

## **BILL ANALYSIS**

Senate Research Center

S.B. 1171  
By: Galloway  
State Affairs  
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As Filed

### **DIGEST**

Currently, Texas law prohibits certain entities, such as school districts, from using public funds to lobby. However, this prohibition does not apply to municipalities. Cities often use tax money to lobby against positions held by many of their own residents. Additionally, while state agencies are traditionally prevented from lobbying by the Appropriations Act, this is not apparent in the statute. S.B. 1171 would prohibit lobbying by state agencies and municipalities while still permitting them to monitor legislation and provide information to the legislature upon request.

### **PURPOSE**

As proposed, S.B. 1171 outlines provisions and provides a civil penalty regarding a prohibition on the expenditure of certain public funds on lobbying.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 305B, Government Code, by adding Section 305.028, as follows:

Sec. 305.028. LEGISLATIVE INFLUENCE PROHIBITED. Sets forth prohibitions for a state agency or a municipality. Authorizes an officer or employee of a state agency or a municipality to furnish any member of the legislature or a legislative committee, on request, information in the possession of the officer or employee that is not considered to be confidential under law. Authorizes a part-time employee to serve as a lobbyist under this section if the entity for which the person is lobbying is not related to the agency or municipality with which the person is employed. Provides that a state agency or municipality that spends money or employs a person in violation of this section is liable to the state for a civil penalty in an amount equal to three times the compensation paid by the state agency or municipality to the person. Authorizes the attorney general to sue to collect the penalty. Defines "state agency."

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.