

# Lobbying in Texas

Texas Ethics Commission – June 2025

# Guides on Website

Website: [ethics.state.tx.us](https://ethics.state.tx.us)

The screenshot shows the Texas Ethics Commission website. The header includes the state seal, the text "Texas Ethics Commission", and the tagline "Promoting Public Confidence in Government". A navigation bar contains links for "Resources", "Opinions/Statutes/Rules", "Filing Reports", "Training", "Forms/Instructions", "Search", and "Home". The "Resources" link is circled in red. A dropdown menu is open under "Resources", listing various topics: Advertising, Campaign Finance, Court Rulings, Deadlines, Frequently Asked Questions (FAQs), Judicial, Laws & Regulations, Legislative Reports, Lobbying (circled in red), Local Filing Authorities, Meeting Minutes, Personal Financial Statement (PFS), and Reference Guides. Below the menu, a banner features a clock face and the text "Next Commission Mtg: Aug 31 - Sep 1, 2021". Under the "Resources" heading, the word "Lobbying" is displayed. At the bottom, a list of eight guides is provided, with the third item, "3. Lobbying in Texas: A Guide to the Texas Law (PDF)", circled in red.

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**Resources** | Opinions/Statutes/Rules | Filing Reports | Training | Forms/Instructions | Search | Home

- Advertising
- Campaign Finance
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- Frequently Asked Questions (FAQs)
- Judicial
- Laws & Regulations
- Legislative Reports
- Lobbying**
- Local Filing Authorities
- Meeting Minutes
- Personal Financial Statement (PFS)
- Reference Guides

**Next Commission Mtg: Aug 31 - Sep 1, 2021**

**Resources**

**Lobbying**

1. Frequently Asked Questions for Lobbyists (HTML)
2. Legislative Advertising (HTML | PDF)
- 3. Lobbying in Texas: A Guide to the Texas Law (PDF)**
4. Lobby Registration Fees (HTML)
5. Reporting Requirements for Lobbyists (HTML)
6. Rule Regarding Lobbyist Fact-Finding Trips (HTML)
7. Chapter 305, Government Code: Registration of Lobbyists (HTML)
8. Chapter 34, Commission Rules: Regulation of Lobbyists (HTML)

## Topics Covered in Presentation

- Are you a lobbyist?
- What is not lobbying?
- Prohibited Activities
- Form REG (Registration)
- Form LA (Lobby Activity Report)

# Purpose of the Lobby Law

The operation of responsible democratic government requires that the people be afforded the fullest opportunity to petition their government for the redress of grievances and to express freely their opinions on legislation, pending executive actions, and current issues to individual members of the legislature, legislative committees, state agencies, and members of the executive branch.

Tex. Gov't Code § 305.001

## Purpose of the Lobby Law, cont'd

To preserve and maintain the integrity of the legislative and administrative processes, it is necessary to disclose publicly and regularly the identity, expenditures, and activities of certain persons who, by direct communication with government officers, engage in efforts to persuade members of the legislative or executive branch to take specific actions.

Tex. Gov't Code § 305.001

# Lobbying By The Numbers

## TEXAS ETHICS COMMISSION SUMMARY OF LOBBY EXPENDITURES SORTED BY CATEGORY

NOTES: Years prior to 2000 can be found on our website. Years prior to September 2000 may exclude some final totals. Totals reflect all expenditures from 1993 forward.

