

By: Jetton

H.B. No. 2319

A BILL TO BE ENTITLED

AN ACT

relating to the use of public money to compensate a person who lobbies the federal government.

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

SECTION 1. Sections 556.005(a), (b), and (d), Government Code, are amended to read as follows:

(a) A state agency may not use appropriated money to employ, as a regular full-time or part-time or contract employee, a person who is required by Chapter 305 to register as a lobbyist or who is a lobbyist or lobbying firm as defined by Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. Section 1602). Except for an institution of higher education as defined by Section 61.003, Education Code, a state agency may not use any money under its control to employ or contract with an individual who is required by Chapter 305 to register as a lobbyist or who is a lobbyist or lobbying firm as defined by Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. Section 1602).

(b) A state agency may not use appropriated money to pay, on behalf of the agency or an officer or employee of the agency, membership dues to an organization that pays part or all of the salary of a person who is required by Chapter 305 to register as a lobbyist or who is a lobbyist or lobbying firm as defined by Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. Section 1602).

This subsection does not apply to the payment by a state agency of

1 membership fees under Chapter 81.

2 (d) A state agency administering a statewide retirement
3 plan may enter into a contract to receive assistance or advice
4 regarding the qualified tax status of the plan or on other federal
5 matters affecting the administration of the state agency or its
6 programs if the contractor is not:

7 (1) required by Chapter 305 to register as a lobbyist;
8 or

9 (2) a lobbyist or lobbying firm as defined by Section 3
10 of the Lobbying Disclosure Act of 1995 (2 U.S.C. Section 1602).

11 SECTION 2. Section 556.0055(a), Government Code, is amended
12 to read as follows:

13 (a) A political subdivision or private entity that receives
14 state funds may not use the funds to pay:

15 (1) lobbying expenses incurred by the recipient of the
16 funds;

17 (2) a person or entity that is:

18 (A) required by Chapter 305 to register as a
19 lobbyist [~~with the Texas Ethics Commission under Chapter 305~~]; or

20 (B) a lobbyist or lobbying firm as defined by
21 Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. Section
22 1602);

23 (3) any partner, employee, employer, relative,
24 contractor, consultant, or related entity of a person or entity
25 described by Subdivision (2); or

26 (4) a person or entity that has been hired to represent
27 associations or other entities for the purpose of affecting the

1 outcome of legislation, agency rules, ordinances, or other
2 government policies.

3 SECTION 3. The changes in law made by this Act apply only to
4 the use of public money to compensate a person defined by federal
5 law as a lobbyist or lobbying firm on or after the effective date of
6 this Act.

7 SECTION 4. This Act takes effect September 1, 2021.