

1-1 By: Bettencourt, Hall, Paxton S.B. No. 1879  
1-2 (In the Senate - Filed March 12, 2021; March 26, 2021, read  
1-3 first time and referred to Committee on Local Government;  
1-4 April 21, 2021, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 21, 2021,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Bettencourt</u>	X		
1-10	<u>Menéndez</u>	X		
1-11	<u>Eckhardt</u>	X		
1-12	<u>Gutierrez</u>	X		
1-13	<u>Hall</u>	X		
1-14	<u>Nichols</u>	X		
1-15	<u>Paxton</u>	X		
1-16	<u>Springer</u>	X		
1-17	<u>Zaffirini</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1879 By: Bettencourt

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 140.013 to read as follows:

1-27 Sec. 140.013. EXPENDITURES FOR LOBBYING ACTIVITIES. (a)

1-28 This section applies only to a:

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

1-40 (b) A political subdivision or other entity to which this  
1-41 section applies may spend money to directly or indirectly influence  
1-42 or attempt to influence the outcome of any legislation pending  
1-43 before the legislature only if the expenditure is authorized by a  
1-44 majority vote of the governing body of the political subdivision or  
1-45 entity in an open meeting of the governing body. The expenditure  
1-46 must be voted on by the governing body as a stand-alone item on the  
1-47 agenda at the meeting.

1-48 (c) A political subdivision or other entity to which this  
1-49 section applies shall report to the Texas Ethics Commission and  
1-50 publish on the political subdivision's or entity's Internet  
1-51 website:

1-52 (1) the amount of money authorized under Subsection  
1-53 (b) for the purpose of directly or indirectly influencing or  
1-54 attempting to influence the outcome of any legislation pending  
1-55 before the legislature;

1-56 (2) the name of any person required to register under  
1-57 Chapter 305, Government Code, retained or employed by or on behalf  
1-58 of the political subdivision or entity for the purpose described by  
1-59 Subdivision (1); and

1-60 (3) an electronic copy of any contract for services

2-1 for the purpose described by Subdivision (1) that is entered into by  
2-2 the political subdivision or entity, or by a person on behalf of the  
2-3 political subdivision or entity, with each person listed under  
2-4 Subdivision (2).

2-5 (d) In addition to the requirements of Subsection (c), a  
2-6 political subdivision or other entity to which this section applies  
2-7 shall report to the Texas Ethics Commission and publish on the  
2-8 political subdivision's or entity's Internet website the amount of  
2-9 public money spent for membership fees and dues of any nonprofit  
2-10 state 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 easily 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 a political subdivision or other entity to which this  
2-19 section applies does not comply with the requirements of this  
2-20 section, an interested party is entitled to appropriate injunctive  
2-21 relief to prevent further activity in violation of this section.  
2-22 For purposes of this subsection, "interested party" means a person  
2-23 who:

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

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

2-28 (g) This section does not prevent an officer or employee of  
2-29 a political subdivision or other entity to which this section  
2-30 applies from advocating for or against or otherwise influencing or  
2-31 attempting to influence the outcome of legislation pending before  
2-32 the legislature.

2-33 SECTION 2. The Texas Ethics Commission is required to  
2-34 implement the change in law made by Section 140.013(e), Local  
2-35 Government Code, as added by this Act, only if the legislature  
2-36 appropriates money specifically for that purpose. If the  
2-37 legislature does not appropriate money specifically for that  
2-38 purpose, the Texas Ethics Commission may, but is not required to,  
2-39 implement that change in law using other appropriations available  
2-40 for the purpose.

2-41 SECTION 3. This Act takes effect September 1, 2021.

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