



Taxpayer-Funded Lobbying Reform

Testimony on SB 702 Before the Texas Senate Committee on State Affairs

by Chuck DeVore, Vice President of National Initiatives

In the last session, local Texas governments spent some \$41 million of taxpayer money to influence legislation in Austin. This money is on top of funds spent on lobbyists, consultants, and lawyers to analyze legislation, conduct public relations, and build coalitions. It also does not include funds spent on salary or travel for government employees whose full-time or part-time job is to lobby.

SB 702 is a straightforward transparency and good-government measure. It simply requires that any public funds spent to lobby the Legislature be approved by majority vote as a separate item on the public agenda. Further, the bill requires that any dues or fees given to nonprofit associations that serve to influence legislation also be reported to the Texas Ethics Commission.

This sunshine measure is important for two reasons: it is difficult to determine exactly how much taxpayer money is being spent on government lobbying; and, since local government lobbying efforts frequently run counter to the interests of local taxpayers, requiring a public vote to appropriate lobbying funds will serve to increase public awareness of the practice.

To the first point, I spent three days personally reviewing thousands of Texas Ethics Commission filings from the 2017 session to arrive at the estimated \$41 million in local government lobbying expenditures. These ethics filings do not include public funds spent on government employees who lobby. It shouldn't be that hard to figure out where public money is being spent.

To the second point, recent testimony given in this house on SB 2 is illustrative. 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.

SB 702's implementation should also shine a light on the less well-known practice of government employees who are assigned to lobby the Legislature. For example, in recent years, the city of Austin has spent about \$1 million to lobby the Legislature, employing a mix of contract lobbyists and government employees. This sum does not include funds spent on related activities, such as PR and bill analysis. Further, the city of Austin recently took out a seven-year, \$1 million lease on some prime real estate at 919 Congress Ave. to house their intergovernmental relations team—evidently, City Hall isn't close enough to the Capitol.

As individuals, we enjoy the natural right of free speech. You may have heard that the lobbyists for the lobbyists have claimed that this measure, and the many others that would restrict government lobbying, are an abridgment of free speech rights. Only people have rights—governments don't have rights, they have powers.

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.

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.

