

By: Meza

H.B. No. 489

A BILL TO BE ENTITLED

AN ACT

relating to restrictions on certain contributions and lobbyist compensation by persons appointed to public office by the governor; creating a criminal offense.

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

SECTION 1. Chapter 601, Government Code, is amended by adding Section 601.010 to read as follows:

Sec. 601.010. CERTAIN DONORS INELIGIBLE FOR GUBERNATORIAL APPOINTMENTS; CONTRIBUTIONS AND LOBBYIST COMPENSATION BY GUBERNATORIAL APPOINTEES RESTRICTED; OFFENSE. (a) In this section:

(1) "Communicates directly with," "matter," "member of the executive branch," and "member of the legislative branch" have the meanings assigned by Section 305.002.

(2) "Political contribution" and "specific-purpose committee" have the meanings assigned by Section 251.001, Election Code.

(b) An individual is ineligible to serve as an officer appointed by the governor if during the year preceding the date of appointment the individual made political contributions that in the aggregate exceeded \$2,500 to:

(1) the governor; or

(2) a specific-purpose committee supporting the governor as a candidate or assisting the governor as an

1 officeholder.

2 (c) An individual serving as an officer appointed by the  
3 governor may not during any single year in which the individual  
4 serves in that office make political contributions that in the  
5 aggregate exceed \$2,500 to the governor or a specific-purpose  
6 committee supporting the governor as a candidate or assisting the  
7 governor as an officeholder. An individual who violates this  
8 subsection is liable in damages to this state in the amount of  
9 triple the amount of contributions made in a single year that exceed  
10 the limit prescribed by this subsection.

11 (d) For purposes of Subsection (b) or (c), a political  
12 contribution made by the spouse or dependent child of an individual  
13 or a political contribution from an organization made in the  
14 individual's name and with the individual's consent is considered  
15 to be a contribution made by the individual.

16 (e) Before taking office, an individual appointed by the  
17 governor must sign an attestation that during the year preceding  
18 the appointment the individual, the individual's spouse or  
19 dependent child, or an organization in the individual's name and  
20 with the individual's consent did not make political contributions  
21 exceeding \$2,500 to the governor or a specific-purpose committee  
22 supporting the governor as a candidate or assisting the governor as  
23 an officeholder.

24 (f) Before taking office, an individual appointed by the  
25 governor must sign an attestation that the individual or a business  
26 entity acting at the direction of the individual will not  
27 compensate a person required to register as a lobbyist under

1 Chapter 305 for communicating directly with a member of the  
2 legislative or executive branch on a matter affecting the  
3 individual's state agency and will comply with any political  
4 contribution limits under Subsection (b). An individual appointed  
5 by the governor who violates an attestation under this subsection,  
6 a business entity acting at the direction of the individual that  
7 violates an attestation under this subsection, or a person required  
8 to register as a lobbyist under Chapter 305 who accepts  
9 compensation made in violation of an attestation under this  
10 subsection commits an offense. An offense under this subsection is  
11 a Class A misdemeanor.

12         SECTION 2. Section 601.010, Government Code, as added by  
13 this Act, applies only to an appointment made on or after the  
14 effective date of this Act.

15         SECTION 3. This Act takes effect September 1, 2023.