

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.

S.B. No. 1269

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1269 passed the Senate on April 21, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1269 passed the House on May 3, 2011, by the following vote: Yeas 143, Nays 1, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor