

# TPJ Welcomes Abbott's Proposed Ethics Reforms

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Attorney General Greg Abbott's recent ethics reform proposals are far more thoughtful than anything that the incumbent governor produced over the past decade. Some of Abbott's ideas could kick-start the dismantling of Texas' crony-capitalist state. The most surprising aspect of Abbott's proposal is that—decades after his tragic running accident—he seems to be rediscovering the indispensable role of the civil justice system. Abbott's biggest oversight is his failure to propose any restrictions on dark-money political groups, such as the Law Enforcement Alliance of America, which helped Abbott defeat Kirk Watson in the 2002 attorney general race.<sup>1</sup>

Proposals 5-11 in Abbott's recent reform paper deal with ethics. Let's give those proposals the scrutiny that they clearly merit.

5. Require lawmakers, statewide elected officials and gubernatorial appointees to disclose any financial arrangements that they or their spouses have with any public entity—or face Class A Misdemeanor.

*Excellent. Needs to mandate disclosure of details of financial arrangements, including dollar amounts.*

6. Prohibit lawmakers from *voting* on most matters in which they or their spouse have financial interests (beyond non-controlling equity interests). Violators could face criminal prosecution by Travis County District Attorney or individual civil suits by plaintiffs entitled to up to 25 percent of penalty (remainder to indigent defense).

*Excellent redressing of a now-meaningless prohibition.*

Require disclosure by lawmakers who *introduce or sponsor bills* if they have a personal interest in the bill or if their spouse or relative lobbies on a related subject.

*Excellent. Needs to mandate disclosure of details of lawmaker's or spouse's financial interest, including dollar amounts. Similarly must require disclosure of lobbyist, client and client's potential interest in bill. Fatal flaw of this proposal is that current subject-matter disclosure by lobbyists is garbage. An unclear statement near end of this proposal would require disclosure of state contracts. Disclosure by whom?*

7. Prohibit school boards and related associations from spending tax dollars on lobbyists.

*Abbott's weakest proposal looks like a sop to the Koch brothers.* If it's a “waste” or “superfluous” for school districts to spend tax dollars on lobbyists, then prohibit ALL expenditures of tax dollars on lobbyists. This would ban the Texas Office of State-Federal Relations from hiring outside lobbyists and eliminate the army of lobbyists that local governments hire in Texas. While we're at it, prohibit lobbying by all taxpayer-subsidized private corporations and consider a lobby prohibition on government contractors.

8. Prohibits payments of anything akin to a referral fees to elected officials who are lawyers.

*Excellent. One wrinkle: How to define “any benefit” from a referral?*

9. Require candidates and PACs to report quarterly instead of semi-annually.

*Sure.*

10. Within 30 days of an election, require candidates to disclose contributions of \$5,000 or more before they can tap those funds.

*Absolutely. But isn't this largely covered by so-called pre-election "telegram" reports, which require disclosure of late-term contributions of \$1,000 or more by 5 pm the next day?*

11. Give voters in counties and municipalities the right to propose referendums to ban red-light cameras if they collect signatures equal to 10 percent of the votes cast in the last major election.

*Green light.*

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<sup>1</sup> "Bankrolling Beltway Badges," *Texas Observer*, July 30, 2004.