

Texas Department of Criminal Justice Notice of Prohibitions

Texas Government Code § 556.009 requires state agencies to provide each officer and employee of the agency a copy of Texas Government Code §§ 556.004–.008 and requires a signed receipt on delivery. If the provisions within these sections are changed, the agency is required to provide a new copy to each officer and employee of the agency and obtain a new receipt. A state agency must maintain receipts collected from officers and employees in a manner accessible for public inspection.

Texas Government Code § 556.004. PROHIBITED ACTS OF AGENCIES AND INDIVIDUALS.

- (a) A state agency may not use any money under its control, including appropriated money, 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. This prohibition extends to the direct or indirect employment of a person to perform an action described by this subsection.
- (b) A state officer or employee may not use a state-owned or state-leased motor vehicle for a purpose described by Subsection (a).
- (c) A state officer or employee may not use official authority or influence or permit the use of a program administered by the state agency of which the person is an officer or employee to interfere with or affect the result of an election or nomination of a candidate or to achieve any other political purpose.
- (d) A state employee may not coerce, attempt to coerce, command, restrict, 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.
- (e) For purposes of Subsection (c), a state officer or employee does not interfere with or affect the results of an election or nomination if the individual's conduct is permitted by a law relating to the individual's office or employment and is not otherwise unlawful.

Texas Government Code § 556.005. EMPLOYMENT OF LOBBYIST.

- (a) A state agency may not use appropriated money to employ, as a regular full-time, part-time, or contract employee, a person who is required by Chapter 305 to register as a lobbyist. Except for an institution of higher education as defined by Section 61.003, Education Code, a state agency may not use any money under its control to employ or contract with an individual who is required by Chapter 305 to register as a lobbyist.
- (b) A state agency may not use appropriated money to pay, on behalf of the agency or an officer or employee of the agency, membership dues to an organization that pays part or all of the salary of a person who is required by Chapter 305 to register as a lobbyist. This subsection does not apply to the payment by a state agency of membership fees under Chapter 81.
- (c) A state agency that violates Subsection (a) is subject to a reduction of amounts appropriated for administration by the *General Appropriations Act* for the biennium following the biennium in which the violation occurs in an amount not to exceed \$100,000 for each violation.
- (d) A state agency administering a statewide retirement plan may enter into a contract to receive assistance or advice regarding the qualified tax status of the plan or on other federal matters affecting the administration of the state agency or its programs if the contractor is not required by Chapter 305 to register as a lobbyist.

Texas Government Code § 556.006. LEGISLATIVE LOBBYING.

- (a) A state agency may not use appropriated money to attempt to influence the passage or defeat of a legislative measure.
- (b) This section does not prohibit a state officer or employee from using state resources to provide public information or to provide information responsive to a request.

Texas Government Code § 556.007. TERMINATION OF EMPLOYMENT.

A state employee who causes an employee to be discharged, demoted, or otherwise discriminated against for providing information under Section 556.006 (b) or who violates Section 556.004 (c) or (d) is subject to immediate termination of employment.

Texas Government Code § 556.008. COMPENSATION PROHIBITION.

A state agency may not use appropriated money to compensate a state officer or employee who violates Section 556.004 (a), (b), or (c), Section 556.005, Section 556.006 (a), or who is subject to termination under Section 556.007.