

Texas Begins Regulating Procurement Lobbying; Registration May Be Required

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Effective September 1, 2009, Texas began regulating certain aspects of procurement lobbying. This change came about as a result of the passage of former H.B. 3445, which Governor Rick Perry signed on June 19, 2009. The new law also adds a few additional exceptions to the lobbyist registration requirement.

With respect to procurement lobbying, in-house employees still are not required to register as lobbyists. Independent contractors, however, are required to register if they lobby on a contingency-fee basis. Neither in-house employees nor independent contractors can lobby procurements on a contingency-fee basis if the value of the purchasing order exceeds \$10 million.

The Texas Ethics Commission is currently promulgating regulations under these new statutory provisions. The proposed rules can be found [here](#). Wiley Rein annually produces a 50-state lobbying and gifts survey that provides clients with granular details about the lobbying and gift rules for all of the states and the District of Columbia. Clients also are kept abreast of all material changes prior to the pertinent effective dates.

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