



Taxpayer-Funded Lobbying

Testimony Before the Texas House State Affairs Committee on HB 281

by Chuck DeVore, Vice President of National Initiatives

In the last session, local Texas governments spent some \$41 million of taxpayer money on contract lobbyists to influence the decisions made by the people's elected state representatives.

This sum does not include the many millions more spent on government employees whose main job is to lobby the Legislature.

HB 281 would end most of the current ways local governments spend money to hire lobbyists.

Further, it would align local government with state agency practice wherein representatives from state agencies are allowed to provide invited testimony as witnesses. Further, the bill specifies how local employees may meet with legislators and staff to discuss legislation.

Late last year, Gov. Abbott made public his disapproval of government-funded lobbying when he called out the city of Tyler for intending to spend \$200,000 on lobbyists for this legislative session.

You may have heard about the testimony given in the other chamber regarding SB 2, a property tax reform and relief bill. Of the 29 people who testified against the bill, not one was a citizen who was not a lobbyist, an employee of local government, or a local elected official.

As individuals, we enjoy the natural right of free speech. This is enshrined in the First Amendment to the U.S. Constitution as the right to petition for a "redress of grievances." Government itself does not enjoy this right. Government has powers, not rights. Only people have rights.

HB 281 thoughtfully accounts for this, on one hand prohibiting the expenditure of public money by local government to directly or indirectly influence legislation while at the same time expressly allowing for three types of allowed communication:

1. Local government employees who provide information for a member of the Legislature or even appear before a legislative committee at the request of the committee or member of this body. This is similar to how state agencies are treated.
2. No restrictions on local elected officials.
3. Local government employees who advocate for or against legislation pending before the Legislature so long as that person's activities don't cross the threshold under Chapter 305 that would require that person to register as a lobbyist.

Lastly, you'll be interested to note that in mid-December, we hired a well-known national polling outfit to survey 800 registered Texas voters, asking them what they thought about the practice of taxpayer-funded lobbying. The results were overwhelming: 91 percent opposed the practice, including 80 percent who strongly opposed it. Additionally, 84 percent of Hispanic voters were opposed, as were 87 percent of African-American voters.

Chuck DeVore served in the California Legislature from 2004 to 2010, was a Reagan appointee in the Pentagon, and is a lieutenant colonel in the U.S. Army (retired) Reserve.