

By: Wentworth
(Branch)

S.B. No. 1269

A BILL TO BE ENTITLED

AN ACT

relating to transportation, lodging, and meals offered to and accepted by public servants.

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

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

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

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

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

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

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

(3) a benefit to a public servant required to file a statement under Chapter 572, Government Code, or a report under Title 15, Election Code, that is derived from a function in honor or 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.