

BILL ANALYSIS

Senate Research Center
81R23031 NC-D

C.S.S.B. 2468
By: Gallegos
State Affairs
4/23/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current state law there are no revolving door limitations on the post-employment activities of county and other local officials and employees who may exercise undue influence on their former employees and colleagues. This bill is meant to prevent undue influence from former local and county officials or employees in a county with more than 3.3 million people by prohibiting a former county employee or official from lobbying in the official's or employee's former place of work for two years. This bill would mirror current state law regulating such post-employment activities of former state officials and employees.

C.S.S.B. 2468 amends current law relating to the post-employment activities of certain local government officers in certain counties and provides a penalty.

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 Chapter 171, Local Government Code, by adding Section 171.011, as follows:

Sec. 171.011. REPRESENTATION BY FORMER LOCAL GOVERNMENT OFFICERS OF CERTAIN COUNTIES RESTRICTED; CRIMINAL OFFENSE. (a) Provides that this section applies only to a county with a population of 3.3 million or more.

(b) Defines "local government officer," "participated," and "particular matter."

(c) Prohibits a former local government officer from making any communication to or appearance before an officer or employee of the governing body on or under which the former local government officer served before the second anniversary of the date the local government officer ceased to serve on or under the governing body if the communication or appearance is made with the intent to influence, and on behalf of any person in connection with any matter on which the person seeks official action.

(d) Prohibits a former local government officer from representing any person or receiving compensation for services rendered on behalf of any person regarding a particular matter in which the former local government officer participated during the period of service as a local government officer.

(e) Provides that a person commits an offense if the person violates this section. Provides that an offense under this subsection is a Class C misdemeanor.

SECTION 2. Makes application of Section 171.011(d), Local Government Code, as added by this Act, prospective.

SECTION 3. Effective date: September 1, 2009.