

1-1 By: Taylor of Collin S.B. No. 503
1-2 (In the Senate - Filed January 25, 2017; January 30, 2017,
1-3 read first time and referred to Committee on State Affairs;
1-4 February 2, 2017, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; February 2, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Estes	X		
1-13	Lucio	X		
1-14	Nelson	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the prohibition on lobbying by certain elected
1-20 officers.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 141.001, Election Code, is amended by
1-23 amending Subsection (a) and adding Subsections (e) and (f) to read
1-24 as follows:

1-25 (a) To be eligible to be a candidate for, or elected or
1-26 appointed to, a public elective office in this state, a person must:

1-27 (1) be a United States citizen;

1-28 (2) be 18 years of age or older on the first day of the
1-29 term to be filled at the election or on the date of appointment, as
1-30 applicable;

1-31 (3) have not been determined by a final judgment of a
1-32 court exercising probate jurisdiction to be:

1-33 (A) totally mentally incapacitated; or

1-34 (B) partially mentally incapacitated without the
1-35 right to vote;

1-36 (4) have not been finally convicted of a felony from
1-37 which the person has not been pardoned or otherwise released from
1-38 the resulting disabilities;

1-39 (5) have resided continuously in the state for 12
1-40 months and in the territory from which the office is elected for six
1-41 months immediately preceding the following date:

1-42 (A) for a candidate whose name is to appear on a
1-43 general primary election ballot, the date of the regular filing
1-44 deadline for a candidate's application for a place on the ballot;

1-45 (B) for an independent candidate, the date of the
1-46 regular filing deadline for a candidate's application for a place
1-47 on the ballot;

1-48 (C) for a write-in candidate, the date of the
1-49 election at which the candidate's name is written in;

1-50 (D) for a party nominee who is nominated by any
1-51 method other than by primary election, the date the nomination is
1-52 made; and

1-53 (E) for an appointee to an office, the date the
1-54 appointment is made;

1-55 (6) on the date described by Subdivision (5), be
1-56 registered to vote in the territory from which the office is
1-57 elected; ~~and~~

1-58 (7) not be required to be registered as a lobbyist
1-59 under Chapter 305, Government Code; and

1-60 (8) satisfy any other eligibility requirements
1-61 prescribed by law for the office.

2-1 (e) Except as restricted by Section 7.103(c), Education
2-2 Code, if applicable, Subsection (a)(7) does not apply to:

2-3 (1) an office of a political subdivision with a
2-4 population of 150,000 or less, other than the office of presiding
2-5 officer of the governing body of the political subdivision,
2-6 provided that the officeholder does not receive a salary or wage for
2-7 that office; or

2-8 (2) the office of the presiding officer of the
2-9 governing body of a political subdivision with a population of
2-10 50,000 or less, provided that the presiding officer does not
2-11 receive a salary or wage for that office.

2-12 (f) For purposes of Subsection (e), a presiding officer or
2-13 other officeholder is not considered to have received a salary or
2-14 wage if the officeholder refuses to accept a salary or wage offered
2-15 or budgeted for that office.

2-16 SECTION 2. Subchapter A, Chapter 305, Government Code, is
2-17 amended by adding Section 305.0031 to read as follows:

2-18 Sec. 305.0031. CERTAIN ELECTED OFFICERS MAY NOT REGISTER.

2-19 (a) A member of Congress, a member of the legislature, or a holder
2-20 of a statewide office may not register under this chapter.

2-21 (b) A registration under this chapter expires on the date a
2-22 person takes office as a member of Congress, a member of the
2-23 legislature, or a holder of a statewide office.

2-24 SECTION 3. Chapter 601, Government Code, is amended by
2-25 adding Section 601.010 to read as follows:

2-26 Sec. 601.010. ELECTED OFFICER MAY NOT BE REGISTERED
2-27 LOBBYIST. (a) A person may not qualify for a public elective
2-28 office if the person is required to be registered as a lobbyist
2-29 under Chapter 305.

2-30 (b) Except as restricted by Section 7.103(c), Education
2-31 Code, if applicable, Subsection (a) does not apply to:

2-32 (1) an office for which the federal or state
2-33 constitution prescribes exclusive qualification requirements;

2-34 (2) an office of a political subdivision with a
2-35 population of 150,000 or less, other than the office of presiding
2-36 officer of the governing body of the political subdivision,
2-37 provided that the officeholder does not receive a salary or wage for
2-38 that office; or

2-39 (3) the office of the presiding officer of the
2-40 governing body of a political subdivision with a population of
2-41 50,000 or less, provided that the presiding officer does not
2-42 receive a salary or wage for that office.

2-43 (c) For purposes of Subsection (b), a presiding officer or
2-44 other officeholder is not considered to have received a salary or
2-45 wage if the officeholder refuses to accept a salary or wage offered
2-46 or budgeted for that office.

2-47 SECTION 4. Section 141.001(a), Election Code, as amended by
2-48 this Act, and Section 601.010, Government Code, as added by this
2-49 Act, apply only to the eligibility and qualification requirements
2-50 for a candidate or officer whose term of office will begin on or
2-51 after the effective date of this Act. The eligibility and
2-52 qualification requirements for a candidate or officer whose term of
2-53 office will begin before the effective date of this Act are governed
2-54 by the law in effect immediately before the effective date of this
2-55 Act, and the former law is continued in effect for that purpose.

2-56 SECTION 5. This Act takes effect January 8, 2019.

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