

BILL ANALYSIS

Senate Research Center
85R30 EES-D

S.B. 504
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas does not have a revolving door provision prohibiting legislators from lobbying for a period of time following their retirement from legislative office. In several instances former legislators have begun lobbying when their terms ended or, in other cases, resigned from office in order to start a lobbying job. Interested parties observe that the absence of a cooling off provision governing retired legislators adversely affects the public's trust and confidence in the legislature. In particular, allowing former legislators to lobby following their retirement from the legislature creates the appearance that those members may be accruing a pecuniary gain by virtue of their public service. The appearance of this benefit available to former legislators detracts from the public's trust and confidence in the legislative body.

S.B. 504 establishes a revolving door prohibition that bars former legislators from lobbying for one entire, two-year legislative cycle following their departure from public office. The cooling off period would begin on the first day of a regular legislative session following their departure, and end on the day before the first day of the succeeding legislative session. A former legislator would be eligible to register as a lobbyist with the Texas Ethics Commission and engage in lobbying once this two-year legislative cycle has concluded. If a legislator leaves office before their term has ended, they would still be required to wait one entire legislative cycle beginning with the first day of regular session following their departure before being allowed to lobby.

As proposed, S.B. 504 amends current law relating to lobbying by former members of the legislature; and creates an offense.

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 Subchapter C, Chapter 572, Government Code, as follows:

Sec. 572.062. FORMER LEGISLATOR: LOBBYING RESTRICTED; CRIMINAL OFFENSE. (a) Defines "administrative action," "communicates directly with," "legislation," "member of the executive branch," "member of the legislative branch," and "legislative cycle."

(b) Prohibits, except as provided by Subsection (c), a former member of the legislature from engaging in activities that require registration under Chapter 305 (Registration of Lobbyists) before the end of the legislative cycle following the legislative cycle in which the former member last served as a member of the legislature.

(c) Provides that Subsection (b) does not apply to a former member who does not receive compensation other than reimbursement for actual expenses for communicating directly with a member of the legislative or executive branch to influence legislation or administrative action.

(d) Provides that a former member who violates this section commits a Class A misdemeanor.

SECTION 2. Provides that Section 572.062, Government Code, as added by this Act, applies only to a member of the legislature who ceases to be a member after the effective date of this text.

SECTION 3. Effective date: January 8, 2019.