



POLICY

CATEGORY:	Board Administration	No: 1.0.108.00
TITLE:	Restrictions on Lobbying Activities and Expenditures	
SUPERSEDES	N/A	
EFFECTIVE:	December 16, 2011	
BOARD APPROVAL:	December 15, 2011	
DATE OF LAST REVIEW:	July 17, 2014	

I. PURPOSE:

Texas Government Code, Chapter 556 prohibits certain public entities and individuals from engaging in political activities. Section 556.002(a) (2) of the Texas Government Code specifically applies to the use by Boards of appropriated money. All moneys provided to Boards by the Texas Workforce Commission are state-appropriated funds.

State law also prohibits the use of state-appropriated money to pay membership dues to an organization that pays part or all of the salary of a person who is required by Chapter 305 of the Texas Government Code to register as a lobbyist.

Lobbyists and lobby organizations are required to publicly disclose and regularly identify expenditures and activities with the Texas Ethics Commission.

This policy outlines the requirements and provides guidance on the restrictions on support of lobbying activities and expenditures.

II. DEFINITIONS:

Lobbyist- Individual who conducts activities aimed at influencing public officials and especially members of a legislative or legislation.

III. POLICY STATEMENT:

State appropriated money shall not be used to employ or contract with an individual who is required by Texas Government Code, Chapter 305 to register as a lobbyist or attempt to influence the passage or defeat of a legislative measure.

State funds shall not be used to pay lobbying expenses incurred by the recipient of the funds, a person or entity that is required to register with the Texas Ethics Commission under Texas Government Code, Chapter 305, any partner, employee, employer, relative, contractor, consultant, or related entity of a person or entity that is required to register with the Texas Ethics Commission under Texas Government Code, Chapter 305, or a person or entity that has been hired to represent associations or other entities for the purpose of affecting the outcome of legislation, agency rules, ordinances, or other government policies.

Officers, employees, and Board members of the Coastal Bend Workforce Development Board, may not use any money under Board control to finance or otherwise support the candidacy of a person for an office in the legislative, executive, or judicial branch of state government or of the government of the United States.

Officers, employees, and Board members of the Coastal Bend Workforce Development Board may not use the direct or indirect employment of a person to support the candidacy of a person for an office, use a state-owned or state-leased motor vehicle, or otherwise support the candidacy of a person for an office in the legislative, executive, or judicial branch of state government or of the government of the United States.

Officers, employees, and Board members of the Coastal Bend Workforce Development Board may not use official authority or influence, or a program administered by the Board to interfere with or affect the result of an election or nomination of a candidate or to achieve any other political purpose.

Officers, employees, and Board members of the Coastal Bend Workforce Development Board may not coerce, attempt to coerce, command, restrict, and attempt to restrict, or prevent the payment, loan, or contribution of any thing of value to a person or political organization for a political purpose.

IV. PROCEDURES:

Before incurring expenditures for membership dues of any type to be paid with state-appropriated funds, staff shall ensure that the organization does not have a lobbyist registered with the Texas Ethics Commission using the following procedure:

Reference the Texas Ethics Commission website at <http://www.ethics.state.tx.us>.

1. Click on Lobby Reports
2. Click on Lobby Lists
3. Click on 2004 List of Registered Lobbyists with Clients, sorted by Clients
4. Scroll down the list until the organization (or client) is located
5. All lobbyists who may be employed by that organization will be listed
6. Print a copy of the screen indicating the results

If no lobbyist is registered, staff may proceed with processing the membership application.

If a lobbyist is registered for the organization or client, state-appropriated funds cannot be used to pay the membership dues. A memorandum or email shall be generated notifying the individual authorizing the membership that the organization employs a lobbyist and that state appropriated funds may not be used for membership to that organization.

V. RELATED POLICY INFORMATION:

Texas Government Code, Section 556.002(a) (2)
Texas Government Code, Chapters 305 and 556

VI. RESPONSIBILITIES:

The President/CEO shall ensure that all officers, staff, and members of the Coastal Bend Workforce Development Board are apprised of and comply with this policy. The policy shall be included in the New Board Member Handbook and any orientation activity for new members.

VII. FORMS AND INSTRUCTIONS:

N/A

VIII. DISTRIBUTION:

Board of Directors Board Staff Contracted Service Provider Staff

IX. SIGNATURES:

Reviewed by EO Officer

Date

President/CEO

Date