

1-1 By: Creighton S.B. No. 13
 1-2 (In the Senate - Filed March 7, 2019; March 11, 2019, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 17, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 17, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 13 By: Hughes

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to restrictions on lobbying; creating a criminal offense.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 141.001(a), Election Code, is amended to
 1-24 read 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

2-1 prescribed by law for the office.

2-2 SECTION 2. Subchapter A, Chapter 305, Government Code, is
2-3 amended by adding Section 305.0031 to read as follows:

2-4 Sec. 305.0031. CERTAIN ELECTED OFFICERS MAY NOT REGISTER.

2-5 (a) A member of Congress, a member of the legislature, or a holder
2-6 of a statewide office may not register under this chapter.

2-7 (b) A registration under this chapter expires on the date a
2-8 person takes office as a member of Congress, a member of the
2-9 legislature, or a holder of a statewide office.

2-10 SECTION 3. Subchapter C, Chapter 572, Government Code, is
2-11 amended by adding Section 572.062 to read as follows:

2-12 Sec. 572.062. FORMER LEGISLATOR: LOBBYING RESTRICTED;
2-13 CRIMINAL OFFENSE. (a) In this section:

2-14 (1) "Administrative action," "communicates directly
2-15 with," "legislation," "member of the executive branch," and "member
2-16 of the legislative branch" have the meanings assigned by Section
2-17 305.002.

2-18 (2) "Legislative cycle" means the two-year period
2-19 beginning on the first day of a regular legislative session and
2-20 ending on the day before the first day of the succeeding regular
2-21 legislative session.

2-22 (b) Except as provided by Subsection (c), a former member of
2-23 the legislature may not engage in activities that require
2-24 registration under Chapter 305 before the end of the legislative
2-25 cycle following the legislative cycle in which the former member
2-26 last served as a member of the legislature.

2-27 (c) Subsection (b) does not apply to a former member of the
2-28 legislature who does not receive compensation other than
2-29 reimbursement for actual expenses for communicating directly with a
2-30 member of the legislative or executive branch to influence
2-31 legislation or administrative action.

2-32 (d) A former member of the legislature who violates this
2-33 section commits an offense. An offense under this section is a
2-34 Class A misdemeanor.

2-35 SECTION 4. Chapter 601, Government Code, is amended by
2-36 adding Section 601.010 to read as follows:

2-37 Sec. 601.010. ELECTED OFFICER MAY NOT BE REGISTERED
2-38 LOBBYIST. (a) A person may not qualify for a public elective
2-39 office if the person is required to be registered as a lobbyist
2-40 under Chapter 305.

2-41 (b) Subsection (a) does not apply to an office for which the
2-42 federal or state constitution prescribes exclusive qualification
2-43 requirements.

2-44 SECTION 5. Section 141.001(a), Election Code, as amended by
2-45 this Act, and Section 601.010, Government Code, as added by this
2-46 Act, apply only to the eligibility and qualification requirements
2-47 for a candidate or officer whose term of office will begin on or
2-48 after January 12, 2021. The eligibility and qualification
2-49 requirements for a candidate or officer whose term of office will
2-50 begin before January 12, 2021, are governed by the law in effect
2-51 immediately before January 12, 2021, and that former law is
2-52 continued in effect for that purpose.

2-53 SECTION 6. Section 572.062, Government Code, as added by
2-54 this Act, applies only to a member of the legislature who ceases to
2-55 be a member on or after September 1, 2019.

2-56 SECTION 7. (a) Except as provided by Subsection (b) of
2-57 this section, this Act takes effect September 1, 2019.

2-58 (b) Section 141.001(a), Election Code, as amended by this
2-59 Act, and Section 601.010, Government Code, as added by this Act,
2-60 take effect January 12, 2021.

2-61 * * * * *