

BILL ANALYSIS

Senate Research Center
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S.B. 19
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There are concerns that the use of public funds by political subdivisions for lobbying activities is an improper use of taxpayer funds and that there is a general lack of transparency regarding public spending on lobbying activities. S.B. 19 seeks to address these concerns by prohibiting the use of public funds by political subdivisions for hiring or contracting with a person required to register as a lobbyist under Chapter 305, Government Code. Additionally, S.B. 19 prohibits the use of public funds to pay dues or fees to a non-profit statewide association that primarily represents political subdivisions and hires or contracts with a person required to register as a lobbyist under Chapter 305, Government Code.

As proposed, S.B. 19 amends current law relating to the use by a political subdivision of public funds for lobbying and certain other activities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 556, Government Code, by adding Section 556.0056, as follows:

Sec. 556.0056. RESTRICTION ON USE OF PUBLIC FUNDS BY POLITICAL SUBDIVISIONS FOR LOBBYING ACTIVITIES. (a) Prohibits a political subdivision from spending public funds:

- (1) to hire an individual required to register as a lobbyist under Chapter 305 (Registration of Lobbyists) for the purpose of lobbying a member of the legislature; or
- (2) to pay a nonprofit state association or organization that primarily represents political subdivisions and hires or contracts with an individual required to register as a lobbyist under Chapter 305.

(b) Provides that Subsection (a) does not prohibit:

- (1) an officer or employee of a political subdivision from providing information for a member of the legislature or appearing before a legislative committee;
- (2) an elected officer of a political subdivision from advocating for or against or otherwise influencing or attempting to influence the outcome of legislation pending before the legislature while acting as an officer of the political subdivision;
- (3) an employee of a political subdivision 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 lobbyist under Chapter 305;

(4) a political subdivision from reimbursing an officer or full-time employee of the political subdivision for direct travel expenses incurred by the officer or employee for engaging in an activity described by Subdivision (1), (2), or (3); or

(5) a full-time employee of a nonprofit state association or organization that primarily represents political subdivisions of this state from providing legislative services related to bill tracking, bill analysis, and legislative alerts, communicating directly with a member of the legislature to provide information if the communication would not require a person to register as a lobbyist under Chapter 305, or testifying for or against legislation before the legislature.

(c) Provides that if a political subdivision engages in an activity prohibited by Subsection (a), a taxpayer or resident of the political subdivision is entitled to appropriate injunctive relief to prevent further activity prohibited by that subsection and further payment of public funds related to that activity.

(d) Provides that a taxpayer or resident who prevails in an action under Subsection (c) is entitled to recover from the political subdivision the taxpayer's or resident's reasonable attorney's fees and costs incurred in bringing the action.

SECTION 2. Amends Section 89.002, Local Government Code, as follows:

Sec. 89.002. STATE ASSOCIATION OF COUNTIES. (a) Creates an exception under Section 556.0056, Government Code. Deletes existing text authorizing the commissioners court to spend, in the name of the county, money from the county's general fund for membership fees and dues of a nonprofit state association of counties if neither the association nor an employee of the association directly or indirectly influencing or attempting to influence the outcome of any legislation pending before the legislature, except that this subdivision does not prevent a person from providing information for a member of the legislature or appearing before a legislative committee at the request of the committee or the member of the legislature. Makes nonsubstantive changes.

(b) Makes conforming changes to this subsection.

SECTION 3. Makes application of Section 556.0056, Government Code, as added by this Act, prospective.

SECTION 4. Makes application of Section 89.002, Local Government Code, as amended by this Act, prospective.

SECTION 5. Effective date: September 1, 2025.