

BILL ANALYSIS

Senate Research Center
80R7956 ESH-D

S.B. 1192
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, lobbyists may purchase food and drink for members of the legislature in any amount if the member consumes such items in the presence of the lobbyist and the items are reported as required. Such practices create a perception that lobbyists can purchase access to members of the legislature with expensive food and drink. In order to foster openness in government and prevent even the appearance of impropriety, such practices should be restricted.

As proposed, S.B. 1192 prohibits lobbyists from purchasing food or beverages, including alcoholic beverages, for a member of the legislature unless purchased at a reception or similar event at which 30 or more persons are present. The bill also makes a violation of this prohibition a Class C misdemeanor.

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 B, Chapter 305, Government Code, by adding Section 305.0242, as follows:

Sec. 305.0242. **ADDITIONAL RESTRICTION ON EXPENDITURES FOR LEGISLATORS.** Prohibits a lobbyist registered under Section 305.005 (Registration) or a person, on the registrant's behalf and with the registrant's consent or ratification, from making an expenditure for food or beverages provided as a meal to a member of the legislature (member) or an expenditure for an alcoholic beverage provided to a member unless otherwise authorized under this chapter and provided at a reception or similar event at which 30 or more persons are present.

SECTION 2. Amends Section 305.031, Government Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Provides that a person commits an offense if the person intentionally or knowingly violates a provision of this chapter other than certain sections, including Section 305.0242, and that such an offense is a class A misdemeanor.

(c) Provides that a person commits an Class C misdemeanor offense if the person intentionally or knowingly violates Section 305.0242. Authorizes the actor to be prosecuted under this subsection or another law if an offense under this subsection also constitutes an offense under another law.

SECTION 3. Effective date: September 1, 2007.