

By: Howard

H.B. No. 582

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain restrictions on contributions and expenditures  
3 from political funds by a lobbyist; providing penalties.

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

5 SECTION 1. Subchapter A, Chapter 253, Election Code, is  
6 amended by adding Section 253.006 to read as follows:

7 Sec. 253.006. CERTAIN CONTRIBUTIONS AND EXPENDITURES BY  
8 LOBBYISTS RESTRICTED. (a) In this section, "administrative  
9 action," "communicates directly with," "legislation," "member of  
10 the executive branch," and "member of the legislative branch" have  
11 the meanings assigned by Section 305.002, Government Code.

12 (b) Notwithstanding any other provision of law and except as  
13 provided by Subsection (c), a person required to register under  
14 Chapter 305, Government Code, during a regular session of the  
15 legislature may not, during the period beginning on the date that  
16 regular legislative session convenes and ending on the date the  
17 next regular legislative session convenes, knowingly make or  
18 authorize a political contribution or political expenditure from  
19 political contributions accepted by the person as a candidate or  
20 officeholder.

21 (c) Subsection (b) does not apply to a person who:

22 (1) communicates directly with a member of the  
23 legislative or executive branch only to influence legislation or  
24 administrative action on behalf of:

- 1           (A) a nonprofit organization;
- 2           (B) a group of low-income individuals; or
- 3           (C) a group of individuals with disabilities;

4 and

5           (2) does not receive compensation other than  
6 reimbursement for actual expenses for engaging in communication  
7 described by Subdivision (1).

8           (d) A person who violates this section commits an offense.  
9 An offense under this section is a Class A misdemeanor.

10           SECTION 2. Subchapter B, Chapter 305, Government Code, is  
11 amended by adding Section 305.030 to read as follows:

12           Sec. 305.030. EXPENDITURES FROM POLITICAL CONTRIBUTIONS  
13 RESTRICTED. (a) In this section, "political contribution" has the  
14 meaning assigned by Section 251.001, Election Code.

15           (b) Notwithstanding any other provision of law and except as  
16 provided by Subsection (c), a person required to register under  
17 this chapter during a regular session of the legislature may not,  
18 during the period beginning on the date that regular legislative  
19 session convenes and ending on the date the next regular  
20 legislative session convenes, knowingly make or authorize an  
21 expenditure under this chapter from political contributions  
22 accepted by the person as a candidate or officeholder.

23           (c) Subsection (b) does not apply to a person who:

24           (1) communicates directly with a member of the  
25 legislative or executive branch only to influence legislation or  
26 administrative action on behalf of:

- 27           (A) a nonprofit organization;

1                   (B) a group of low-income individuals; or  
2                   (C) a group of individuals with disabilities;  
3 and  
4                   (2) does not receive compensation other than  
5 reimbursement for actual expenses for engaging in communication  
6 described by Subdivision (1).

7           SECTION 3. Section 253.006, Election Code, as added by this  
8 Act, and Section 305.030, Government Code, as added by this Act,  
9 apply to a political contribution, political expenditure, or  
10 lobbying expenditure made on or after September 1, 2013, from funds  
11 accepted as a political contribution, regardless of the date the  
12 funds were accepted.

13           SECTION 4. This Act takes effect September 1, 2013.