

By: Taylor of Collin, et al.

S.B. No. 14

A BILL TO BE ENTITLED

AN ACT

relating to the ethics of public officers and related requirements;  
creating criminal offenses.

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

ARTICLE 1. PENSION REVOCATION; LOSS OF LEGISLATIVE OFFICE

SECTION 1.01. Chapter 810, Government Code, is amended by  
adding Section 810.002 to read as follows:

Sec. 810.002. CERTAIN ELECTED OFFICIALS INELIGIBLE FOR  
RETIREMENT ANNUITY. (a) In this section:

(1) "Governing body of a public retirement system" and  
"public retirement system" have the meanings assigned by Section  
802.001.

(2) "Qualifying felony" means any felony involving:  
(A) bribery;  
(B) the embezzlement, extortion, or other theft  
of public money;  
(C) perjury;  
(D) coercion of public servant or voter;  
(E) tampering with governmental record;  
(F) misuse of official information;  
(G) conspiracy or the attempt to commit any of  
the offenses described by Paragraphs (A)-(F); or  
(H) abuse of official capacity.

(b) This section applies only to a person who is:

1           (1) a member of the elected class of the Employees  
2 Retirement System of Texas as described by Section 812.002(a)(1) or  
3 (2); or

4           (2) otherwise eligible for membership in a public  
5 retirement system wholly or partly because the person was elected  
6 or appointed to an elected office.

7           (c) Except as provided by Subsection (d), a member of a  
8 public retirement system is not eligible to receive a service  
9 retirement annuity under the retirement system if the member is  
10 convicted of a qualifying felony committed while in office and  
11 arising directly from the official duties of that elected office.

12           (d) The retirement system, on receipt of notice of a  
13 conviction under Subsection (e) or (k), any similar notice of a  
14 conviction of a qualifying felony from a United States district  
15 court or United States attorney, or any other information that the  
16 retirement system determines by rule is sufficient to establish a  
17 conviction of a qualifying felony, shall suspend payments of an  
18 annuity to a person the system determines to be ineligible to  
19 receive the annuity under Subsection (c). A person whose  
20 conviction is overturned on appeal or who meets the requirements  
21 for innocence under Section 103.001(a)(2), Civil Practice and  
22 Remedies Code:

23           (1) is entitled to receive an amount equal to the  
24 accrued total of payments and interest earned on the payments  
25 withheld during the suspension period; and

26           (2) may resume receipt of annuity payments on payment  
27 to the retirement system of an amount equal to the contributions

1 refunded to the person under Subsection (f).

2 (e) Not later than the 30th day after the conviction of a  
3 person of a qualifying felony, the governmental entity to which the  
4 person was elected or appointed must provide written notice of the  
5 conviction to the public retirement system in which the person is  
6 enrolled. The notice must comply with the administrative rules  
7 adopted by the public retirement system under Subsection (j).

8 (f) A member who is ineligible to receive a service  
9 retirement annuity under Subsection (c) is entitled to a refund of  
10 the member's service retirement annuity contributions, including  
11 interest earned on those contributions.

12 (g) Benefits payable to an alternate payee under Chapter 804  
13 who is recognized by a domestic relations order established before  
14 the effective date of this subsection are not affected by a member's  
15 ineligibility to receive a service retirement annuity under  
16 Subsection (c).

17 (h) On conviction of a member for a qualifying felony, a  
18 court may, in the interest of justice and in the same manner as in a  
19 divorce proceeding, award half of the service retirement annuity  
20 forfeited by the member as the separate property of an innocent  
21 spouse if the annuity is partitioned or exchanged by written  
22 agreement of the spouses as provided by Subchapter B, Chapter 4,  
23 Family Code. The amount awarded to the innocent spouse may not be  
24 converted to community property.

25 (i) Ineligibility for a service retirement annuity under  
26 this section does not impair a person's right to any other  
27 retirement benefit for which the person is eligible.

1       (j) The governing body of a public retirement system shall  
2 adopt rules and procedures to implement this section.

3       (k) A court shall notify the retirement system of the terms  
4 of a conviction of a person convicted of an offense described by  
5 Subsection (c).

