

By: Wentworth

S.B. No. 1269

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to transportation, lodging, and meals offered to and  
3 accepted by public servants.

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

5 SECTION 1. Section 36.07, Penal Code, is amended by adding  
6 Subsection (b-1) to read as follows:

7 (b-1) Transportation, lodging, and meals described by  
8 Subsection (b) are not political contributions as defined by Title  
9 15, Election Code.

10 SECTION 2. Subsection (a), Section 36.10, Penal Code, is  
11 amended to read as follows:

12 (a) Sections 36.08 (Gift to Public Servant) and 36.09  
13 (Offering Gift to Public Servant) do not apply to:

14 (1) a fee prescribed by law to be received by a public  
15 servant or any other benefit to which the public servant is lawfully  
16 entitled or for which he gives legitimate consideration in a  
17 capacity other than as a public servant;

18 (2) a gift or other benefit conferred on account of  
19 kinship or a personal, professional, or business relationship  
20 independent of the official status of the recipient; or

21 (3) a benefit to a public servant required to file a  
22 statement under Chapter 572, Government Code, or a report under  
23 Title 15, Election Code, that is derived from a function in honor or  
24 appreciation of the recipient if:

1 (A) the benefit and the source of any benefit in  
2 excess of \$50 is reported in the statement; and

3 (B) the benefit is used solely to defray the  
4 expenses that accrue in the performance of duties or activities in  
5 connection with the office which are nonreimbursable by the state  
6 or political subdivision;

7 (4) a political contribution as defined by Title 15,  
8 Election Code;

9 (5) a gift, award, or memento to a member of the  
10 legislative or executive branch that is required to be reported  
11 under Chapter 305, Government Code;

12 (6) an item with a value of less than \$50, excluding  
13 cash or a negotiable instrument as described by Section 3.104,  
14 Business & Commerce Code; ~~or~~

15 (7) an item issued by a governmental entity that  
16 allows the use of property or facilities owned, leased, or operated  
17 by the governmental entity; or

18 (8) transportation, lodging, and meals described by  
19 Section 36.07(b).

20 SECTION 3. This Act takes effect September 1, 2011.