

1-1 By: Watson S.B. No. 366
1-2 (In the Senate - Filed January 16, 2019; February 7, 2019,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 18, 2019, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 18, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Fallon	X		
1-13	Hall	X		
1-14	Lucio	X		
1-15	Nelson	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the content of detailed reports filed by lobbyists and
1-20 to monetary limits on expenditures by lobbyists.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 305.0061, Government Code, is amended by
1-23 amending Subsections (a), (b), and (c) and adding Subsections (h)
1-24 and (i) to read as follows:

1-25 (a) If a registrant or a person on the registrant's behalf
1-26 and with the registrant's consent or ratification makes
1-27 expenditures that exceed 30 [~~60~~] percent of the amount of the
1-28 legislative per diem in a day for transportation or lodging for a
1-29 member of the legislative or executive branch or for the immediate
1-30 family of a member of the legislative or executive branch, the
1-31 registrant shall also state the following on the report filed under
1-32 Section 305.006:

1-33 (1) the name of the member of the legislative or
1-34 executive branch in whose behalf the expenditure is made;

1-35 (2) the place and date of the transportation or
1-36 lodging; and

1-37 (3) the purpose of the transportation or lodging.

1-38 (b) If a registrant or a person on the registrant's behalf
1-39 and with the registrant's consent or ratification makes
1-40 expenditures that exceed 30 [~~60~~] percent of the amount of the
1-41 legislative per diem in a day for food and beverages for a member of
1-42 the legislative or executive branch or for the immediate family of a
1-43 member of the legislative or executive branch or makes expenditures
1-44 that exceed 30 [~~60~~] percent of the amount of the legislative per
1-45 diem in a day for entertainment for a member of the legislative or
1-46 executive branch or for the immediate family of a member of the
1-47 legislative or executive branch, the registrant shall also state
1-48 the following on the report filed under Section 305.006:

1-49 (1) the name of the member of the legislative or
1-50 executive branch in whose behalf the expenditure is made;

1-51 (2) the place and date of the expenditure; and

1-52 (3) the amount of the expenditure by the appropriate
1-53 category of the amount, as determined by the commission.

1-54 (c) If a registrant or a person on the registrant's behalf
1-55 and with the registrant's consent or ratification gives to a member
1-56 of the legislative or executive branch, or to the immediate family
1-57 of a member of the legislative or executive branch, a gift or an
1-58 award or memento, the value of which exceeds \$50 per gift, award, or
1-59 memento, the registrant shall also state the following on the
1-60 report filed under Section 305.006:

1-61 (1) the name of the member of the legislative or

2-1 executive branch in whose behalf the expenditure is made;

2-2 (2) a general description of the gift, award, or
2-3 memento; and

2-4 (3) the amount of the expenditure by the appropriate
2-5 category of the amount, as determined by the commission.

2-6 (h) If more than one registrant or persons acting on behalf
2-7 of more than one registrant and with each registrant's consent or
2-8 ratification collaborate to make an expenditure described by
2-9 Section 305.006(b) together, each registrant shall report the total
2-10 amount of the shared expenditure as required by Subsection (a) or
2-11 (b), if the total amount of the shared expenditure exceeds the
2-12 amount provided under Subsection (a) or (b).

2-13 (i) If more than one registrant or persons acting on behalf
2-14 of more than one registrant and with each registrant's consent or
2-15 ratification collaborate to make an expenditure described by
2-16 Section 305.006(b) together, each registrant shall report the total
2-17 value of the shared expenditure as required by Subsection (c), if
2-18 the total value of the shared expenditure exceeds the amount
2-19 provided under Subsection (c).

2-20 SECTION 2. Section 305.024(a), Government Code, as amended
2-21 by Chapters 92 (S.B. 1011) and 206 (H.B. 1508), Acts of the 79th
2-22 Legislature, Regular Session, 2005, is reenacted and amended to
2-23 read as follows:

2-24 (a) Except as provided by Section 305.025, a person
2-25 registered under Section 305.005 or a person on the registrant's
2-26 behalf and with the registrant's consent or ratification may not
2-27 offer, confer, or agree to confer:

2-28 (1) to an individual described by Section
2-29 305.0062(a)(1), (2), (3), (4), or (5):

2-30 (A) a loan, including the guarantee or
2-31 endorsement of a loan; or

2-32 (B) a gift of cash or a negotiable instrument as
2-33 described by Section 3.104, Business & Commerce Code; or

2-34 (2) to an individual described by Section
2-35 305.0062(a)(1), (2), (3), (4), (5), (6), or (7):

2-36 (A) an expenditure for transportation and
2-37 lodging;

2-38 (B) an expenditure or series of expenditures for
2-39 entertainment that in the aggregate exceed \$500 in a calendar year;

2-40 (C) an expenditure or series of expenditures for
2-41 gifts that in the aggregate exceed \$500 in a calendar year;

2-42 (D) an expenditure for an award or memento that
2-43 exceeds \$500; or

2-44 (E) an expenditure described by Section
2-45 305.006(b)(1), (2), (3), or (6) unless:

2-46 (i) ~~(A)~~ the registrant is present at the
2-47 event; or

2-48 (ii) ~~(B)~~ the expenditure is for a gift of
2-49 food or beverages required to be reported under Section
2-50 305.006(b)(4) in accordance with Section 305.0061(e-1).

2-51 SECTION 3. Section 305.024, Government Code, is amended by
2-52 adding Subsection (d) to read as follows:

2-53 (d) The registrant shall notify a member of the legislative
2-54 or executive branch when the registrant has reported, as to that
2-55 member of the legislative or executive branch, expenditures that,
2-56 in the aggregate, equal the monetary limits for expenditures under
2-57 Subsection (a)(2).

2-58 SECTION 4. Section 305.031(a), Government Code, is amended
2-59 to read as follows:

2-60 (a) A person commits an offense if the person intentionally
2-61 or knowingly violates a provision of this chapter other than
2-62 Section 305.022, 305.024(d), or 305.028. An offense under this
2-63 subsection is a Class A misdemeanor.

2-64 SECTION 5. Section 305.024(c), Government Code, is
2-65 repealed.

2-66 SECTION 6. The changes in law made by this Act apply only to
2-67 a gift, award, or memento given to or expenditures for
2-68 transportation, lodging, food, beverages, or entertainment made
2-69 for a member of the legislative or executive branch or the immediate

3-1 family of a member of the legislative or executive branch on or
3-2 after the effective date of this Act. A gift, award, or memento
3-3 given to or an expenditure for transportation, lodging, food,
3-4 beverages, or entertainment made for a member of the legislative or
3-5 executive branch or the immediate family of a member of the
3-6 legislative or executive branch before the effective date of this
3-7 Act is governed by the law in effect on the date the gift, award, or
3-8 memento was given, or the date the expenditure for transportation,
3-9 lodging, food, beverages, or entertainment was made, and the former
3-10 law is continued in effect for that purpose.

3-11 SECTION 7. This Act takes effect January 12, 2021.

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