6       SECTION 1.02. Chapter 601, Government Code, is amended by  
7 adding Section 601.011 to read as follows:

8       Sec. 601.011. VACANCY ON FINAL FELONY CONVICTION OF MEMBER  
9 OF LEGISLATURE, GOVERNOR, OR STATE ELECTED OFFICIAL. A member of  
10 the legislature, the governor, or a state elected official  
11 convicted of a felony vacates the member's, governor's, or  
12 official's office on the date the conviction becomes final.

13       SECTION 1.03. Article 42.01, Code of Criminal Procedure, is  
14 amended by adding Section 12 to read as follows:

15       Sec. 12. In addition to the information described by  
16 Section 1, the judgment should reflect affirmative findings entered  
17 pursuant to Article 42.0196.

18       SECTION 1.04. Chapter 42, Code of Criminal Procedure, is  
19 amended by adding Article 42.0196 to read as follows:

20       Art. 42.0196. FINDING REGARDING OFFENSE RELATED TO  
21 PERFORMANCE OF PUBLIC SERVICE. (a) In the trial of an offense  
22 described by Section 810.002, Government Code, the judge shall make  
23 an affirmative finding of fact and enter the affirmative finding in  
24 the judgment in the case if the judge determines that the defendant  
25 is:

26               (1) a member of the elected class described by Section  
27 810.002(b)(1), Government Code, while a member of the Employees

1 Retirement System of Texas; or

2 (2) a holder of an elected office for which the  
3 defendant wholly or partly became eligible for membership in a  
4 public retirement system.

5 (b) A judge who makes the affirmative finding described by  
6 this article shall make the determination and provide the notice  
7 required by Section 810.002(k), Government Code.

8 SECTION 1.05. This article takes effect immediately if this  
9 Act receives a vote of two-thirds of all the members elected to each  
10 house, as provided by Section 39, Article III, Texas Constitution.  
11 If this Act does not receive the vote necessary for immediate  
12 effect, this article takes effect September 1, 2017.

13 ARTICLE 2. DISCLOSURE REQUIREMENTS

14 SECTION 2.01. Section 572.023, Government Code, is amended  
15 by amending Subsection (b) and adding Subsections (e) and (f) to  
16 read as follows:

17 (b) The account of financial activity consists of:

18 (1) a list of all sources of occupational income,  
19 identified by employer, or if self-employed, by the nature of the  
20 occupation, including identification of a person or other  
21 organization from which the individual or a business in which the  
22 individual has a substantial interest received a fee as a retainer  
23 for a claim on future services in case of need, as distinguished  
24 from a fee for services on a matter specified at the time of  
25 contracting for or receiving the fee, if professional or  
26 occupational services are not actually performed during the  
27 reporting period equal to or in excess of the amount of the

1 retainer, and the category of the amount of the fee;

2 (2) identification by name and the category of the  
3 number of shares of stock of any business entity held or acquired,  
4 and if sold, the category of the amount of net gain or loss realized  
5 from the sale;

6 (3) a list of all bonds, notes, and other commercial  
7 paper held or acquired, and if sold, the category of the amount of  
8 net gain or loss realized from the sale;

9 (4) identification of each source and the category of  
10 the amount of income in excess of \$500 derived from each source from  
11 interest, dividends, royalties, and rents;

12 (5) identification of each guarantor of a loan and  
13 identification of each person or financial institution to whom a  
14 personal note or notes or lease agreement for a total financial  
15 liability in excess of \$1,000 existed at any time during the year  
16 and the category of the amount of the liability;

17 (6) identification by description of all beneficial  
18 interests in real property and business entities held or acquired,  
19 and if sold, the category of the amount of the net gain or loss  
20 realized from the sale;

21 (7) identification of a person or other organization  
22 from which the individual or the individual's spouse or dependent  
23 children received a gift of anything of value in excess of \$250 and  
24 a description of each gift, except:

25 (A) a gift received from an individual related to  
26 the individual at any time within the second degree by  
27 consanguinity or affinity, as determined under Subchapter B,

1 Chapter 573;

2 (B) a political contribution that was reported as  
3 required by Chapter 254, Election Code; and

4 (C) an expenditure required to be reported by a  
5 person required to be registered under Chapter 305;

6 (8) identification of the source and the category of  
7 the amount of all income received as beneficiary of a trust, other  
8 than a blind trust that complies with Subsection (c), and  
9 identification of each trust asset, if known to the beneficiary,  
10 from which income was received by the beneficiary in excess of \$500;

