September 1, 2011.