

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1171  
By: Galloway  
State Affairs  
4-21-97  
Committee Report (Substituted)

### **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. C.S.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, C.S.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, county, or municipality. Authorizes an officer or employee of a state agency, county, or 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, county, or municipality with which the person is employed. Sets forth duties of a person a state agency, county, or municipality is authorized to employ. Prohibits a person employed under this section from testifying for or against proposed legislation. Provides that a state agency, county, 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, county, 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.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 305.028, Government Code, regarding prohibitions on legislative influence.