11 (9) identification by description and the category of  
12 the amount of all assets and liabilities of a corporation, firm,  
13 partnership, limited partnership, limited liability partnership,  
14 professional corporation, professional association, joint venture,  
15 or other business association in which 50 percent or more of the  
16 outstanding ownership was held, acquired, or sold;

17 (10) a list of all boards of directors of which the  
18 individual is a member and executive positions that the individual  
19 holds in corporations, firms, partnerships, limited partnerships,  
20 limited liability partnerships, professional corporations,  
21 professional associations, joint ventures, or other business  
22 associations or proprietorships, stating the name of each  
23 corporation, firm, partnership, limited partnership, limited  
24 liability partnership, professional corporation, professional  
25 association, joint venture, or other business association or  
26 proprietorship and the position held;

27 (11) identification of any person providing

1 transportation, meals, or lodging expenses permitted under Section  
2 36.07(b), Penal Code, and the amount of those expenses, other than  
3 expenditures required to be reported under Chapter 305;

4 (12) any corporation, firm, partnership, limited  
5 partnership, limited liability partnership, professional  
6 corporation, professional association, joint venture, or other  
7 business association, excluding a publicly held corporation, in  
8 which both the individual and a person registered under Chapter 305  
9 have an interest;

10 (13) identification by name and the category of the  
11 number of shares of any mutual fund held or acquired, and if sold,  
12 the category of the amount of net gain or loss realized from the  
13 sale; ~~and~~

14 (14) identification of each blind trust that complies  
15 with Subsection (c), including:

16 (A) the category of the fair market value of the  
17 trust;

18 (B) the date the trust was created;

19 (C) the name and address of the trustee; and

20 (D) a statement signed by the trustee, under  
21 penalty of perjury, stating that:

22 (i) the trustee has not revealed any  
23 information to the individual, except information that may be  
24 disclosed under Subdivision (8); and

25 (ii) to the best of the trustee's knowledge,  
26 the trust complies with this section;

27 (15) if the aggregate cost of goods or services sold



1 under one or more written contracts described by this subdivision  
2 exceeds \$10,000 in the year covered by the report, identification  
3 of each written contract, including the name of each party to the  
4 contract:

5 (A) for the sale of goods or services in the  
6 amount of \$2,500 or more;

7 (B) to which the individual, the individual's  
8 spouse, the individual's dependent child, or any business entity of  
9 which the individual, the individual's spouse, or the individual's  
10 dependent child has at least a 50 percent ownership interest is a  
11 party; and

12 (C) with:

13 (i) a governmental entity; or

14 (ii) a person who contracts with a  
15 governmental entity, if the individual or entity described by  
16 Paragraph (B) performs work arising out of the contract,  
17 subcontract, or agreement between the person and the governmental  
18 entity for a fee; and

19 (16) if the individual is a member of the legislature  
20 and provides bond counsel services to an issuer, as defined by  
21 Section 1201.002(1), identification of the following for each  
22 issuance for which the individual served as bond counsel:

23 (A) the amount of the issuance;

24 (B) the name of the issuer;

25 (C) the date of the issuance;

26 (D) the amount of fees paid to the individual,

27 and whether the amount is:

1                   (i) less than \$5,000;  
2                   (ii) at least \$5,000 but less than \$10,000;  
3                   (iii) at least \$10,000 but less than  
4 \$25,000; or

5                   (iv) \$25,000 or more; and  
6                   (E) the amount of fees paid to the individual's  
7 firm, if applicable, and whether the amount is:

8                   (i) less than \$5,000;  
9                   (ii) at least \$5,000 but less than \$10,000;  
10                  (iii) at least \$10,000 but less than  
11 \$25,000; or

12                  (iv) \$25,000 or more.

13                  (e) In this section, "governmental entity" means this  
14 state, a political subdivision of the state, or an agency or  
15 department of the state or a political subdivision of the state.

16                  (f) Subsection (b)(15) does not require the disclosure of an  
17 employment contract between a school district or open-enrollment  
18 charter school and an employee of the district or school.

