

**HB 292- SUPPORT**

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**HB 292 – SUPPORT**

**Public Ethics – Gifts and Lobbyist Registration**

**(Public Integrity Act of 2021)**

**House Committee on Environment and Transportation**

Chair and Members of the Committee:

I am Vincent Johnson. I earned my law degrees from Notre Dame, Yale, and the London School of Economics. After passing the Pennsylvania bar, I worked for judges in New York, Chicago, and at the United States Supreme Court. I now hold an endowed professorship at St. Mary's University in San Antonio., where I led the Mayor's Task Force on Ethics in Government.

I am an Advisor to the American Law Institute's project on the Principles of Government Ethics. For decades, I have taught and written about regulation of lobbyists and the fiduciary duties of public officials.

The purpose of regulating lobbyists is to ensure that all persons have a fair opportunity to be heard and that government enjoys the confidence of the people.

When lobbyists bestow gifts on public servants, such as lavish meals, there is both a risk and an appearance of impropriety. The risk is that the lobbyist's client will enjoy an unfair advantage because the offering will induce the official to make decisions calculated to repay the favor.

Even if the recipient has not been influenced by the gift, there is a perception that the lobbyist's client enjoys an unfair advantage. That appearance tends to destroy confidence in government and makes democracy less effective.

A lavish dinner hosted by a lobbyist is no less ethically offensive merely because all members of a state committee were invited to attend. It still appears that the party footing the bill enjoys privileged standing.

The best practice is to ban gifts from lobbyists entirely. Absent a total ban, a low dollar limit should be imposed.

Capping expenditures on food and beverages at \$50 per official would help to mitigate the risks and appearances of impropriety related to lobbyist-hosted dinners.

I urge a favorable report on HB 292.