

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 586
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State Affairs
4/28/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 586 reduces the cap at which registered lobbyists must report certain details about the individual to whom they provide a benefit or service. Currently, Section 305.0061 (Detailed Reports), Government Code, requires registered lobbyists to file a detailed report with the name of the legislative or executive branch official, if that lobbyist provides the official with transportation, lodging, food and drink, or entertainment that has a value of 60 percent of the legislative per diem. C.S.S.B. 586 lowers the reporting threshold to \$50, and requires a report to be filed if a benefit or service is provided to an official's immediate family member. C.S.S.B. 586 also requires a detailed report to be filed by any registered lobbyist who collaborates with another to make an expenditure whose total value is \$50 or greater.

Lastly, C.S.S.B. 586 adds a requirement that the registrant notify a registered lobbyist and a legislator or member of the executive branch when the annual limit for certain expenditures by the lobbyist have been reached.

C.S.S.B. 586 amends current law relating to the content of detailed reports filed by lobbyists.

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 Section 305.0061, Government Code, by amending Subsections (a), (b), and (c), and adding Subsection (h), as follows:

(a) Requires the registrant to state certain information on the report filed under Section 305.006 (Activities Report), if a registrant or a person on the registrant's behalf and with the registrant's consent or ratification makes expenditures that exceed \$50 in a day, rather than 60 percent of the amount of the legislative per diem in a day, for transportation or lodging for a member of the legislative or executive branch or for the immediate family of a member of the legislative or executive branch.

(b) Requires the registrant to state certain information on the report filed under Section 305.006, if a registrant or a person on the registrant's behalf and with the registrant's consent or ratification makes expenditures that exceed \$50 in a day, rather than 60 percent of the amount of the legislative per diem in a day, for food and beverages for a member of the legislative or executive branch or for the immediate family of a member of the legislative or executive branch or makes expenditures that exceed \$50 in a day, rather than 60 percent of the amount of the legislative per diem in a day, for entertainment for a member of the legislative or executive branch or for the immediate family of a member of the legislative or executive branch.

(c) Requires the registrant to state certain information on the report filed under Section 305.006, if a registrant or a person on the registrant's behalf and with the registrant's consent or ratification gives to a member of the legislative or executive branch, or to the

immediate family of a member of the legislative or executive branch, a gift or an award or memento, the value of which exceeds \$50 per gift, award, or memento.

(h) Requires each registrant to report the total value of the shared expenditure as required by Subsection (a), (b), or (c), if the total value of the shared expenditure exceeds the amount provided under Subsection (a), (b), or (c), if more than one registrant or persons acting on behalf of more than one registrant and with each registrant's consent or ratification collaborate to make an expenditure described by Section 305.006(b) together.

SECTION 2. Reenacts Section 305.024(a), Government Code, as amended by Chapters 92 (S.B. 1011) and 206 (H.B. 1508), Acts of the 79th Legislature, Regular Session, 2005, and amends it, as follows:

(a) Prohibits a person registered under Section 305.005 (Registration) or a person on the registrant's behalf and with the registrant's consent or ratification from offering, conferring, or agreeing to confer, except as provided by Section 305.025 (Exceptions), to a certain individual, certain loans, gifts, or expenditures as set forth. Makes nonsubstantive changes.

SECTION 3. Amends Section 305.024, Government Code, by adding Subsection (d), as follows:

(d) Requires the registrant to notify a member of the legislative or executive branch when the registrant has reported, as to that member of the legislative or executive branch, expenditures that, in the aggregate, equal the monetary limits for expenditures under Subsection (a)(2) (relating to certain expenditures, including transportation, lodging, entertainment, gifts, and awards).

SECTION 4. Amends Section 305.031(a), Government Code, as follows:

(a) Provides that a person commits an offense if the person intentionally or knowingly violates a provision of this chapter other than Section 305.022 (Criminal Fees), 305.024(d) , or 305.028 (Prohibited Conflicts of Interest). Provides that an offense under this subsection is a Class A misdemeanor.

SECTION 5. Repealers: Sections 305.0061(g) (defines "legislative per diem") and 305.024(c) (authorizing the total value of a joint expenditure to exceed \$500), Government Code.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2015.