19                  SECTION 2.02. Section [572.0252](#), Government Code, is amended  
20 to read as follows:

21                  Sec. 572.0252. INFORMATION ABOUT LEGAL REFERRALS. (a) In  
22 this section, "referral for compensation" means the referral of a  
23 legal matter by an attorney to another attorney under which the  
24 attorney receiving the compensation is not responsible for  
25 performing any legal work relating to the matter. The term does not  
26 include compensation for acting as co-counsel, of counsel, or local  
27 counsel.

1        (b) This section applies only to a referral made to or  
2 received from a person if during the period covered by the financial  
3 statement the total amount of compensation for all referrals made  
4 to or received from that person exceeds \$2,500.

5        (c) A state officer who is an attorney shall report on the  
6 financial statement:

7            (1) making or receiving any referral for compensation  
8 for legal services; ~~and~~

9            (2) the date the referral is made or received;

10          (3) the style of the case referred, if applicable; and

11          (4) the percentage of the legal fee paid or received  
12 that was agreed to between the parties to the referral as the  
13 referral fee or, if the referral fee is not determined as a  
14 percentage of the legal fee, the agreed amount of the fee paid or  
15 received ~~[the category of the amount of any fee accepted for making~~  
16 ~~a referral for legal services].~~

17        SECTION 2.03. Subchapter B, Chapter 572, Government Code,  
18 is amended by adding Section 572.0295 to read as follows:

19        Sec. 572.0295. AMENDMENT OF FINANCIAL STATEMENT. (a) A  
20 person who files a financial statement under this chapter may amend  
21 the person's statement.

22        (b) A financial statement that is amended is considered to  
23 have been filed on the date on which the original statement was  
24 filed if:

25            (1) the amendment is made on or before the 14th day  
26 after the date the person filing the statement learns of an error or  
27 omission in the original statement;

1           (2) the original financial statement was made in good  
2 faith and without an intent to mislead or to misrepresent the  
3 information contained in the statement; and

4           (3) the person filing the amendment accompanies the  
5 amendment with a declaration that:

6                   (A) the person became aware of the error or  
7 omission in the original statement during the preceding 14 days;  
8 and

9                   (B) the original statement was made in good faith  
10 and without intent to mislead or to misrepresent the information  
11 contained in the statement.

12           ARTICLE 3. REPORTING OF LOBBYIST EXPENDITURES

13           SECTION 3.01. Section 305.0061, Government Code, is amended  
14 by amending Subsections (a), (b), and (c) and adding Subsections  
15 (h) and (i) to read as follows:

16           (a) If a registrant or a person on the registrant's behalf  
17 and with the registrant's consent or ratification makes  
18 expenditures that exceed 30 [~~60~~] percent of the amount of the  
19 legislative per diem in a day for transportation or lodging for a  
20 member of the legislative or executive branch or for the immediate  
21 family of a member of the legislative or executive branch, the  
22 registrant shall also state the following on the report filed under  
23 Section 305.006:

24                   (1) the name of the member of the legislative or  
25 executive branch in whose behalf the expenditure is made;

26                   (2) the place and date of the transportation or  
27 lodging; and

1 (3) the purpose of the transportation or lodging.

2 (b) If a registrant or a person on the registrant's behalf  
3 and with the registrant's consent or ratification makes  
4 expenditures that exceed 30 [~~60~~] percent of the amount of the  
5 legislative per diem in a day for food and beverages for a member of  
6 the legislative or executive branch or for the immediate family of a  
7 member of the legislative or executive branch or makes expenditures  
8 that exceed 30 [~~60~~] percent of the amount of the legislative per  
9 diem in a day for entertainment for a member of the legislative or  
10 executive branch or for the immediate family of a member of the  
11 legislative or executive branch, the registrant shall also state  
12 the following on the report filed under Section 305.006:

13 (1) the name of the member of the legislative or  
14 executive branch in whose behalf the expenditure is made;

15 (2) the place and date of the expenditure; and

16 (3) the amount of the expenditure by the appropriate  
17 category of the amount, as determined by the commission.

18 (c) If a registrant or a person on the registrant's behalf  
19 and with the registrant's consent or ratification gives to a member  
20 of the legislative or executive branch, or to the immediate family  
21 of a member of the legislative or executive branch, a gift or an  
22 award or memento, the value of which exceeds \$50 per gift, award, or  
23 memento, the registrant shall also state the following on the  
24 report filed under Section 305.006:

25 (1) the name of the member of the legislative or  
26 executive branch in whose behalf the expenditure is made;

27 (2) a general description of the gift, award, or

1 memento; and

2 (3) the amount of the expenditure by the appropriate  
3 category of the amount, as determined by the commission.

