

BILL ANALYSIS

Senate Research Center
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S.B. 502
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a registered lobbyist must report their spending on transportation, lodging, food and drink, or entertainment for a member of the legislative or executive branch if that expenditure exceeds 60 percent of the legislative per diem (currently \$190). S.B. 502 cuts that reporting threshold in half from 60 to 30 percent of the legislative per diem. The bill also expands this reporting requirement to apply to spending on transportation, lodging, food and drink, or entertainment for the immediate family of a member of the legislative or executive branch. Current reporting is limited to only members of the legislative or executive branch, and not their family members.

S.B. 502 also addresses the issue of “ticket splitting,” where multiple lobbyists collaborate to make payments below the reporting threshold for a larger expenditure above the reporting threshold. Here, S.B. 502 requires that a lobbyist that collaborates with another to make an expenditure above the reporting threshold include the total amount of the shared expenditure in their report to the Texas Ethics Commission. Lastly, S.B. 502 adds a requirement that a lobbyist notify a legislator or member of the executive branch when the annual limit for certain expenditures by the lobbyist on the legislator or executive branch member has been reached.

As proposed, S.B. 502 amends current law relating to the content of detailed reports filed by lobbyists and to monetary limits on expenditures by lobbyists.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 305.0061, Government Code, by amending Subsections (a), (b), and (c) and adding Subsection (h), as follows:

(a) Requires the registrant, if a registrant or a person on the registrant's behalf and with the registrant's consent or ratification makes expenditures that exceed 30, rather than 60, percent of the amount of the legislative per diem in a day for transportation or lodging for a member of the legislative or executive branch or for the immediate family of a member of the legislative or executive branch, to also state certain information on the report filed under Section 305.006 (Activities Report).

(b) Makes conforming changes.

(c) Makes conforming changes.

(h) Requires each registrant, if more than one registrant or persons acting on behalf of more than one registrant and with each registrant's consent or ratification collaborate to make an expenditure described by Section 305.006(b) (relating to the requirement that a report contain the total expenditures made to communicate with a member of the legislative or executive branch to influence legislation or administrative action) together,

to report the total value of the shared expenditure as required, if the total value of the shared expenditure exceeds the amount provided under Subsection (a), (b), or (c).

SECTION 2. Reenacts Section 305.024(a), Government Code, as amended by Chapters 92 (S.B. 1011) and 206 (H.B. 1508), Acts of the 79th Legislature, Regular Session, 2005, and amends it by redesignating Paragraph (A) as Subparagraph (i) and Paragraph (B) as Subparagraph (ii).

SECTION 3. Amends Section 305.024, Government Code, by adding Subsection (d), to require the registrant to notify a member of the legislative or executive branch when the registrant has reported, as to that member of the legislative or executive branch, expenditures that, in the aggregate, equal the monetary limits for expenditures under Subsection (a)(2).

SECTION 4. Amends Section 305.031(a), Government Code, by including Section 305.024(d) as an exception to the provision that a person commits an offense if the person intentionally or knowingly violates a provision of this chapter.

SECTION 5. Repealer: Section 305.024(c) (relating to the total value of a joint expenditure), Government Code.

SECTION 6. Makes application of this law prospective.

SECTION 7. Effective date: January 8, 2019.