

By: Bettencourt, et al.
(Harless)

S.B. No. 702

Substitute the following for S.B. No. 702:

By: Parker

C.S.S.B. No. 702

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authorization and reporting of expenditures for
3 lobbying activities by certain political subdivisions and other
4 public entities.

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

6 SECTION 1. Section 556.005, Government Code, is amended by
7 adding Subsections (e), (f), and (g) to read as follows:

8 (e) An institution of higher education may spend money under
9 its control to employ or contract with an individual who is required
10 by Chapter 305 to register as a lobbyist only if the expenditure is
11 authorized by a majority vote of the governing body as a stand-alone
12 item on the agenda of the meeting at which the expenditure is
13 authorized.

14 (f) An institution of higher education that authorizes
15 spending described by Subsection (e) shall report to the Texas
16 Ethics Commission and publish on the institution's Internet
17 website:

18 (1) the amount of money authorized for expenditure;
19 (2) the name of the person required to register; and
20 (3) an electronic copy of the person's employment
21 agreement or contract.

22 (g) In addition to the requirements of Subsection (f), an
23 institution of higher education shall report to the Texas Ethics
24 Commission and publish on its Internet website the amount of public

1 money spent on membership fees or dues of any state nonprofit
2 association or organization of institutions of higher education
3 that employs or contracts with an individual who is required by
4 Chapter 305 to register as a lobbyist, if the amount of public money
5 spent exceeds \$10,000. The commission shall adopt rules to
6 implement this section, including rules governing the dates on
7 which the reports required under this subsection must be filed.

8 SECTION 2. Chapter 140, Local Government Code, is amended
9 by adding Section 140.012 to read as follows:

10 Sec. 140.012. EXPENDITURES FOR LOBBYING ACTIVITIES.

11 (a) This section applies only to a:

- 12 (1) political subdivision that imposes a tax;
- 13 (2) political subdivision or special district that has
14 the authority to issue bonds, including revenue bonds;
- 15 (3) regional mobility authority;
- 16 (4) transit authority;
- 17 (5) regional tollway authority;
- 18 (6) special purpose district;
- 19 (7) community college district;
- 20 (8) publicly owned utility; and
- 21 (9) river authority.

22 (b) A political subdivision or entity described by
23 Subsection (a) may spend money to directly or indirectly influence
24 or attempt to influence the outcome of any legislation pending
25 before the legislature only if the expenditure is authorized by a
26 majority vote of the governing body of the political subdivision or
27 entity in an open meeting of the governing body. The expenditure

1 must be voted on by the governing body as a stand-alone item on the
2 agenda at the meeting.

3 (c) A political subdivision or entity described by
4 Subsection (a) shall report to the Texas Ethics Commission and
5 publish on the political subdivision's or entity's Internet
6 website:

7 (1) the amount of money authorized under Subsection
8 (b) for the purpose of directly or indirectly influencing or
9 attempting to influence the outcome of any legislation pending
10 before the legislature;

11 (2) the name of any person required to register under
12 Chapter 305, Government Code, retained or employed by the political
13 subdivision or entity for the purpose described by Subdivision (1);
14 and

15 (3) an electronic copy of any contract for services
16 for the purpose described by Subdivision (1) that is entered into by
17 the political subdivision or entity with each person listed under
18 Subdivision (2).

19 (d) In addition to the requirements of Subsection (c), a
20 political subdivision or entity described by Subsection (a) shall
21 report to the Texas Ethics Commission and publish on the political
22 subdivision's or entity's Internet website the amount of public
23 money spent for membership fees and dues of any nonprofit state
24 association or organization of similarly situated political
25 subdivisions or entities that directly or indirectly influences or
26 attempts to influence the outcome of any legislation pending before
27 the legislature, if the amount of public money spent exceeds

1 \$10,000.

2 (e) The Texas Ethics Commission shall make available to the
3 public an easily searchable database on the commission's Internet
4 website containing the reports submitted to the commission under
5 Subsection (c).

6 (f) If a political subdivision or entity described by
7 Subsection (a) does not comply with the requirements of this
8 section, an interested party is entitled to appropriate injunctive
9 relief to prevent further activity in violation of this section.
10 For purposes of this subsection, "interested party" means a person
11 who:

12 (1) is a taxpayer of the political subdivision or
13 entity described by Subsection (a); or

14 (2) is served by or receives services from the
15 political subdivision or entity described by Subsection (a).

16 (g) This section does not apply to:

17 (1) an officer or employee of a political subdivision
18 or entity described by Subsection (a) who appears before a
19 legislative committee at the written request of the committee or a
20 member of the legislature and does not take a position on any
21 legislation; or

22 (2) a person described by Section 305.004(2),
23 Government Code, to the extent that the person engages in
24 activities described by that section.

25 (h) The Texas Ethics Commission may adopt rules to implement
26 this section, including rules governing the dates on which the
27 reports required under Subsection (d) must be filed.

1 SECTION 3. This Act takes effect September 1, 2019.