		Transportation	Food&Beverage	Entertainment	Gifts	Awards	Events	Media	Total
2000	1374	\$82,019.69	\$976,397.71	\$146,041.11	\$143,267.04	\$19,999.45	\$67,090.96	\$295,567.81	\$1,730,383.77
2001	1610	\$87,516.88	\$1,785,092.57	\$189,391.46	\$157,828.36	\$17,380.37	\$30,806.92	\$305,155.94	\$2,573,172.50
2002	1248	\$96,575.56	\$867,762.12	\$129,663.47	\$83,440.62	\$5,579.59	\$49,733.54	\$47,368.17	\$1,280,123.07
2003	1673	\$89,745.98	\$2,098,046.88	\$265,894.48	\$204,551.26	\$19,376.54	\$52,825.70	\$1,479,393.31	\$4,209,834.15
2004	1460	\$95,889.79	\$1,196,519.39	\$203,022.78	\$99,421.29	\$14,410.67	\$63,787.15	\$272,640.08	\$1,945,691.15
2005	1703	\$91,431.54	\$2,294,606.47	\$360,131.12	\$223,858.36	\$36,046.52	\$45,217.51	\$19,885,542.58	\$22,936,634.10
2006	1489	\$89,686.88	\$1,343,397.47	\$318,390.31	\$166,451.26	\$23,205.76	\$87,763.18	\$2,218,655.79	\$4,247,550.65
2007	1780	\$149,013.20	\$2,656,978.41	\$474,670.33	\$269,976.76	\$20,949.65	\$143,397.40	\$13,638,981.42	\$17,353,967.17
2008	1572	\$119,601.59	\$1,422,287.75	\$314,572.75	\$83,669.79	\$12,108.73	\$62,048.62	\$212,868.92	\$2,227,158.15
2009	1861	\$84,244.43	\$3,106,553.80	\$366,370.09	\$273,804.10	\$21,882.33	\$80,010.80	\$807,678.13	\$4,740,543.68
2010	1577	\$139,434.95	\$1,340,641.61	\$340,152.83	\$97,796.17	\$10,059.27	\$66,670.12	\$111,110.72	\$2,105,865.67
2011	1837	\$225,236.40	\$3,330,316.59	\$415,172.02	\$261,785.66	\$20,564.32	\$37,517.40	\$601,246.89	\$4,891,839.28
2012	1570	\$105,858.45	\$1,366,384.79	\$320,963.93	\$105,569.21	\$16,351.99	\$104,365.62	\$29,083.76	\$2,078,577.75
2013	1887	\$140,874.16	\$3,358,990.65	\$462,224.50	\$463,821.04	\$26,290.40	\$61,517.44	\$456,231.64	\$4,969,949.83
2014	1606	\$127,598.63	\$1,411,551.47	\$392,399.83	\$101,993.69	\$12,224.72	\$83,306.22	\$32,067.21	\$2,161,141.77
2015	1927	\$129,367.11	\$3,489,716.04	\$471,105.99	\$252,782.92	\$35,326.93	\$66,311.58	\$787,995.17	\$5,232,605.74
2016	1648	\$298,083.34	\$1,587,428.81	\$440,939.93	\$84,301.33	\$7,511.06	\$71,600.27	\$119,514.00	\$2,609,378.74
2017	1932	\$140,287.57	\$3,715,853.38	\$541,386.92	\$200,037.18	\$31,252.44	\$53,286.53	\$708,911.06	\$5,391,015.08
2018	1643	\$149,863.06	\$1,639,565.90	\$412,010.57	\$61,682.64	\$7,797.60	\$56,460.46	\$15,474.17	\$2,342,854.40
2019	1889	\$131,800.95	\$3,826,580.45	\$540,695.49	\$262,820.82	\$23,633.43	\$28,025.60	\$313,643.31	\$5,127,200.05
2020	1572	\$10,208.18	\$704,093.95	\$174,016.19	\$59,304.14	\$4,426.36	\$16,064.79	\$89,980.07	\$1,058,093.68
2021	1809	\$59,918.36	\$3,024,067.46	\$328,042.68	\$206,380.25	\$20,386.18	\$28,720.63	\$9,913,311.73	\$13,580,827.29
2022	1616	\$68,303.88	\$1,680,685.91	\$530,224.88	\$75,804.78	\$9,216.24	\$30,766.34	\$3,441,838.91	\$5,836,840.94
2023	1899	\$105,132.83	\$4,270,604.87	\$517,146.98	\$262,133.37	\$27,018.48	\$64,639.33	\$6,996,609.29	\$12,243,285.15
2024	1689	\$263,992.73	\$1,696,048.78	\$404,706.48	\$79,734.34	\$14,641.69	\$50,584.94	\$1,643,422.90	\$4,149,331.86
2025	1809	\$810.73	\$888,960.72	\$46,783.86	\$108,981.78	\$2,853.76	\$30,189.66	\$5,291,742.84	\$6,370,323.35
<b>Total</b>	<b>55,123</b>	<b>\$4,023,326.81</b>	<b>\$60,379,324.06</b>	<b>\$9,827,972.30</b>	<b>\$4,955,498.43</b>	<b>\$576,172.64</b>	<b>\$1,858,399.89</b>	<b>\$97,487,287.77</b>	<b>\$179,107,981.90</b>

## Am I a Lobbyist?

- ⊙ Definition of a lobbyist: as part of his/her regular employment, has communicated directly with a member of the legislative or executive branch to influence legislation or administrative action
- ⊙ A "person" required to register may be a corporation, partnership, association, or other type of business entity as well as an individual.

Tex. Gov't Code § 305.003(b)

## Direct Communication

"Direct communication" includes contact in person or by telephone, letter, facsimile, email or other electronic communications. This includes sending letters and emails to legislators and their staff that tell the legislator how you think they should vote on particular legislation.

