

AN ACT

relating to prohibited conflicts of interest of registered lobbyists.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 305.028, Government Code, is amended by amending Subsection (b) and adding Subsections (c-1) and (k) to read as follows:

(b) Except as permitted by Subsection (c) or (c-1), a registrant may not represent a client in communicating directly with a member of the legislative or executive branch to influence legislative subject matter or administrative action if the representation of that client:

(1) involves a substantially related matter in which that client's interests are materially and directly adverse to the interests of:

(A) another client of the registrant;

(B) an employer or concern employing the registrant; or

(C) another client of a person associated with the registrant; or

(2) reasonably appears to be adversely limited by:

(A) the registrant's, the employer's or concern's, or the other associated person's responsibilities to another client; or

(B) the registrant's, employer's or concern's own interest, or other associated person's own business interests.

(c-1) A registrant may represent a client in the circumstances described in Subsection (b) without regard to whether the registrant reasonably believes the representation of each client will be materially affected if:

(1) the registrant provides the written notice to each affected client as described by Subsection (c)(2) and files the statement described by Subsection (c)(3); and

(2) after the registrant has provided the written notice described by Subsection (c)(2), each affected client of the registrant consents to the conflict and grants the registrant permission to continue the representation.

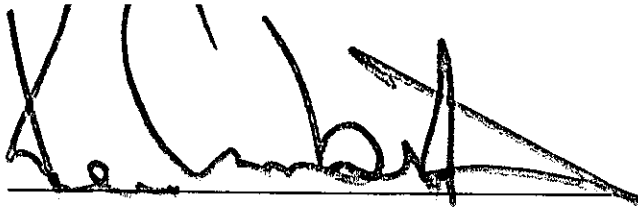
(k) The commission may adopt rules to implement this section consistent with this chapter, the Texas Disciplinary Rules of Professional Conduct, and the common law of agency.

SECTION 2. Section 305.031(a), Government Code, is amended to read as follows:

(a) A person commits an offense if the person intentionally or knowingly violates a provision of this chapter other than Section [~~305.0011, 305.012,~~] 305.022[~~7~~] or 305.028. An offense under this subsection is a Class A misdemeanor.

SECTION 3. Sections 305.0011 and 305.028(i), Government Code, are repealed.

SECTION 4. This Act takes effect September 1, 2005.



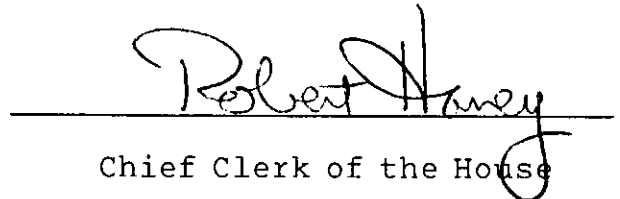
President of the Senate

H.B. No. 2202



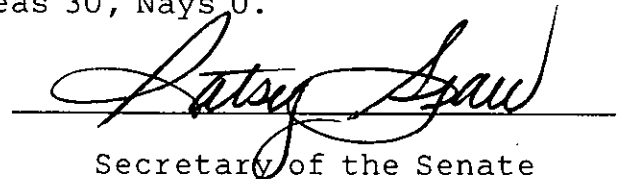
Speaker of the House

I certify that H.B. No. 2202 was passed by the House on April 29, 2005, by a non-record vote.



Chief Clerk of the House

I certify that H.B. No. 2202 was passed by the Senate on May 16, 2005, by the following vote: Yeas 30, Nays 0.

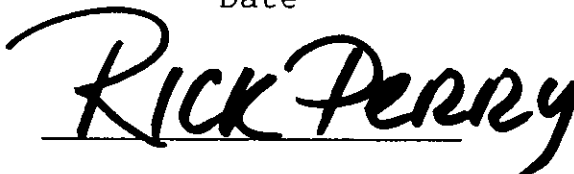


Secretary of the Senate

APPROVED:

**27 MAY 05**

Date

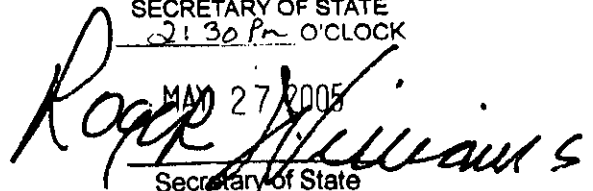


Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

21 30 PM O'CLOCK

MAY 27 2005



Secretary of State