

By: _____ .B. No. _____

Substitute the following for .B. No. _____:

By: _____ C.S. .B. No. _____

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain requirements applicable to political
3 subdivisions and other entities that engage in lobbying and to the
4 applicability of lobbyist registration requirements to a person who
5 provides legal services to a political subdivision.

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

7 SECTION 1. Section 305.003, Government Code, is amended by
8 adding Subsection (b-5) to read as follows:

9 (b-5) This section does not require a person to register if
10 the person has established an attorney-client relationship with a
11 political subdivision to provide legal services and receives or is
12 entitled to receive compensation, reimbursement, or expenses under
13 an agreement under which the person is retained or employed by the
14 political subdivision.

15 SECTION 2. Chapter 556, Government Code, is amended by
16 adding Section 556.0056 to read as follows:

17 Sec. 556.0056. RESTRICTIONS ON LOBBYING EXPENDITURES AND
18 REIMBURSEMENTS BY CERTAIN POLITICAL SUBDIVISIONS AND OTHER
19 ENTITIES. (a) This section applies only to a:

20 (1) political subdivision that imposes a tax;

21 (2) political subdivision or special district that has
22 the authority to issue bonds, including revenue bonds;

23 (3) regional mobility authority;

24 (4) transit authority;

1 (5) regional tollway authority;

2 (6) special purpose district, including a municipal
3 utility district and a municipal management district;

4 (7) public institution of higher education;

5 (8) community college district;

6 (9) publicly owned utility; and

7 (10) river authority or water supply corporation.

8 (b) The governing body of a political subdivision or other
9 entity to which this section applies may not spend public money or
10 provide other compensation to contract with a person required to
11 register as a lobbyist under Chapter 305 to communicate directly
12 with one or more members of the legislative branch to influence
13 legislation pending before the legislature unless the expenditure
14 is:

15 (1) authorized by a majority vote of the governing
16 body of the political subdivision or entity in an open meeting of
17 the governing body; and

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

20 (c) A political subdivision or other entity to which this
21 section applies that contracts with a person required to register
22 as a lobbyist under Chapter 305 in accordance with this section must
23 publish on the political subdivision's or entity's Internet
24 website:

25 (1) the amount of money authorized under Subsection
26 (b) for the purpose of contracting with the person;

27 (2) the name of the person;

1 (3) a copy of the contract;

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

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

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

17 (e) Notwithstanding other law, a political subdivision or
18 other entity to which this section applies may not provide
19 reimbursement to a person required to register as a lobbyist under
20 Chapter 305 for an expenditure made by the person for food,
21 beverages, or entertainment.

22 (f) If a political subdivision or other entity to which this
23 section applies does not comply with the requirements of this
24 section, a resident of or person receiving services from the
25 political subdivision or entity may file a sworn complaint with the
26 Texas Ethics Commission against the political subdivision or entity
27 in accordance with Section 571.122.

1 (g) This section does not prevent an officer or employee of
2 a political subdivision or other entity to which this section
3 applies from:

4 (1) providing information for a member of the
5 legislative branch;

6 (2) appearing before a legislative committee; or

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

10 SECTION 3. Section 2254.030, Government Code, is repealed.

11 SECTION 4. Section 556.0056, Government Code, as added by
12 this Act, applies only to a payment or other compensation described
13 by that section made under a contract entered into on or after the
14 effective date of this Act. A contract entered into before the
15 effective date of this Act under which a payment or other
16 compensation described by that section is made is governed by the
17 law in effect on the date the contract was entered into, and the
18 former law is continued in effect for that purpose.

19 SECTION 5. This Act takes effect September 1, 2021.