4 (h) If more than one registrant or persons acting on behalf  
5 of more than one registrant and with each registrant's consent or  
6 ratification collaborate to make an expenditure described by  
7 Section 305.006(b) together, each registrant shall report both the  
8 registrant's expenditure and the total amount of the shared  
9 expenditure as required by Subsection (a) or (b), if the total  
10 amount of the shared expenditure exceeds the amount provided under  
11 Subsection (a) or (b).

12 (i) If more than one registrant or persons acting on behalf  
13 of more than one registrant and with each registrant's consent or  
14 ratification collaborate to make an expenditure described by  
15 Section 305.006(b) together, each registrant shall report the total  
16 value of the shared expenditure as required by Subsection (c), if  
17 the total value of the shared expenditure exceeds the amount  
18 provided under Subsection (c).

19 SECTION 3.02. Section 305.024(a), Government Code, as  
20 amended by Chapters 92 (S.B. 1011) and 206 (H.B. 1508), Acts of the  
21 79th Legislature, Regular Session, 2005, is reenacted and amended  
22 to read as follows:

23 (a) Except as provided by Section 305.025, a person  
24 registered under Section 305.005 or a person on the registrant's  
25 behalf and with the registrant's consent or ratification may not  
26 offer, confer, or agree to confer:

27 (1) to an individual described by Section

1 305.0062(a)(1), (2), (3), (4), or (5):

2 (A) a loan, including the guarantee or  
3 endorsement of a loan; or

4 (B) a gift of cash or a negotiable instrument as  
5 described by Section 3.104, Business & Commerce Code; or

6 (2) to an individual described by Section  
7 305.0062(a)(1), (2), (3), (4), (5), (6), or (7):

8 (A) an expenditure for transportation and  
9 lodging;

10 (B) an expenditure or series of expenditures for  
11 entertainment that in the aggregate exceed \$500 in a calendar year;

12 (C) an expenditure or series of expenditures for  
13 gifts that in the aggregate exceed \$500 in a calendar year;

14 (D) an expenditure for an award or memento that  
15 exceeds \$500; or

16 (E) an expenditure described by Section  
17 305.006(b)(1), (2), (3), or (6) unless:

18 (i) ~~(A)~~ the registrant is present at the  
19 event; or

20 (ii) ~~(B)~~ the expenditure is for a gift of  
21 food or beverages required to be reported under Section  
22 305.006(b)(4) in accordance with Section 305.0061(e-1).

23 SECTION 3.03. Section 305.024, Government Code, is amended  
24 by adding Subsection (d) to read as follows:

25 (d) The registrant shall notify a member of the legislative  
26 or executive branch when the registrant has reported, as to that  
27 member of the legislative or executive branch, expenditures that,

1 in the aggregate, equal the monetary limits for expenditures under  
2 Subsection (a)(2).

3 SECTION 3.04. Section 305.031(a), Government Code, is  
4 amended to read as follows:

5 (a) A person commits an offense if the person intentionally  
6 or knowingly violates a provision of this chapter other than  
7 Section 305.022, 305.024(d), or 305.028. An offense under this  
8 subsection is a Class A misdemeanor.

9 SECTION 3.05. Section 305.024(c), Government Code, is  
10 repealed.

11 ARTICLE 4. ELECTED OFFICIALS PROHIBITED FROM LOBBYING

12 SECTION 4.01. Section 141.001, Election Code, is amended by  
13 amending Subsection (a) and adding Subsections (e) and (f) to read  
14 as follows:

15 (a) To be eligible to be a candidate for, or elected or  
16 appointed to, a public elective office in this state, a person must:

17 (1) be a United States citizen;  
18 (2) be 18 years of age or older on the first day of the  
19 term to be filled at the election or on the date of appointment, as  
20 applicable;

21 (3) have not been determined by a final judgment of a  
22 court exercising probate jurisdiction to be:

23 (A) totally mentally incapacitated; or  
24 (B) partially mentally incapacitated without the  
25 right to vote;

26 (4) have not been finally convicted of a felony from  
27 which the person has not been pardoned or otherwise released from



