

By: Burton, et al.

S.B. No. 445

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authorization and reporting of expenditures for
3 lobbying activities by certain political subdivisions and other
4 public entities.

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

6 SECTION 1. Chapter 140, Local Government Code, is amended
7 by adding Section 140.012 to read as follows:

8 Sec. 140.012. EXPENDITURES FOR LOBBYING ACTIVITIES.

9 (a) This section applies only to:

- 10 (1) a political subdivision that imposes a tax;
11 (2) a political subdivision or special district that
12 has the authority to issue bonds, including revenue bonds;
13 (3) a regional mobility authority;
14 (4) a transit authority;
15 (5) a regional tollway authority;
16 (6) a special purpose district;
17 (7) a public institution of higher education;
18 (8) a community college district;
19 (9) a utility owned by the state or a political
20 subdivision; or
21 (10) a river authority.

22 (b) A political subdivision or entity described by
23 Subsection (a) may enter into a contract to spend money to directly
24 or indirectly influence or attempt to influence the outcome of any

1 legislation only if the contract, purpose of the contract,
2 recipient of the contract, and amount of the contract expenditure
3 are authorized by a majority vote of the governing body of the
4 political subdivision or entity in an open meeting of the governing
5 body. The contract expenditure must be voted on by the governing
6 body as a stand-alone item on the agenda at the meeting. The
7 governing body may approve multiple contract expenditures for the
8 purpose described by this subsection by a single vote of the
9 governing body, if the total amount of those expenditures is stated
10 as a separate item on the meeting agenda.

11 (c) A political subdivision or entity described by
12 Subsection (a) shall report to the Texas Ethics Commission and
13 publish on the political subdivision's or entity's Internet
14 website:

15 (1) the amount of money authorized under Subsection
16 (b) for the purpose of directly or indirectly influencing or
17 attempting to influence the outcome of any legislation pending
18 before the legislature;

19 (2) the name of any person required to register under
20 Chapter 305, Government Code, retained or employed by the political
21 subdivision or entity for the purpose described by Subdivision (1);
22 and

23 (3) an electronic copy of any contract for services
24 described by Subdivision (1) entered into by the political
25 subdivision or entity with each person listed under Subdivision
26 (2).

27 (d) In addition to the requirements of Subsection (c), the

1 political subdivision or entity described by Subsection (a) shall
2 report to the Texas Ethics Commission and publish on the political
3 subdivision's or entity's Internet website the amount of public
4 money spent for membership fees and dues of any nonprofit state
5 association or organization of similarly situated political
6 subdivisions or entities that directly or indirectly influences or
7 attempts to influence the outcome of any legislation pending before
8 the legislature.

9 (e) The Texas Ethics Commission shall make available to the
10 public an online searchable database on the commission's Internet
11 website containing the reports submitted to the commission under
12 Subsection (c).

13 (f) If any political subdivision or entity described by
14 Subsection (a) does not comply with the requirements of this
15 section, an interested party is entitled to appropriate injunctive
16 relief to prevent any further activity in violation of this
17 section. For purposes of this subsection, "interested party" means
18 a person who:

19 (1) is a taxpayer of a political subdivision or entity
20 described by Subsection (a); or

21 (2) is served by or receives services from a political
22 subdivision or entity described by Subsection (a).

23 (g) This section does not apply to expenditures or contracts
24 of a political subdivision or entity described by Subsection (a)
25 that are related to a person who is a full-time employee of the
26 political subdivision or entity, or to the reimbursement of
27 expenses for a full-time employee of the political subdivision or

1 entity.

2 SECTION 2. This Act takes effect September 1, 2017.