

By: Howard

H.B. No. 487

A BILL TO BE ENTITLED

AN ACT

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

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

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

Sec. 253.006. CERTAIN CONTRIBUTIONS AND EXPENDITURES BY LOBBYISTS RESTRICTED. (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, Government Code.

(b) Notwithstanding any other provision of law and except as provided by Subsection (c), a person required to register under Chapter 305, Government Code, may not, before the second anniversary of the date the last term for which the person was elected ends, knowingly make or authorize a political contribution or political expenditure from political contributions accepted by the person as a candidate or officeholder.

(c) Subsection (b) does not apply to a person 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 exempt from federal income taxation under Section 501(a), Internal Revenue Code of

1 1986, as an organization described by Section 501(c)(3) of that  
2 code;

3 (B) a group of low-income individuals; or

4 (C) a group of individuals with disabilities;

5 and

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

9 (d) A person who violates this section commits an offense.

10 An offense under this section is a Class A misdemeanor.

11 SECTION 2. Subchapter B, Chapter 305, Government Code, is  
12 amended by adding Section 305.029 to read as follows:

13 Sec. 305.029. EXPENDITURES FROM POLITICAL CONTRIBUTIONS  
14 RESTRICTED. (a) In this section, "political contribution" has the  
15 meaning assigned by Section 251.001, Election Code.

16 (b) Notwithstanding any other provision of law and except as  
17 provided by Subsection (c), a person required to register under  
18 this chapter may not, before the second anniversary of the date the  
19 last term for which the person was elected ends, knowingly make or  
20 authorize an expenditure under this chapter from political  
21 contributions accepted by the person as a candidate or  
22 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 exempt from federal

1 income taxation under Section 501(a), Internal Revenue Code of  
2 1986, as an organization described by Section 501(c)(3) of that  
3 code;

4 (B) a group of low-income individuals; or

5 (C) a group of individuals with disabilities;

6 and

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

10 SECTION 3. Section 253.006, Election Code, as added by this  
11 Act, and Section 305.029, Government Code, as added by this Act,  
12 apply to a political contribution, political expenditure, or  
13 lobbying expenditure made on or after January 1, 2017, from funds  
14 accepted as a political contribution, regardless of the date the  
15 funds were accepted.

16 SECTION 4. This Act takes effect September 1, 2015.