

By: Bettencourt

S.B. No. 2044

A BILL TO BE ENTITLED

AN ACT

relating to the use of tax proceeds for lobbying activities or lobbyists.

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

SECTION 1. Chapter 556, Government Code, is amended by adding Section 556.0056 to read as follows:

Sec. 556.0056. LOBBYING ACTIVITIES. (a) This section applies to a governmental entity, including a political subdivision, wholly or partly funded by tax proceeds.

(b) A governmental entity may not spend tax proceeds to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature. This subsection does not prevent:

(1) an officer or employee of a governmental entity from providing information for a member of the legislature or appearing before a legislative committee at the request of the committee or the member of the legislature, or with regard to the entity's budgetary needs or the effect of pending legislation on the entity; or

(2) an elected officer of a governmental entity from advocating for or against or otherwise influencing or attempting to influence the outcome of legislation pending before the legislature while acting as an officer of the governmental entity.

(c) A governmental entity may not employ a person required

1 to register as a lobbyist under Chapter 305 to engage in activities
2 on behalf of the governmental entity for which registration is
3 required under that chapter.

4 (d) If a governmental entity engages in an activity
5 prohibited by Subsection (b) or (c), a taxpayer of the entity or the
6 taxing authority that provides tax proceeds to the entity is
7 entitled to appropriate injunctive relief to prevent any further
8 activity prohibited by Subsection (b) or (c).

9 (e) A taxpayer who prevails in an action under Subsection
10 (d) is entitled to recover from the governmental entity the
11 taxpayer's reasonable attorney's fees and costs incurred in
12 bringing the action.

13 SECTION 2. Section 556.0056, Government Code, as added by
14 this Act, applies only to an expenditure or payment of tax proceeds
15 by a governmental entity that is made on or after September 1, 2017.
16 An expenditure or payment of tax proceeds by a governmental entity
17 that is made before September 1, 2017, is governed by the law in
18 effect on the date the expenditure or payment is made, and the
19 former law is continued in effect for that purpose.

20 SECTION 3. This Act takes effect September 1, 2017.