

BILL ANALYSIS

Senate Research Center

S.B. 122
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State Affairs
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As Filed

DIGEST

Currently, Texas law authorizes a member of the legislature to represent clients in contested cases before state agencies, as well as perform administrative duties, such as filing documents on behalf of a client. Some concerns have been raised over a legislator's influence with a state agency. This bill would prohibit a member of the legislature from representing another person, for compensation, before an executive state agency.

PURPOSE

As proposed, S.B. 122 will prohibit a member of the legislature from representing a person, for compensation, before an executive state agency.

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 Section 572.052(a), Government Code, to prohibit a member of the legislature from representing another person, for compensation, before a state agency in the executive branch of state government. Deletes the exceptions that authorized a member of the legislature to represent another person, for compensation, before an executive state agency in an adversary proceeding or a public hearing that is a matter of record, or if the representation involves the filing of documents, contacts with the agency, or other relations, that involve only ministerial acts on the part of the commission, agency, board, department, or officer.

SECTION 2. Amends Section 572.021, Government Code, to require a state officer, a partisan or independent candidate for an office as an elected officer, and a party chairman to file with the Texas Ethics Commission a verified financial statement complying with Sections 572.022 through 572.024, rather than through 572.025.

SECTION 3. Repealer: Section 572.025, Government Code (Information About Legislators' Representation Before Executive State Agencies).

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 1997.

SECTION 6. Emergency clause.