

BILL ANALYSIS

Senate Research Center

C.S.S.B. 122
By: Bivins
State Affairs
4-9-97
Committee Report (Substituted)

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, C.S.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, unless the representation involves contacts with the agency for informational purposes, among other reasons. Deletes the exception 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.

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.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 572.052(a), Government Code, to delete the proposed deletion of Subsection (a)(2), and to authorize contacts with an agency for informational purposes only.

SECTION 4.

Makes a conforming change.