Tex. Gov't Code § 305.002(2); Texas Ethics Comm'n Op. No. 4 (1992)



## Direct Communication, cont'd

The lobby law regulates “direct communications” with "members of the legislative or executive branch" of state government, which includes holders of and candidates for state offices and staff in the legislative and executive branches of state government.

Tex. Gov't Code § 305.002 (4, 7); Texas Ethics Comm'n Op. No. 96 (1992)

# Prohibited Lobbying

Any former C/OH that uses leftover contributions to make contributions or direct expenditures cannot engage in lobbying activities that would require them to register for two years from the date they made the political contribution from their leftover contributions

Tex. Elec. Code § 253.007; Tex. Gov't Code §§ 305.005(c), 305.0065; Tex. Ethics Comm'n Op. No. 587 and 592 (2023)

## Communications with Local Officers

The Texas lobby law applies only to communications to **state** officers and employees. It does not apply to a communication made to an officer, an employee, or anyone else who represents a political subdivision of state government, such as a county, city, school district, or other local government or special district.

# What is NOT Lobbying?

None of the following actions, standing alone, is considered lobbying:

- ⦿ Writing news articles and posting them to a publicly available website.
- ⦿ Writing opinion pieces and posting them to a publicly available website.
- ⦿ An organization communicating with its donors.
- ⦿ A person disseminating news as an owner, publisher or writer for a newspaper.
- ⦿ Uncompensated testimony.

Tex. Gov't Code § 305.004

# Am I a Lobbyist?

Thresholds:

- ⦿ **Compensation or reimbursement:** more than \$1,930\* per calendar quarter;
- ⦿ **Time:** more than 40 hours per calendar quarter;
- ⦿ **Expenditures:** More than \$970\* per calendar quarter.
- ⦿ **Political Party Lobbyist:** Must register if compensation and expenditures total more than \$11,120\* in a calendar year

\* These amounts are adjusted annually for inflation

Tex. Elec. Code §§ 305.003, 305.004(7); 1 Tex. Admin. Code §§ 34.41, 34.43

# What is a Lobby Expenditure?

A lobby expenditure is an expenditure made to communicate directly with a member of the legislative or executive branch to influence legislation or administrative action, including:

- transportation and lodging;
- food and beverages;
- entertainment;
- gifts;
- mass media communications;

Tex. Gov't Code § 305.006; Tex. Ethics Comm'n Op. No. 562 (2021)

## What is a Lobby Expenditure (cont'd)?

- awards and mementos; and
- the attendance of a state officer or employee at a political fundraiser or charity event.

An "expenditure" is "a payment, distribution, loan, advance, reimbursement, deposit, or gift of money or any thing of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure."

Tex. Gov't Code §§ 305.002(5), 305.006(b).

# What is NOT a Lobby Expenditure?

- ⦿ Taxes and tips;
- ⦿ Lobbyist's own expenses;
- ⦿ Certain expenditures reimbursed by a state officer or employee. A payment of less than \$200 is not a lobby expenditure if the person who makes the expenditure is fully reimbursed by the state officer or employee benefiting from the expenditure before the date the expenditure would otherwise be required to be reported;
- ⦿ Gift to a state agency

1 T.A.C. §§ 34.1, 34.9, 34.41; Tex. Ethics Comm'n Op. No. 130 (1993)



# Prohibited Activities

- ⦿ Contingent fees
- ⦿ Admission to Floors
- ⦿ Restrictions on Expenditures
- ⦿ Use of Certain Public Funds
- ⦿ Expenditures from Political Contributions
- ⦿ False Communications

Tex. Gov't Code § 305.021, et seq.

# When do you Need to File Your Lobby Registration?

- Registrations are done on an annual basis – they automatically expire on December 31<sup>st</sup> of each year, so you need to re-register each year
- Registration for the next year opens on December 1<sup>st</sup> of the previous year
- If you do not register at the beginning of the year, but later engage in lobby activities, you must register within five days after the date on which you make the first direct communication with a member of the legislative or executive branch that requires your registration.

Tex. Gov't Code §§ 305.005

## First Things To Do:

- ◎ File Two Documents with TEC:
  - **Filer ID Request / Name Change** (Form FILER ID REQ-LOBBY)
  - **Lobby Security Form** (FORM SECURITY-LOBBY)
- ◎ Found here on our website:  
<https://www.ethics.state.tx.us/forms/lobby/>
- ◎ Email to formsecurity@ethics.state.tx.us

# Registration

- ◎ \$750 annual registration fee for most lobbyists;
- ◎ \$150 annual registration fee for lobbyists whose only client(s) is non-profit corporation(s)
- ◎ Paid online when you register

Tex. Elec. Code § 253.007; Tex. Gov't Code §§ 305.005(c), 305.0065

# Registration by Entities

Entities Can Register as a Lobbyist.

