

## **BILL ANALYSIS**

Senate Research Center  
79R6115 ESH-D

S.B. 1011  
By: Harris  
Administration  
4/19/2005  
As Filed

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

There is currently no reporting category for lobby expenditures made for persons who are the invited guests of a member of the legislative or executive branch of state government. Recent discussions with the Texas Ethics Commission have raised a concern that, because the expenditure for these invited guests may be considered an expenditure benefiting the inviter/public official, the amount of these expenditures may be required to be reported under and attributed to the inviting member of the legislative or executive branch.

As proposed, S.B. 1011 adds an additional reporting category with corresponding expenditure limits and clarifies the circumstances under which expenditures for the exceptions to the ban on travel and lodging are permissible.

### **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 305.0062(a), Government Code, to set forth certain expenditure categories [for expenditures directly attributable to members of the legislative or executive branch], including a category that encompasses children, other than dependent children, of and other guests invited by certain individuals. Makes nonsubstantive changes.

SECTION 2. Amends Section 305.024(a), Government Code, to make a conforming change.

SECTION 3. Amends Section 305.025, Government Code, to provide that Section 305.024 (Restrictions on Expenditures) does not prohibit certain expenditures, including those related to attendance at informational conferences and food, beverages, and incidental entertainment provided in connection with a conference, seminar, educational program, or similar event.

SECTION 4. Amends Section 36.07(b), Penal Code, as follows:

(b) Provides that this section does not prohibit a public servant from accepting transportation, lodging, food and beverage, and incidental entertainment in connection with a conference, educational program, or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent that:

(1) the services rendered are more than merely perfunctory; and

(2) the expenditures are reported as required by Chapter 305 (Registration of Lobbyists), Government Code, if applicable.

SECTION 5. Makes application of Sections 305.0062(a), 305.024(a), and 305.025, Government Code, as amended by this Act, prospective.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2005.