



SIERRA CLUB

LONE STAR CHAPTER

To: The Honorable Bryan Hughes, Chair
Members, Senate Committee on State Affairs

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SB 175 by Middleton (Relating to the Use by a Political Subdivision of Public Funds for Lobbying Activities) Is Mean-Spirited and Bad Public Policy

SB 175 is mean-spirited and bad public policy. In Texas, as you know the Legislature only meets in general for 140 days on odd numbered years. During that time, thousands of individuals, organizations and lobbyists which represent them do their best in a short amount of time to follow the legislative process, propose legislative solutions and represent their position as best they can. As an example, Sierra Club uses our staff and volunteers to represent our positions, but at times has hired outside lobbyists on particular issues where we may lack knowledge.

This legislative session there are well over 8,000 bills, resolutions and constitutional amendments. Many of these directly impact city and county government, and many pieces of legislation are designed specifically to remove or impact the power of local government. Just this week there are bills to take away cities' rights to regulate issues in various codes unless expressly granted by the legislature, and others which seek to limit cities ability to regulate sources of energy, while still another where cities could not regulate anything that impacted commerce. It would be ludicrous to think that every county in Texas or every city in Texas could cover these issues individually, without the use of associations or outside lobbyists.

Yet SB 175 would say that a city or county can not use public funds either to pay individual lobbyists to represent them or even public funds for the associations that represent cities and counties.

Think about it. The Legislature only meets every other year for 140 days, and cities and counties would have to rely on their elected officials or particular departments to come to the

capitol to represent them? How can small cities and counties adequately make their issues known when they do not have extra staff to travel to Austin and follow the complex, and fast-moving pace of the legislative session?

Lobbyists are hired because they have expertise about the legislative process and can effectively represent the interests of individual cities. Associations have staff that have experience with the legislative process and have relationships with elected officials at the legislature. These relationships are invaluable so the interests and positions of cities can be known.

Our laws are better and our legislative process is better when everyone is at the table and when cities and counties can be well represented. Even laws passed that have limited the power of cities - like HB 40 (Darby) regarding oil and gas regulation - was improved because cities and their associations could count on professional staff and outside lobbyists to help create good compromise.

Should cities and counties have a public process to adopt their legislative priorities, with input from local citizens? Absolutely. Should contracts with associations and lobby firms be public so citizens can know who is representing their city or county? Absolutely. Should decisions about spending public money on lobbyists or associations be adopted publicly with the chance for the public to weigh in if they disagree? Yes.

But passing a law to prevent cities and counties from the right to defend their own interests with professional, knowledgeable lobbyists, or associations is a travesty and an infringement of their right to free speech and to be well represented. It will also lead to worse public policy outcomes if the city and counties don't have a real seat at the table.