1 the resulting disabilities;

2 (5) have resided continuously in the state for 12  
3 months and in the territory from which the office is elected for six  
4 months immediately preceding the following date:

5 (A) for a candidate whose name is to appear on a  
6 general primary election ballot, the date of the regular filing  
7 deadline for a candidate's application for a place on the ballot;

8 (B) for an independent candidate, the date of the  
9 regular filing deadline for a candidate's application for a place  
10 on the ballot;

11 (C) for a write-in candidate, the date of the  
12 election at which the candidate's name is written in;

13 (D) for a party nominee who is nominated by any  
14 method other than by primary election, the date the nomination is  
15 made; and

16 (E) for an appointee to an office, the date the  
17 appointment is made;

18 (6) on the date described by Subdivision (5), be  
19 registered to vote in the territory from which the office is  
20 elected; ~~and~~

21 (7) not be required to be registered as a lobbyist  
22 under Chapter 305, Government Code; and

23 (8) satisfy any other eligibility requirements  
24 prescribed by law for the office.

25 (e) Except as restricted by Section 7.103(c), Education  
26 Code, if applicable, Subsection (a)(7) does not apply to:

27 (1) an office of a political subdivision with a

1 population of 150,000 or less, other than the office of presiding  
2 officer of the governing body of the political subdivision,  
3 provided that the officeholder does not receive a salary or wage for  
4 that office; or

5 (2) the office of the presiding officer of the  
6 governing body of a political subdivision with a population of  
7 50,000 or less, provided that the presiding officer does not  
8 receive a salary or wage for that office.

9 (f) For purposes of Subsection (e), a presiding officer or  
10 other officeholder is not considered to have received a salary or  
11 wage if the officeholder refuses to accept a salary or wage offered  
12 or budgeted for that office.

13 SECTION 4.02. Subchapter A, Chapter 305, Government Code,  
14 is amended by adding Section 305.0031 to read as follows:

15 Sec. 305.0031. CERTAIN ELECTED OFFICERS MAY NOT REGISTER.

16 (a) A member of Congress, a member of the legislature, or a holder  
17 of a statewide office may not register under this chapter.

18 (b) A registration under this chapter expires on the date a  
19 person takes office as a member of Congress, a member of the  
20 legislature, or a holder of a statewide office.

21 SECTION 4.03. Chapter 601, Government Code, is amended by  
22 adding Section 601.010 to read as follows:

23 Sec. 601.010. ELECTED OFFICER MAY NOT BE REGISTERED

24 LOBBYIST. (a) A person may not qualify for a public elective  
25 office if the person is required to be registered as a lobbyist  
26 under Chapter 305.

27 (b) Except as restricted by Section 7.103(c), Education

1 Code, if applicable, Subsection (a) does not apply to:

2 (1) an office for which the federal or state  
3 constitution prescribes exclusive qualification requirements;

4 (2) an office of a political subdivision with a  
5 population of 150,000 or less, other than the office of presiding  
6 officer of the governing body of the political subdivision,  
7 provided that the officeholder does not receive a salary or wage for  
8 that office; or

9 (3) the office of the presiding officer of the  
10 governing body of a political subdivision with a population of  
11 50,000 or less, provided that the presiding officer does not  
12 receive a salary or wage for that office.

13 (c) For purposes of Subsection (b), a presiding officer or  
14 other officeholder is not considered to have received a salary or  
15 wage if the officeholder refuses to accept a salary or wage offered  
16 or budgeted for that office.

17 ARTICLE 5. CLOSING REVOLVING DOOR

18 SECTION 5.01. Subchapter C, Chapter 572, Government Code,  
19 is amended by adding Section 572.062 to read as follows:

20 Sec. 572.062. FORMER LEGISLATOR: LOBBYING RESTRICTED;  
21 CRIMINAL OFFENSE. (a) In this section:

22 (1) "Administrative action," "communicates directly  
23 with," "legislation," "member of the executive branch," and "member  
24 of the legislative branch" have the meanings assigned by Section  
25 305.002.

26 (2) "Legislative cycle" means the two-year period  
27 beginning on the first day of a regular legislative session and

1 ending on the day before the first day of the succeeding regular  
2 legislative session.

