

By: Bettencourt, et al.

S.B. No. 10

A BILL TO BE ENTITLED

AN ACT

relating to the use by a county or municipality of public money for lobbying activities.

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

SECTION 1. Chapter 556, Government Code, is amended by adding Section 556.0056 to read as follows:

Sec. 556.0056. RESTRICTIONS ON LOBBYING ACTIVITIES BY COUNTIES AND MUNICIPALITIES. (a) The governing body of a county or municipality may not spend public money or provide compensation in any manner to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature. This subsection does not prevent:

(1) an officer or employee of a county or municipality from providing information for a member of the legislature or appearing before a legislative committee;

(2) an elected officer of a county or municipality from advocating for or against or otherwise influencing or attempting to influence the outcome of legislation pending before the legislature, including testifying before a legislative committee;

(3) an employee of a county or municipality from advocating for or against or otherwise influencing or attempting to influence the outcome of legislation pending before the legislature if those actions would not require a person to register as a

1 lobbyist under Chapter 305;

2 (4) a county or municipality from reimbursing an
3 officer or employee of the county or municipality for direct travel
4 expenses incurred by the officer or employee for engaging in an
5 activity authorized by Subdivision (1), (2), or (3);

6 (5) a county or municipality from paying fees or dues
7 or providing compensation in any manner to a nonprofit state
8 association or organization that advocates for or against or
9 otherwise influences or attempts to influence the outcome of
10 legislation pending before the legislature on the collective behalf
11 of counties or municipalities in this state, unless the association
12 or organization:

13 (A) pays or otherwise compensates an individual
14 required to register as a lobbyist under Chapter 305 for a purpose
15 described by this subdivision, not including a full-time employee
16 of the association or organization; or

17 (B) advocates for or against or otherwise
18 influences or attempts to influence the outcome of legislation
19 pending before the legislature related to property taxation,
20 including the implementation, rates, and administration of
21 property taxes; or

22 (6) a county or municipality from spending public
23 money or providing compensation to an individual required to
24 register as a lobbyist under Chapter 305 for the purpose of
25 influencing or attempting to influence the outcome of legislation
26 pending before the legislature related to the military, military
27 service members, or military veterans.

1 (b) A county or municipality may not establish a nonprofit
2 association or organization that advocates for or against or
3 otherwise influences or attempts to influence the outcome of
4 legislation pending before the legislature on the behalf of a
5 county or municipality if the association or organization takes an
6 action described by Subsection (a)(5)(A) or (B).

7 (c) If a county or municipality engages in an activity
8 prohibited by Subsection (a) or (b), a taxpayer or resident of the
9 county or municipality is entitled to appropriate injunctive relief
10 to prevent any further activity prohibited by those subsections.

11 (d) A taxpayer or resident who prevails in an action under
12 Subsection (c) is entitled to recover from the county or
13 municipality, as applicable, the taxpayer's or resident's
14 reasonable attorney's fees and costs incurred in bringing the
15 action.

16 SECTION 2. Section 556.0056, Government Code, as added by
17 this Act, applies only to:

18 (1) an expenditure or payment of money or provision of
19 some other compensation by a county or municipality that is made on
20 or after September 1, 2021; and

21 (2) the establishment of a nonprofit association or
22 organization that takes an action described by Subsection (a)(5)(A)
23 or (B) of that section on or after September 1, 2021.

24 SECTION 3. This Act takes effect September 1, 2021.