- ◎ A corporation, partnership, association, or other type of entity may be required to register as a lobbyist if the entity exceeds either the compensation threshold or expenditure threshold. An entity that is required to register may nonetheless avoid registration if all activity otherwise reportable by the entity is reported by one or more registrants.
- ◎ An individual may report on behalf of an entity if the entity requests the individual to do so in order to avoid registration.

1 T.A.C. §§ 34.45, 34.65, 34.85

## Registration by Entities, cont'd

Conversely, if an entity decides to register and one of their employees crosses any of the filing thresholds on their own, that individual still has to register. The entity cannot report activity by that individual.

The fact that an entity has registered does not relieve any individual associated with that entity of the obligation to register if the individual crosses a registration threshold.

Tex. Ethics Comm'n Op. No. 115 (1993)

# Reporting Activity: Due dates

When are reports due?

- ⦿ Regular filers: 10<sup>th</sup> of each month
- ⦿ Modified (annual) filers: 10<sup>th</sup> of January of following year
- ⦿ Late filing penalty is \$500, but can be increased to as much as \$10,000; can be appeal by filing a Statement of Defense

Tex. Gov't Code §§ 305.0063, 305.007

## Modified Reporting (Annual)

- ⦿ You may choose to file annually instead of monthly if you don't intend to make lobby expenditures exceeding \$2,220\* for that entire year.
- ⦿ If you registered as an annual filer and you exceed the \$2,220\* expenditure threshold at some point, you must begin filing monthly.
  - File an amended registration (Form AREG) to change your registration from annual to monthly.
  - Your first report will cover all activity from January 1<sup>st</sup> through the end of the month where you exceeded that threshold.
  - You will file monthly from that point to the end of the year.
  - That first report is due by the 10<sup>th</sup> of the month after the month you exceeded the threshold.

Tex. Gov. Code §§ 305.0063



## Form REG: Cover Sheet

- ◎ Section 12: FARA registration: you must indicate whether you have also filed an active registration under the Foreign Agents Registration Act of 1938
- ◎ Section 14: Notarization/Unsworn Declaration is done automatically for electronic filers

22 USC § 611 et seq; Tex. Gov't Code §§ 305.005(l), 305.029; 1 T.A.C. § 34.77

## Form REG: Schedule A

- You must complete a separate Schedule A for each person/entity that reimburses, retains or employs you to influence legislation or administrative action and on whose behalf you have engaged in lobbying activities
- Will almost always include your employer

Tex. Gov't Code 305.005; 1 T.A.C. § 34.69

## Form REG: Schedule A, Page 1, Part 2

- ◎ Categories for level of compensation are adjusted annually for inflation
- ◎ Paid/Earned/Prospective:
  - Paid: actually received at time of registration
  - Earned: earned at time of registration, whether or not paid
  - Prospective: includes Paid and Earned, and anticipated compensation
  - When in doubt, choose Prospective

1 T.A.C. § 34.67

## Form REG: Schedule A, Page 1, Parts 3 – 5

- ⦿ If this client is an individual or entity, go to Part 4
- ⦿ If this client is a corporation, and:
  - its shares are publicly traded, go to Part 3(a)
  - its share are not publicly traded, go to Part 3(b)
- ⦿ If this client is a state agency that pays you a commission, go to Part 5
- ⦿ Electronic filing application will guide you from there

Tex. Gov't Code §§ 305.005(f)(4), (i)

## Form REG: Schedule B (Assistants)

- Fill this out for each person you employ or retain for the purpose of assisting you in your lobby activity.
- Do not fill out for anyone who provides only clerical or secretarial help

Tex. Gov't Code §§ 305.0041(b)(3), 305.005(f)(5); 1 T.A.C. § 34.63(a)

# Lobby Activity Reports: Cover Sheet

- Expenditure Totals by Type:
  - Summarize amounts spent by type of activity
  - Per TEC Rule 34.82: mass media communications count toward expenditure threshold for reporting monthly
  
- Expenditure Totals by Persons Benefited:
  - Summarize amounts spent by who benefited from it
  - If all legislators are invited, even if not all of them attend, use “Events to Which All Legislators Are Invited”

