

By: Spiller

H.B. No. 86

A BILL TO BE ENTITLED

AN ACT

relating to requirements applicable to certain governmental entities that engage in lobbying.

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 EXPENDITURES AND REIMBURSEMENTS BY CERTAIN GOVERNMENTAL ENTITIES. (a) This section applies only to a governmental entity authorized to impose a tax.

(b) A governmental entity's governing body may not spend public money obtained through taxes the entity imposes to contract with a person required to register as a lobbyist under Chapter 305 to communicate directly with one or more members of the legislative branch to influence legislation pending before the legislature unless the expenditure is:

(1) authorized by a majority vote of the governing body in an open meeting of the governing body; and

(2) voted on by the governing body at the meeting as a stand-alone item on the agenda.

(c) A governmental entity that contracts with a person required to register as a lobbyist under Chapter 305 in accordance with this section must publish on the entity's Internet website:

(1) the amount of money authorized to be spent under Subsection (b) to contract with the person;

1 (2) the name of the person;

2 (3) a copy of the contract;

3 (4) the amount of money, if any, spent by the entity
4 for membership fees or dues to a nonprofit state association or
5 organization of similarly situated entities that contracts with a
6 person required to register as a lobbyist under Chapter 305; and

7 (5) a copy of any current legislative agenda or
8 resolution adopted by the entity.

9 (d) A person required to register as a lobbyist under
10 Chapter 305 that contracts with a governmental entity in accordance
11 with this section may not communicate directly with a member of the
12 legislative branch on behalf of the entity regarding legislation
13 pending before the legislature that specifically proposes to amend
14 Section 26.04(c) or 26.041(c), Tax Code.

15 (e) Notwithstanding other law, a governmental entity may
16 not reimburse a person required to register as a lobbyist under
17 Chapter 305 for an expenditure the person made for food, beverages,
18 or entertainment.

19 (f) If a governmental entity does not comply with the
20 requirements of this section, a resident of or person receiving
21 services from the entity may file with the Texas Ethics Commission a
22 sworn complaint against the entity in accordance with Section
23 571.122.

24 (g) This section does not prevent an officer or employee of
25 a governmental entity from:

26 (1) providing information to a member of the
27 legislative branch;

1 (2) appearing before a legislative committee; or

2 (3) communicating directly with one or more members of
3 the legislative branch to influence legislation pending before the
4 legislature.

5 SECTION 2. Section 2254.030, Government Code, is repealed.

6 SECTION 3. Section 556.0056, Government Code, as added by
7 this Act, applies only to a payment described by that section made
8 under a contract entered into on or after the effective date of this
9 Act. A contract entered into before the effective date of this Act
10 under which a payment described by that section is made is governed
11 by the law in effect on the date the contract was entered into, and
12 the former law is continued in effect for that purpose.

13 SECTION 4. This Act takes effect on the 91st day after the
14 last day of the legislative session.