



# TEXAS ETHICS COMMISSION



## ETHICS ADVISORY OPINION NO. 136

*April 1, 1993*

*Whether a lobbyist who invites members of the legislature to his home for dinner must report the value of the use of his home. (AOR-155)*

A registered lobbyist has asked the Texas Ethics Commission about a situation in which he invites members of the legislature to his home for dinner. The specific question is whether the registrant must report the value of the use of his home on a lobbyist activity report.

A registrant must report expenditures made to communicate with members of the legislative branch in the following categories: (1) transportation and lodging; (2) food and beverages; (3) entertainment; (4) gifts, other than awards and mementos; (5) awards and mementos; (6) expenditures made for the attendance of members of the legislative branch or executive branch at political fundraisers or charity events; and (7) certain mass media expenditures. Gov't Code § 305.006.

The Ethics Commission has stated that expenditures incurred in connection with the preparation or presentation of a meal are to be reported under "food and beverages." [Ethics Advisory Opinion No. 119](#) (1993). Thus if a registrant rented space to provide a meal to communicate with legislators, the rental would be reported as an expenditure under "food and beverages." A registrant who provides a meal in his home is not, however, required to report the value of the use of his home. *See* Gov't Code § 305.002(5) (defining "expenditure"). The registrant would be required to report any specific expenditures made to prepare his home for the meal.

### SUMMARY

A lobbyist who provides a meal to legislators in his home in order to communicate to influence legislation is not required to report the value of the use of his home.