

1-1 By: Bettencourt, et al. S.B. No. 10
 1-2 (In the Senate - Filed March 10, 2021; March 11, 2021, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 12, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 5, Nays 4; April 12, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Bettencourt	X			
1-9 Menéndez		X		
1-10 Eckhardt		X		
1-11 Gutierrez		X		
1-12 Hall	X			
1-13 Nichols	X			
1-14 Paxton	X			
1-15 Springer	X			
1-16 Zaffirini		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 10 By: Nichols

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the use by a county or municipality of public money for
 1-22 lobbying activities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 556, Government Code, is amended by
 1-25 adding Section 556.0056 to read as follows:

1-26 Sec. 556.0056. RESTRICTIONS ON LOBBYING ACTIVITIES BY
 1-27 COUNTIES AND MUNICIPALITIES. (a) The governing body of a county or
 1-28 municipality may not spend public money or provide compensation in
 1-29 any manner to directly or indirectly influence or attempt to
 1-30 influence the outcome of any legislation pending before the
 1-31 legislature. This subsection does not prevent:

1-32 (1) an officer or employee of a county or municipality
 1-33 from providing information for a member of the legislature or
 1-34 appearing before a legislative committee at the request of the
 1-35 member of the legislature or the committee;

1-36 (2) an elected officer of a county or municipality
 1-37 from advocating for or against or otherwise influencing or
 1-38 attempting to influence the outcome of legislation pending before
 1-39 the legislature, including testifying before a legislative
 1-40 committee, while acting as an officer of the county or
 1-41 municipality;

1-42 (3) an employee of a county or municipality from
 1-43 advocating for or against or otherwise influencing or attempting to
 1-44 influence the outcome of legislation pending before the legislature
 1-45 if those actions would not require a person to register as a
 1-46 lobbyist under Chapter 305;

1-47 (4) a county or municipality from reimbursing an
 1-48 officer or employee of the county or municipality for direct travel
 1-49 expenses incurred by the officer or employee for engaging in an
 1-50 activity authorized by Subdivision (1), (2), or (3); or

1-51 (5) a county or municipality from paying fees or dues
 1-52 or providing compensation in any manner to a nonprofit state
 1-53 association or organization that advocates for or against or
 1-54 otherwise influences or attempts to influence the outcome of
 1-55 legislation pending before the legislature on the collective behalf
 1-56 of counties or municipalities in this state, unless the association
 1-57 or organization:

1-58 (A) pays or otherwise compensates an individual
 1-59 required to register as a lobbyist under Chapter 305 for a purpose
 1-60 described by this subdivision, not including a full-time employee

2-1 of the association or organization; or
2-2 (B) advocates for or against or otherwise
2-3 influences or attempts to influence the outcome of legislation
2-4 pending before the legislature related to property taxation,
2-5 including the implementation, rates, and administration of
2-6 property taxes.

2-7 (b) A county or municipality may not establish a nonprofit
2-8 association or organization that advocates for or against or
2-9 otherwise influences or attempts to influence the outcome of
2-10 legislation pending before the legislature on the behalf of a
2-11 county or municipality if the association or organization takes an
2-12 action described by Subsection (a)(5)(A) or (B).

2-13 (c) If a county or municipality engages in an activity
2-14 prohibited by Subsection (a) or (b), a taxpayer or resident of the
2-15 county or municipality is entitled to appropriate injunctive relief
2-16 to prevent any further activity prohibited by those subsections.

2-17 (d) A taxpayer or resident who prevails in an action under
2-18 Subsection (c) is entitled to recover from the county or
2-19 municipality, as applicable, the taxpayer's or resident's
2-20 reasonable attorney's fees and costs incurred in bringing the
2-21 action.

2-22 SECTION 2. Section 556.0056, Government Code, as added by
2-23 this Act, applies only to:

2-24 (1) an expenditure or payment of money or provision of
2-25 some other compensation by a county or municipality that is made on
2-26 or after September 1, 2021; and

2-27 (2) the establishment of a nonprofit association or
2-28 organization that takes an action described by Subsection (a)(5)(A)
2-29 or (B) of that section on or after September 1, 2021.

2-30 SECTION 3. This Act takes effect September 1, 2021.

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