Tex. Gov’t Code §§ 305.006, 305.0061, 305.0062; 1 T.A.C. §§ 34.14, 34.82

## Schedule B: Transportation and Lodging

- ⦿ General rule of thumb is that you cannot provide transportation and lodging. There are exceptions, however:
  - Fact-finding trips on a matter directly related to official's duties, or a trip in connection with a conference, educational program, or similar event where the person provides services that are more than merely perfunctory
  - Incidental transportation is allowed
- ⦿ Must report any transportation and lodging expenditures over \$132.60\*
- ⦿ No daily or annual limit
- ⦿ Lobbyist must be present

Tex. Gov't Code §§ 305.006(b)(1), 305.0061(a), 305.025(5); 1 T.A.C. §§ 34.13, 34.14

## Schedule C: Food and Beverages

- ⦿ Must report any food and beverage expenditures over \$132.60\*
- ⦿ Contrast with Schedule E where you report gifts, which sometimes includes food and beverages, when the value is more than \$110 and other requirements
- ⦿ No daily or annual limit
- ⦿ Lobbyist must be present

Tex. Gov't Code §§ 305.006(b)(2), 305.0061(b), 305.024(a)(2)(E)



## Schedule D: Entertainment

- ⦿ Must report any entertainment expenditures over \$132.60\*
- ⦿ No daily limit; entertainment expenditures are limited to a total of \$500 annually per officer, employee, immediate family or guest
- ⦿ Also has presence requirement
- ⦿ A registrant may also provide necessary expenditures for entertainment provided in connection with a conference, seminar, educational program, or similar event in which the state officer or employee provides services (such as giving a speech or participating on a panel) that are “more than merely perfunctory” and the registrant is present at the event

Tex. Gov’t Code §§ 305.006(b)(3), 305.0061(b), 305.025

## Schedule E: Gifts

- ⦿ Must report any gift expenditure over \$110\*
- ⦿ Report a food and beverage gift on Schedule E, if:
  - the value is more than \$110;
  - it is intended as a gift for a state officer or employee; and
  - it is delivered by US mail or common contract carrier outside the Capitol Complex
- ⦿ No single gift value limit, but gifts are limited to a total of \$500 annually per officer, employee, immediate family or guest

Tex. Gov't Code §§ 305.006(b)(4), 305.0061(c), 305.024(a)(2)(C), (E); Tex. Ethics Comm'n Op. No. 87 (1992)

## Schedule F: Awards and Mementos

- ⦿ Must report any award or memento expenditure over \$110\*
- ⦿ may provide an award or memento to a state officer or state employee, or their immediate family or invited guest, if it is not valued at more than \$500
- ⦿ Cannot spend more than \$500 on a single award or memento, but there is no aggregate annual limit as there is on gifts

Tex. Gov't Code §§ 305.006(b)(5), 305.0061(c), 305.024(a)(2)(D)

## Schedule G: Political Fundraisers and Charity Events

- ⦿ Must report any expenditure in this category, no matter how much
- ⦿ Report any expenditures you made for each officer or employee of the executive or legislative branch for them to attend a political fundraiser or charity event
- ⦿ Lobbyist must be present

Tex. Gov't Code §§ 305.006(b)(6), 305.0061(d), 305.024(a)(2)(E)

## Presence Requirement

- ⦿ Applies to expenditures for transportation and lodging, food and beverages, entertainment, or attendance at a charity or fundraiser event
- ⦿ Lobbyist must be present for any of these expenditures
- ⦿ Can be satisfied by either the lobbyist or by an individual who has management or supervisory authority for the event
- ⦿ Cannot be satisfied by being present via videoconference technology

Tex. Gov't Code §§ 305.006(f), 305.024(a)(2)(E); 1 T.A.C. § 34.17; Tex. Ethics Comm'n Op. No. 556 (2020)

# Termination

- ⦿ Lobby Registrations automatically terminate on December 31 of every year
- ⦿ You can also terminate it at any time by filing a final Lobby Activity Report; when you check the box that says “Final” in the electronic filing application, it will automatically generate Form TN (Termination Notice), which is also needed

Tex. Gov't Code § 305.008

# Public Access to Lobby Reports: [www.ethics.state.tx.us/search/lobby/](http://www.ethics.state.tx.us/search/lobby/)



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**Search Lobby Registrations and Activity Reports**

Custom Search of Lobby Database

Database of Lobby Activities Reports (CSV)

Lobby Registration Lists

Lobby Activities Lists

Lobby Expenditures

Client Compensation Codes

### Custom Search of Lobby Database

Lobby registrations have been collected since 1998 and the information is searchable. However, it has or 2000 that other information such as activities reports could be submitted electronically. Reports filed before 2000 are not searchable.

Searches work best with Chrome or Firefox browser. Your browser must support popups.

Registrations

Activities Reports

Thanks for watching!

**QUESTIONS?**



Call 512-463-5800