

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1009  
By: Harris  
Administration  
4/22/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

S.B. 1009 deals with the provisions of Chapter 305, Government Code, for determining when a report for a lobby expenditure must be filed. In accordance with Chapter 305.006, Government Code, each lobby registrant is required to file with the Texas Ethics Commission a written, verified report concerning the activities described by this section.

C.S.S.B. 1009 clarifies that the reporting requirements allow a lobby registrant to elect to use the date of the receipt of the credit card statement as the date by which it is determined when to file a report for particular expenditures, or, alternatively, to use the actual date of the expenditure itself. Additionally, C.S.S.B. 1009 clarifies the law to reflect that when the registrant does not have the information which must be included in an expense report readily determinable for a given monthly or yearly reporting period, the information is not required to be reported until the following period.

### **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 Section 305.006(f), Government Code, to provide that this subsection does not apply to a gift of food or beverages required to be reported under Subsection (b)(4) in accordance with Section 305.0061(e-1).

SECTION 2. Amends Section 305.0061, Government Code, by adding Subsection (e-1), to provide that, if a registrant or a person on the registrant's behalf and with the registrant's consent or ratification makes an expenditure for food or beverages with a value of \$50 or less intended as a gift for a member of the legislative or executive branch and delivered by first-class United States mail or by common or contract carrier outside the Capitol Complex, the expenditure is considered to be a gift and should be reported under Section 305.006(b)(4).

SECTION 3. Amends Section 305.007(a), Government Code, to specify that the report (of expenditures by a registered lobbyist) must cover certain activities, subject to Section 305.0071. Makes a nonsubstantive change.

SECTION 4. Amends Subchapter A, Chapter 305, Government Code, by adding Section 305.0071, as follows:

Sec. 305.0071. INCLUSION OF EXPENDITURE IN REPORT. (a) Sets forth certain expenditures not required to be included in certain reports (of registered lobbyists) and creates an exception, as provided by this section.

(b) Requires certain expenditures for which the amount is normally not disclosed before receipt of a periodic bill to be included in the report for the reporting period in which the bill is received.

(c) Requires the amount of an expenditure made by credit card to be included either in the reporting period in which the expenditure is made or in the reporting period when the credit card statement listing the expenditure is received.

SECTION 5. Amends Section 305.024(a), Government Code, to prohibit, except as provided by Section 305.025, a person registered under Section 305.005 or a person on the registrant's behalf and with the registrant's consent or ratification, from offering, conferring, or agreeing to confer to a member of the legislative or executive branch specific expenditures, unless the expenditure is for a gift of food or beverages required to be reported under new amended law.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: 91st day after adjournment. [No effective date given in substitute].