3 (b) Except as provided by Subsection (c), a former member of  
4 the legislature may not engage in activities that require  
5 registration under Chapter 305 before the end of the legislative  
6 cycle following the legislative cycle in which the former member  
7 last served as a member of the legislature.

8 (c) Subsection (b) does not apply to a former member of the  
9 legislature who does not receive compensation other than  
10 reimbursement for actual expenses for communicating directly with a  
11 member of the legislative or executive branch to influence  
12 legislation or administrative action.

13 (d) A former member of the legislature who violates this  
14 section commits an offense. An offense under this section is a  
15 Class B misdemeanor.

16 ARTICLE 6. PROHIBITION ON CERTAIN USES OF CAMPAIGN ACCOUNT

17 SECTION 6.01. Subchapter B, Chapter 305, Government Code,  
18 is amended by adding Section 305.029 to read as follows:

19 Sec. 305.029. EXPENDITURES FROM POLITICAL CONTRIBUTIONS  
20 RESTRICTED. (a) In this section, "political contribution,"  
21 "political committee," and "political expenditure" have the  
22 meanings assigned by Section 251.001, Election Code.

23 (b) Notwithstanding any other provision of law, a person  
24 required to register under this chapter may not, before the second  
25 anniversary of the date the last term for which the person was  
26 elected ends, knowingly make or authorize, from political  
27 contributions accepted by the person as a candidate or

1 officeholder, a political expenditure that is a political  
2 contribution to a candidate, officeholder, or political committee.

3 ARTICLE 7. TRANSITION; EFFECTIVE DATE

4 SECTION 7.01. (a) Section 141.001(a), Election Code, as  
5 amended by this Act, and Section 601.010, Government Code, as added  
6 by this Act, apply only to the eligibility and qualification  
7 requirements for a candidate or officer whose term of office will  
8 begin on or after the effective date of this Act. The eligibility  
9 and qualification requirements for a candidate or officer whose  
10 term of office will begin before the effective date of this Act are  
11 governed by the law in effect immediately before the effective date  
12 of this Act, and the former law is continued in effect for that  
13 purpose.

14 (b) The changes in law made by this Act to Sections  
15 305.0061, 305.024, and 305.031, Government Code, apply only to a  
16 gift, award, or memento given to or expenditures for  
17 transportation, lodging, food, beverages, or entertainment made  
18 for a member of the legislative or executive branch or the immediate  
19 family of a member of the legislative or executive branch on or  
20 after the effective date of this Act. A gift, award, or memento  
21 given to or an expenditure for transportation, lodging, food,  
22 beverages, or entertainment made for a member of the legislative or  
23 executive branch or the immediate family of a member of the  
24 legislative or executive branch before the effective date of this  
25 Act is governed by the law in effect on the date the gift, award, or  
26 memento was given, or the date the expenditure for transportation,  
27 lodging, food, beverages, or entertainment was made, and the former

1 law is continued in effect for that purpose.

2 (c) Section 305.029, Government Code, as added by this Act,  
3 applies to an expenditure made on or after January 8, 2019, from  
4 funds accepted as a political contribution, regardless of the date  
5 the funds were accepted.

6 (d) The changes in law made by this Act to Subchapter B,  
7 Chapter 572, Government Code, apply only to a financial statement  
8 filed under Subchapter B, Chapter 572, Government Code, as amended  
9 by this Act, on or after January 8, 2019. A financial statement  
10 filed before January 8, 2019, is governed by the law in effect on  
11 the date of filing, and the former law is continued in effect for  
12 that purpose.

13 (e) Section 572.062, Government Code, as added by this Act,  
14 applies only to a member of the legislature who ceases to be a  
15 member on or after the effective date of this Act.

16 (f) Section 810.002, Government Code, as added by this Act,  
17 applies only to a member of a public retirement system who holds or  
18 has held elected office and, on or after the effective date of this  
19 Act, commits an offense that is a qualifying felony as defined by  
20 that section. A person who commits a qualifying felony before the  
21 effective date of this Act is subject to the law in effect on the  
22 date the offense was committed, and the former law is continued in  
23 effect for that purpose. For purposes of this subsection, an  
24 offense was committed before the effective date of this Act if any  
25 element of the offense occurred before that date.

26 SECTION 7.02. Except as otherwise provided by this Act,  
27 this Act takes effect January 8, 2019.