

By: Hughes

S.B. No. 906

A BILL TO BE ENTITLED

AN ACT

relating to the use by a political subdivision of public money for lobbying activities.

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

SECTION 1. Section 89.002, Local Government Code, is transferred to Chapter 556, Government Code, redesignated as Section 556.0056, Government Code, and amended to read as follows:

Sec. 556.0056 [~~89.002~~]. LOBBYING ACTIVITIES; ASSOCIATIONS AND ORGANIZATIONS [~~STATE ASSOCIATION OF COUNTIES~~]. (a) This section applies to any political subdivision, including a regional mobility authority, toll road authority, or transit authority.

(b) The governing body of a political subdivision may not spend public money to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature that may expand access to elective abortions by an abortion provider or an affiliate of an abortion provider. This subsection does not prevent:

(1) an officer or employee of a political subdivision 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;

(2) an elected officer of a political subdivision from advocating for or against or otherwise influencing or attempting to influence the outcome of legislation pending before the legislature

1 while acting as an officer of the political subdivision; or

2 (3) an employee of a political subdivision from
3 advocating for or against or otherwise influencing or attempting to
4 influence the outcome of legislation pending before the legislature
5 if those actions would not require a person to register as a
6 lobbyist under Chapter 305.

7 (c) If a political subdivision engages in an activity
8 prohibited by Subsection (b), [~~(b) If any association or~~
9 organization supported wholly or partly by payments of tax receipts
10 from political subdivisions engages in an activity described by
11 Subsection (a)(4) or (5)], a taxpayer or resident of the [a]
12 political subdivision that engages in the prohibited activity [~~that~~
13 pays fees or dues to the association or organization] is entitled to
14 appropriate injunctive relief to prevent any further activity
15 prohibited by Subsection (b) [~~described by Subsection (a)(4) or (5)~~
16 or any further payments of fees or dues].

17 (d) A taxpayer or resident who prevails in an action under
18 Subsection (c) is entitled to recover from the political
19 subdivision the taxpayer's or resident's reasonable attorney's fees
20 and costs incurred in bringing the action.

21 SECTION 2. Section 556.0056, Government Code, as
22 redesignated and amended by this Act, applies only to an
23 expenditure or payment of public money by a political subdivision
24 that is made on or after September 1, 2019. An expenditure or
25 payment of public money by a political subdivision that is made
26 before September 1, 2019, is governed by the law in effect on the
27 date the expenditure or payment is made, and the former law is

1 continued in effect for that purpose.

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