

By: Middleton, et al.

S.B. No. 19

A BILL TO BE ENTITLED

AN ACT

relating to the use by a political subdivision of public funds for lobbying and certain other 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 POLITICAL SUBDIVISIONS FOR LOBBYING ACTIVITIES. (a) A political subdivision may not spend public funds:

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

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

(A) primarily represents political subdivisions;
and

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

(a-1) Subsection (a) does not apply to an association or organization that solely represents elected sheriffs.

(b) 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;

1 (2) an elected officer of a political subdivision from
2 advocating for or against or otherwise influencing or attempting to
3 influence the outcome of legislation pending before the legislature
4 while acting as an officer of the political subdivision;

5 (3) an employee of a political subdivision from
6 advocating for or against or otherwise influencing or attempting to
7 influence the outcome of legislation pending before the legislature
8 if those actions would not require a person to register as a
9 lobbyist under Chapter 305;

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

15 (5) a full-time employee of a nonprofit association or
16 organization that primarily represents political subdivisions of
17 this state from engaging in activities that would require
18 registration as a lobbyist under Chapter 305.

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

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

1 SECTION 2. Section 89.002, Local Government Code, is
2 amended to read as follows:

3 Sec. 89.002. STATE ASSOCIATION OF COUNTIES. (a) Except as
4 provided by Section 556.0056, Government Code, the [The]
5 commissioners court may spend, in the name of the county, money from
6 the county's general fund for membership fees and dues of a
7 nonprofit state association of counties if:

8 (1) a majority of the court votes to approve
9 membership in the association;

10 (2) the association exists for the betterment of
11 county government and the benefit of all county officials;

12 (3) the association is not affiliated with a labor
13 organization; and

14 (4) ~~[neither the association nor an employee of the~~
15 ~~association directly or indirectly influences or attempts to~~
16 ~~influence the outcome of any legislation pending before the~~
17 ~~legislature, except that this subdivision does not prevent a person~~
18 ~~from providing information for a member of the legislature or~~
19 ~~appearing before a legislative committee at the request of the~~
20 ~~committee or the member of the legislature, and~~

21 [~~5~~] neither the association nor an employee of the
22 association directly or indirectly contributes any money,
23 services, or other valuable thing to a political campaign or
24 endorses a candidate or group of candidates for public office.

25 (b) If any association or organization supported wholly or
26 partly by payments of tax receipts from political subdivisions
27 engages in an activity described by Subsection (a)(4) [~~or (5)~~], a

1 taxpayer of a political subdivision that pays fees or dues to the
2 association or organization is entitled to appropriate injunctive
3 relief to prevent any further activity described by Subsection
4 (a)(4) [~~or (5)~~] or any further payments of fees or dues.

5 SECTION 3. Section 556.0056, Government Code, as added by
6 this Act, applies only to an expenditure or payment of public funds
7 by a political subdivision that is made on or after the effective
8 date of this Act, including an expenditure or payment of public
9 funds by a political subdivision that is made under a contract
10 entered into before, on, or after the effective date of this Act. A
11 contract term providing for an expenditure or payment prohibited by
12 Section 556.0056, Government Code, as added by this Act, is void on
13 the effective date of this Act.

14 SECTION 4. Section 89.002, Local Government Code, as
15 amended by this Act, applies only to the spending of money by a
16 county from the county's general fund that occurs on or after the
17 effective date of this Act. The spending of money by a county from
18 the county's general fund that occurs before the effective date of
19 this Act is governed by the law as it existed immediately before the
20 effective date of this Act, and that law is continued in effect for
21 that purpose.

22 SECTION 5. This Act takes effect September 1, 2025.