

House Bill 1257 by Shaheen
Relating to the use by a political subdivision of public money for
lobbying activities or lobbyists

Applies to:

- A political subdivision that imposes a tax:
 - City
 - County
 - Independent School District
 - MUD
 - Special Purpose District
- A regional mobility authority, toll road authority, or transit authority

What the bill does:

- **Prohibits** the above entities from spending public funds to directly or indirectly influence or attempt to influence the legislation.
 - Exceptions:
 - Officers and employees of an affected entity **may provide information** or appear before a committee at the request of a member or legislator.
 - Elected officials of an entity may "lobby"--meaning they can still support or oppose legislation while acting as an officer of the subdivision.
- **Prohibits** the above entities from employing an individual required to register as a lobbyist under Ch. 305 Texas Government Code.
- **Allows** the above entities to spend public money in the payment of dues to join non-profit state organizations/associations of similarly situated entities only if:
 - The governing body of the entity approves of the expenditure for membership in the organization/association.
 - The organization/association exists for the betterment of all local government and the benefit of all local officials
 - The organization/association is not affiliated with a labor union
 - The organization/association does not directly or indirect influence or attempt to influence the outcome of any legislation pending before the legislature
 - The organization/association does not directly or indirectly contribute any money, services, or other valuable thing to a political campaign or endorses a candidate or group of candidates for public office.
 - Exceptions:
- **Gives taxpayers legal remedy** for violations occurring under this act
 - As currently exists in Texas Local Government Code Section 89.002 for citizens bringing suit over violations by county governments under the aforementioned statute.

Senate Committee on Local
Government
Date: **7-10-15**
Attachment: **1**

Frequently asked questions regarding House Bill 1257

- Does this bill prevent elected officials from commenting on legislation?
 - No, the bill specifically exempts elected officials acting in their official capacity as officers for the local entity.
- Does this bill prevent cities from commenting on issues that affect them?
 - No, elected officials may act as the official representation of an entity affected by this legislation.
- Does this bill allow cities to "partition" taxpayer funds from other funds in order to spend money hiring lobbyists?
 - No, the bill uses similar language to an existing prohibition on Texas state agencies from hiring lobbyists or influencing or attempting to influence legislation (Texas Government Code Chapter 556).
- Does the bill prevent statewide associations or organizations of local governments from lobbying?
 - No, the bill only prevents the payment of taxpayer funds as dues to organizations or entities that chose to lobby.
- Does this bill hold local governments to the same standard as state agencies when it comes to influencing the legislature?
 - Yes, by reflecting current state statute, the bill places local governments under the same restrictions as state agencies to prevent major conflicts of interest in the legislative process.
- Does the bill silence free speech by employees of local governments and affected entities?
 - No, by reflecting current state statute, the bill keeps employee rights intact.
- Does the bill silence the free speech of statewide associations or organizations of local governments?
 - No, the bill simply prohibits local governments from spending taxpayer funds as dues to statewide associations or organizations of local governments that chose to lobby.