

By: Davis

S.B. No. 1254

A BILL TO BE ENTITLED

AN ACT

relating to lobbying by former state agency officers and executive heads; creating an offense.

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

SECTION 1. Subchapter C, Chapter 572, Government Code, is amended by adding Section 572.069 to read as follows:

Sec. 572.069. FORMER OFFICERS AND EXECUTIVE HEADS OF STATE AGENCIES: LOBBYING RESTRICTED; CRIMINAL OFFENSE. (a) In this section, "administrative action," "communicates directly with," "legislation," "member of the executive branch," and "member of the legislative branch" have the meanings assigned by Section 305.002.

(b) Except as provided by Subsection (c), a former appointed officer of a state agency or a former executive head of a state agency may not, before the second anniversary of the date the person ceases to be an officer or executive head, engage in activities that require registration under Chapter 305.

(c) Subsection (b) does not apply to a former appointed officer of a state agency or a former executive head of a state agency who:

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

(A) a nonprofit organization;

(B) an individual;

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

6 (d) A former appointed officer of a state agency or a former
7 executive head of a state agency who violates this section commits
8 an offense. An offense under this section is a Class A misdemeanor.

9 (e) If conduct that constitutes an offense under this
10 section also constitutes an offense under Section 572.054 or other
11 law, the person may be prosecuted under this section, the other law,
12 or both.

13 SECTION 2. Section 572.069, Government Code, as added by
14 this Act, applies only to an appointed officer of a state agency or
15 an executive head of a state agency who ceases to be an officer or
16 executive head on or after the effective date of this Act.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2013.