

By: Burton

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. (a)

9 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 publicly owned utility; or
20 (10) a river authority.

21 (b) A political subdivision or entity described by
22 Subsection (a) may spend money to directly or indirectly influence
23 or attempt to influence the outcome of any legislation pending
24 before the legislature only if the expenditure is authorized by a

1 majority vote of the governing body of the political subdivision or
2 entity in an open meeting of the governing body. The expenditure
3 must be voted on by the governing body as a stand-alone item on the
4 agenda at the meeting.

5 (c) A political subdivision or entity described by
6 Subsection (a) shall report to the Texas Ethics Commission and
7 publish on the political subdivision's or entity's Internet
8 website:

9 (1) the amount of money authorized under Subsection
10 (b) for the purpose of directly or indirectly influencing or
11 attempting to influence the outcome of any legislation pending
12 before the legislature;

13 (2) the name of any person required to register under
14 Chapter 305, Government Code, retained or employed by the political
15 subdivision or entity for the purpose described by Subdivision (1);
16 and

17 (3) an electronic copy of any contract for services
18 described by Subdivision (1) entered into by the political
19 subdivision or entity with each person listed under Subdivision
20 (2).

21 (d) In addition to the requirements of Subsection (c), the
22 political subdivision or entity described by Subsection (a) shall
23 report to the Texas Ethics Commission and publish on the political
24 subdivision's or entity's Internet website the amount of public
25 money spent for membership fees and dues of any nonprofit state
26 association or organization of similarly situated political
27 subdivisions or entities that directly or indirectly influences or

1 attempts to influence the outcome of any legislation pending before
2 the legislature.

3 (e) The Texas Ethics Commission shall make available to the
4 public an online searchable database on the commission's Internet
5 website containing the reports submitted to the commission under
6 Subsection (c).

7 (f) If any political subdivision or entity described by
8 Subsection (a) does not comply with the requirements of this
9 section, an interested party is entitled to appropriate injunctive
10 relief to prevent any further activity in violation of this
11 section. For purposes of this subsection, "interested party" means
12 a person who:

13 (1) is a taxpayer of a political subdivision or entity
14 described by Subsection (a); or

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

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