

1-1 By: Watson S.B. No. 366
1-2 (In the Senate - Filed January 16, 2019; February 7, 2019,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 18, 2019, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 18, 2019, sent to printer.)

1-6 COMMITTEE VOTE

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

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

1-19 relating to the content of detailed reports filed by lobbyists and
1-20 to monetary limits on expenditures by lobbyists.

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

1-22 SECTION 1. Section 305.0061, Government Code, is amended by
1-23 amending Subsections (a), (b), and (c) and adding Subsections (h)
1-24 and (i) to read as follows:

1-25 (a) If a registrant or a person on the registrant's behalf
1-26 and with the registrant's consent or ratification makes
1-27 expenditures that exceed 30 [60] percent of the amount of the
1-28 legislative per diem in a day for transportation or lodging for a
1-29 member of the legislative or executive branch or for the immediate
1-30 family of a member of the legislative or executive branch, the
1-31 registrant shall also state the following on the report filed under
1-32 Section 305.006:

1-33 (1) the name of the member of the legislative or
1-34 executive branch in whose behalf the expenditure is made;

1-35 (2) the place and date of the transportation or
1-36 lodging; and

1-37 (3) the purpose of the transportation or lodging.

1-38 (b) If a registrant or a person on the registrant's behalf
1-39 and with the registrant's consent or ratification makes
1-40 expenditures that exceed 30 [60] percent of the amount of the
1-41 legislative per diem in a day for food and beverages for a member of
1-42 the legislative or executive branch or for the immediate family of a
1-43 member of the legislative or executive branch or makes expenditures
1-44 that exceed 30 [60] percent of the amount of the legislative per
1-45 diem in a day for entertainment for a member of the legislative or
1-46 executive branch or for the immediate family of a member of the
1-47 legislative or executive branch, the registrant shall also state
1-48 the following on the report filed under Section 305.006:

1-49 (1) the name of the member of the legislative or
1-50 executive branch in whose behalf the expenditure is made;

1-51 (2) the place and date of the expenditure; and

1-52 (3) the amount of the expenditure by the appropriate
1-53 category of the amount, as determined by the commission.

1-54 (c) If a registrant or a person on the registrant's behalf
1-55 and with the registrant's consent or ratification gives to a member
1-56 of the legislative or executive branch, or to the immediate family
1-57 of a member of the legislative or executive branch, a gift or an
1-58 award or memento, the value of which exceeds \$50 per gift, award, or
1-59 memento, the registrant shall also state the following on the
1-60 report filed under Section 305.006:

1-61 (1) the name of the member of the legislative or

executive branch in whose behalf the expenditure is made;

(2) a general description of the gift, award, or memento; and

(3) the amount of the expenditure by the appropriate category of the amount, as determined by the commission.

(h) If more than one registrant or persons acting on behalf of more than one registrant and with each registrant's consent or ratification collaborate to make an expenditure described by Section 305.006(b) together, each registrant shall report the total amount of the shared expenditure as required by Subsection (a) or (b), if the total amount of the shared expenditure exceeds the amount provided under Subsection (a) or (b).

(i) If more than one registrant or persons acting on behalf of more than one registrant and with each registrant's consent or ratification collaborate to make an expenditure described by Section 305.006(b) together, each registrant shall report the total value of the shared expenditure as required by Subsection (c), if the total value of the shared expenditure exceeds the amount provided under Subsection (c).

SECTION 2. Section 305.024(a), Government Code, as amended by Chapters 92 (S.B. 1011) and 206 (H.B. 1508), Acts of the 79th Legislature, Regular Session, 2005, is reenacted and amended to read as follows:

(a) Except as provided by Section 305.025, a person registered under Section 305.005 or a person on the registrant's behalf and with the registrant's consent or ratification may not offer, confer, or agree to confer:

(1) to an individual described by Section 305.0062(a)(1), (2), (3), (4), or (5):

(A) a loan, including the guarantee or endorsement of a loan; or

(B) a gift of cash or a negotiable instrument as described by Section 3.104, Business & Commerce Code; or

(2) to an individual described by Section 305.0062(a)(1), (2), (3), (4), (5), (6), or (7):

(A) an expenditure for transportation and lodging;

(B) an expenditure or series of expenditures for entertainment that in the aggregate exceed \$500 in a calendar year;

(C) an expenditure or series of expenditures for gifts that in the aggregate exceed \$500 in a calendar year;

(D) an expenditure for an award or memento that exceeds \$500; or

(E) an expenditure described by Section 305.006(b)(1), (2), (3), or (6) unless:

(i) ~~[(A)]~~ the registrant is present at the event; or

(ii) ~~[(B)]~~ the expenditure is for a gift of food or beverages required to be reported under Section 305.006(b)(4) in accordance with Section 305.0061(e-1).

SECTION 3. Section 305.024, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The registrant shall notify a member of the legislative or executive branch when the registrant has reported, as to that member of the legislative or executive branch, expenditures that, in the aggregate, equal the monetary limits for expenditures under Subsection (a)(2).

SECTION 4. Section 305.031(a), Government Code, is amended to read as follows:

(a) A person commits an offense if the person intentionally or knowingly violates a provision of this chapter other than Section 305.022, 305.024(d), or 305.028. An offense under this subsection is a Class A misdemeanor.

SECTION 5. Section 305.024(c), Government Code, is repealed.

SECTION 6. The changes in law made by this Act apply only to a gift, award, or memento given to or expenditures for transportation, lodging, food, beverages, or entertainment made for a member of the legislative or executive branch or the immediate

3-1 family of a member of the legislative or executive branch on or
3-2 after the effective date of this Act. A gift, award, or memento
3-3 given to or an expenditure for transportation, lodging, food,
3-4 beverages, or entertainment made for a member of the legislative or
3-5 executive branch or the immediate family of a member of the
3-6 legislative or executive branch before the effective date of this
3-7 Act is governed by the law in effect on the date the gift, award, or
3-8 memento was given, or the date the expenditure for transportation,
3-9 lodging, food, beverages, or entertainment was made, and the former
3-10 law is continued in effect for that purpose.

3-11 SECTION 7. This Act takes effect January 12, 2021.

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