

BILL ANALYSIS

H.B. 2984
By: Dutton
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law permits lobbyists to collaborate in making joint expenditures to pay for lobby activities. Interested parties have noted that when a lobbyist splits an expenditure with a person who is not a registered lobbyist, the lobbyist must report both the lobbyist's portion and the nonregistrant's portion of the expenditure. There is concern that the law is ambiguous with respect to whether the portion of a joint expenditure reported by a lobbyist on behalf of the nonregistrant specifically qualifies for the defense to prosecution for bribery and for the exemption from application of the provisions governing gifts to public servants available for certain properly reported lobby expenditures. H.B. 2984 seeks to address this concern and clarify current law by allowing the defense to prosecution under the bribery statute and exemption from application of the provisions governing gifts to public servants to be applied to the portion of a lobby expenditure reported by a lobbyist on behalf of a nonregistrant.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2984 amends the Government Code to clarify, for the purposes of Penal Code provisions relating to bribery and the applicability of restrictions on gifts to public servants, that a person who is not a registered lobbyist who makes a joint expenditure on behalf of a registered lobbyist is not considered to have made an expenditure.

EFFECTIVE DATE

September 1, 2013.