

## **BILL ANALYSIS**

Senate Research Center  
87R20910 TJB-D

C.S.S.B. 1879  
By: Bettencourt et al.  
Local Government  
4/20/2021  
Committee Report (Substituted)

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

Under current law, there is no statute requiring local governmental entities to explicitly state the expenditures made on behalf of lobbying activities during the legislative session. Often times, the amounts spent on registered lobbyists is placed in the entity's budget but done so that the average taxpayer cannot easily find the expenditure.

S.B. 1879 would require the local entity to submit to the Texas Ethics Commission certain information within certain timeframes and provide public access to such information.

This information would provide greater transparency to the general public as to uses of tax revenues by the entity for lobbying activities.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1879 amends current law relating to the authorization and reporting of expenditures for lobbying activities by certain political subdivisions and other public entities.

### **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 140, Local Government Code, by adding Section 140.013, as follows:

Sec. 140.013. EXPENDITURES FOR LOBBYING ACTIVITIES. (a) Provides that this section applies only to certain political subdivisions and public entities.

(b) Authorizes a political subdivision or other entity to which this section applies to spend money to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature only if the expenditure is authorized by a majority vote of the governing body of the political subdivision or entity in an open meeting of the governing body. Requires that the expenditure be voted on by the governing body as a stand-alone item on the agenda at the meeting.

(c) Requires a political subdivision or other entity to which this section applies to report to the Texas Ethics Commission (TEC) and publish on the political subdivision's or entity's Internet website:

(1) the amount of money authorized under Subsection (b) for the purpose of directly or indirectly influencing or attempting to influence the outcome of any legislation pending before the legislature;

(2) the name of any person required to register under Chapter 305 (Registration of Lobbyists), Government Code, retained or employed by

or on behalf of the political subdivision or entity for the purpose described by Subdivision (1); and

(3) an electronic copy of any contract for services for the purpose described by Subdivision (1) that is entered into by the political subdivision or entity, or by a person on behalf of the political subdivision or entity, with each person listed under Subdivision (2).

(d) Requires a political subdivision or other entity to which this section applies, in addition to the requirements of Subsection (c), to report to TEC and publish on the political subdivision's or entity's Internet website the amount of public money spent for membership fees and dues of any nonprofit state association or organization of similarly situated political subdivisions or entities that directly or indirectly influences or attempts to influence the outcome of any legislation pending before the legislature.

(e) Requires TEC to make available to the public an easily searchable database on TEC's Internet website containing the reports submitted to TEC under Subsection (c).

(f) Entitles an interested party, if a political subdivision or other entity to which this section applies does not comply with the requirements of this section, to appropriate injunctive relief to prevent further activity in violation of this section. Defines "interested party."

(g) Provides that this section does not prevent an officer or employee of a political subdivision or other entity to which this section applies from advocating for or against or otherwise influencing or attempting to influence the outcome of legislation pending before the legislature.

SECTION 2. Requires TEC to implement the change in law made by Section 140.013(e), Local Government Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. Provides that if the legislature does not appropriate money specifically for that purpose, TEC is authorized, but not required, to implement that change in law using other appropriations available for that purpose.

SECTION 3. Effective date: September 1, 2021.