



# TEXAS ETHICS COMMISSION



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## ETHICS ADVISORY OPINION NO. 59

*September 10, 1992*

*Reporting requirements of lobbyists who pay part of the expenses of a banquet attended by members of the legislature. (AOR-91)*

The Texas Ethics Commission has been asked whether registered lobbyists may pay part of the expenses of a banquet to which members of the legislature are invited and, if so, how the expenditures are to be reported. A social organization sponsors the banquet. Members of the legislature buy tickets to attend the banquet. In the past, lobbyists have made contributions to cover part of the expenses.

Chapter 305 of the lobby statute regulates expenditures made to communicate directly with members of the legislature to influence legislation. Thus, if expenditures to subsidize a banquet are made to facilitate a registrant's ability to communicate directly with members of the legislature to influence legislation, the expenditures must be reported by the registrant. *See* Gov't Code § 305.002(2), (6) (defining, respectively, "communicates directly with" and "legislation"); *see also* [Ethics Advisory Opinion No. 4](#) (1992) (communications to influence include communications to generate goodwill).

If all legislators are invited to the event, the expenditures are to be reported under section 305.0062(a)(8) and under no other category. Gov't Code § 305.0061(f). If not, the expenditures are to be reported under the various applicable categories under sections 305.006, 305.0061, and 305.0062. *See* [Ethics Advisory Opinion No. 34](#) (1992). The expenditures for the banquet would be for food and beverages and, perhaps, entertainment. Such expenditures are permissible under the lobby statute only if the registrant is present at the banquet. Gov't Code §§ 305.006(f), 305.024(a)(7); [Ethics Advisory Opinion No. 34](#).

### SUMMARY

If a person required to register under the lobby statute subsidizes a banquet to facilitate his ability to communicate with members of the legislature to influence legislation, the registrant must report the expenditures under the lobby statute.