

April 28, 2021

An Open Letter to House & Senate Conferees to Senate Bill 1

Dear House & Senate Conferees to Senate Bill 1:

Thank you for your leadership, hard work, and principled approach to the 2022-23 General Appropriations Act (GAA). Texans will prosper because of your commitment to a conservative Texas budget.

As you prepare to finalize the GAA in conference committee, I strongly encourage you to support a critical provision included in the Senate's engrossed budget, but which was removed from the House version during floor debate.* The provision in question prohibits certain governmental entities from using state funds to hire registered lobbyists.

This pro-taxpayer requirement is prescribed by the last sentence of Rider 34, on [page III-15 of the GAA](#), which provides that:

No funds transferred to the Regional Education Service Centers or to school districts may be used to hire a registered lobbyist.

Texans have a vested interest in making sure this provision remains in any future conference committee report. Let me briefly explain.

First, current law permits local governments to spend tax dollars to lobby for more tax dollars. That is both unethical and wrong. The public should not be forced to fund pro-government lobbyists to advocate against their interests. Recall the [words of Thomas Jefferson](#) who said:

To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical.

In light of this profound philosophical concern, lawmakers would be wise to address the issue.

Second, the status quo results in great public expense, of both the seen and unseen variety.

Past research suggests that local governments spent as much as [\\$41 million on outside firms and individuals](#) to lobby the statehouse in 2017. It is estimated that those expenditures represented 11% of all lobby dollars spent that year. Of course, Regional Education Service Centers (RESCs) and school districts represented only a portion of the overall amount, but the cost to the public was still substantial nonetheless.†

What's more, there is a hidden price paid by every Texan. The cost comes in the form of lower quality legislation and good government reforms delayed or defeated as a result of the artificial representation purchased by the education establishment. Evidence of its success is obvious when studying issues like school choice, property taxes, and executive compensation reform. Unfortunately, those most often on the losing end—like the student stuck in a failing school, the elderly woman taxed out of her home, and the classroom that goes without—are never better off and rarely as visible. Here, too, prudence dictates that lawmakers consider substantive changes to address the cost and consequence of the practice.

Third, the present state of affairs is deeply unpopular. Earlier this year, the Foundation released a new poll of 800+ registered voters, conducted by WPA Intelligence between February 2–4, 2021, which asked Texans [whether local governments should spend tax money to hire lobbyists](#). Here's the major takeaway:

* The provision was struck by the adoption of [House Amendment #71](#).

† A few examples from 2017 include Arlington ISD (≤\$164,998); Austin ISD (≤\$129,998); Dallas ISD (≤\$194,998); Richardson ISD (≤\$99,999); and Round Rock ISD (≤\$49,999).

Texans overwhelmingly oppose allowing tax dollars to fund lobbyists, with 86% saying the practice should end and only 7% who believe it should stay.

In other words, about 9 in 10 Texans oppose tax dollars funding lobbyists. The wide margin speaks volumes, but it comes as no surprise. Other past polls have produced similar findings, like:

- In 2019, again using WPA Intelligence, the Foundation asked a near-identical question and found that [91% of respondents were against the practice](#), with 80% saying they were strongly against.
- In 2020, a supermajority of Texas Republican primary [voters supported the following ballot proposition](#): “Texas should ban the practice of taxpayer-funded lobbying, which allows your tax dollars to be spent on lobbyists who work against the taxpayer.” (YES – 94.29%, NO – 5.71%)

Virtually every serious poll has reached a similar conclusion—the public overwhelmingly opposes local governments using tax dollars to hire lobbyists. The strong support manifests regardless of party affiliation or other traditional fault lines. It only makes sense that public policy be brought in closer alignment with public opinion on this matter.

With these considerations in mind, I encourage every member of the conference committee to keep the provision that prevents funds transferred to RESCs and ISDs from being used to hire lobbyists. Doing so will strengthen an already strong document and move Texas public policy in a better, more popular direction.

Sincerely,



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