

1-1 By: Burton S.B. No. 445
 1-2 (In the Senate - Filed January 9, 2017; February 6, 2017,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 April 3, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 7, Nays 2; April 3, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14		X		
1-15	X			
1-16	X			
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 445 By: Creighton

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the authorization and reporting of expenditures for
 1-22 lobbying activities by certain political subdivisions and other
 1-23 public entities.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-25 SECTION 1. Chapter 140, Local Government Code, is amended
 1-26 by adding Section 140.012 to read as follows:

1-27 Sec. 140.012. EXPENDITURES FOR LOBBYING ACTIVITIES.

1-28 (a) This section applies only to:

- 1-29 (1) a political subdivision that imposes a tax;
- 1-30 (2) a political subdivision or special district that
 1-31 has the authority to issue bonds, including revenue bonds;
- 1-32 (3) a regional mobility authority;
- 1-33 (4) a transit authority;
- 1-34 (5) a regional tollway authority;
- 1-35 (6) a special purpose district;
- 1-36 (7) a public institution of higher education;
- 1-37 (8) a community college district;
- 1-38 (9) a utility owned by the state or a political
 1-39 subdivision; or
- 1-40 (10) a river authority.

1-41 (b) A political subdivision or entity described by
 1-42 Subsection (a) may spend money to directly or indirectly influence
 1-43 or attempt to influence the outcome of any legislation pending
 1-44 before the legislature only if the expenditure is authorized by a
 1-45 majority vote of the governing body of the political subdivision or
 1-46 entity in an open meeting of the governing body. The expenditure
 1-47 must be voted on by the governing body as a stand-alone item on the
 1-48 agenda at the meeting.

1-49 (c) A political subdivision or entity described by
 1-50 Subsection (a) shall report to the Texas Ethics Commission and
 1-51 publish on the political subdivision's or entity's Internet
 1-52 website:

1-53 (1) the amount of money authorized under Subsection
 1-54 (b) for the purpose of directly or indirectly influencing or
 1-55 attempting to influence the outcome of any legislation pending
 1-56 before the legislature;

1-57 (2) the name of any person required to register under
 1-58 Chapter 305, Government Code, retained or employed by the political
 1-59 subdivision or entity for the purpose described by Subdivision (1);
 1-60 and

2-1 (3) an electronic copy of any contract for services
2-2 described by Subdivision (1) entered into by the political
2-3 subdivision or entity with each person listed under Subdivision
2-4 (2).

2-5 (d) In addition to the requirements of Subsection (c), the
2-6 political subdivision or entity described by Subsection (a) shall
2-7 report to the Texas Ethics Commission and publish on the political
2-8 subdivision's or entity's Internet website the amount of public
2-9 money spent for membership fees and dues of any nonprofit state
2-10 association or organization of similarly situated political
2-11 subdivisions or entities that directly or indirectly influences or
2-12 attempts to influence the outcome of any legislation pending before
2-13 the legislature.

2-14 (e) The Texas Ethics Commission shall make available to the
2-15 public an online searchable database on the commission's Internet
2-16 website containing the reports submitted to the commission under
2-17 Subsection (c).

2-18 (f) If any political subdivision or entity described by
2-19 Subsection (a) does not comply with the requirements of this
2-20 section, an interested party is entitled to appropriate injunctive
2-21 relief to prevent any further activity in violation of this
2-22 section. For purposes of this subsection, "interested party" means
2-23 a person who:

2-24 (1) is a taxpayer of a political subdivision or entity
2-25 described by Subsection (a); or

2-26 (2) is served by or receives services from a political
2-27 subdivision or entity described by Subsection (a).

2-28 SECTION 2. This Act takes effect September 1, 2017.

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