

By: Fallon

S.B. No. 490

A BILL TO BE ENTITLED

AN ACT

relating to lobbying by former members of the legislature; creating a criminal offense.

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

SECTION 1. Subchapter C, Chapter 572, Government Code, is amended by adding Section 572.062 to read as follows:

Sec. 572.062. FORMER LEGISLATOR: LOBBYING RESTRICTED; CRIMINAL OFFENSE. (a) In this section, "administrative action," "communicates directly with," "legislation," "member of the executive branch," and "member of the legislative branch" have the meanings assigned by Section 305.002.

(b) Except as provided by Subsection (c), a former member of the legislature may not, before the second anniversary of the date the person ceases to be a member, engage in activities that require registration under Chapter 305.

(c) Subsection (b) does not apply to a former member who:

(1) communicates directly with a member of the legislative or executive branch only to influence legislation or administrative action on behalf of:

(A) a nonprofit organization;

(B) an individual;

(C) a group of low-income individuals; or

(D) a group of individuals with disabilities; and

(2) does not receive compensation other than

1 reimbursement for actual expenses for engaging in communication
2 described by Subdivision (1).

3 (d) A former member who violates this section commits an
4 offense. An offense under this section is a Class A misdemeanor.

5 SECTION 2. Section 572.062, Government Code, as added by
6 this Act, applies only to a member of the legislature who ceases to
7 be a member on or after the effective date of this Act.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2019.