

By: Hickland

H.B. No. 173

A BILL TO BE ENTITLED

AN ACT

relating to the use by a school district or a school district employee of public funds 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. RESTRICTION ON USE OF PUBLIC FUNDS BY SCHOOL DISTRICTS AND SCHOOL DISTRICT EMPLOYEES FOR LOBBYING ACTIVITIES.

(a) In this section, "communicates directly with" and "member of the legislative branch" have the meanings assigned by Section 305.002.

(b) A school district may not spend public funds:

(1) to hire an individual required to register as a lobbyist under Chapter 305 for the purpose of lobbying a member of the legislative branch; or

(2) to pay a nonprofit state association or organization that:

(A) primarily represents political subdivisions;
and

(B) hires or contracts with an individual required to register as a lobbyist under Chapter 305.

(c) A school district employee may not use public funds or other district resources to communicate directly with a member of the legislative branch or an employee of a member of the legislative

1 branch to influence legislation.

2 (d) If a school district or a school district employee
3 engages in an activity prohibited by Subsection (b) or (c), a
4 taxpayer or resident of the school district is entitled to
5 appropriate injunctive relief to prevent further activity
6 prohibited by those subsections and further use or expenditure of
7 public funds related to those activities.

8 (e) A taxpayer or resident who prevails in an action under
9 Subsection (d) is entitled to recover from the school district the
10 taxpayer's or resident's reasonable attorney's fees and costs
11 incurred in bringing the action.

12 SECTION 2. Section 556.0056, Government Code, as added by
13 this Act, applies only to the use or expenditure of public funds by
14 a school district or a school district employee that is made on or
15 after the effective date of this Act, including the use or
16 expenditure of public funds that is made under a contract entered
17 into on or after the effective date of this Act.

18 SECTION 3. This Act takes effect on the 91st day after the
19 last day of the legislative session.