

Lobbying

Lobbying

- What is lobbying?

Lobbyist

- What does a lobbyist do?

Lobbyist Disclosure Act of 1995

- PUBLIC LAW 104-65 DEC. 19, 1995 109 STAT. 691
- Public Law 104-65 104th Congress
- 109 STAT. 691
- An Act
- To provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.
- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
- SECTION 1. SHORT TITLE.
- This Act may be cited as the "Lobbying Disclosure Act of 1995".
- SEC. 2. FINDINGS.
- The Congress finds that:
 - (1) responsible representative Government requires public awareness of the efforts of paid lobbyists to influence the public decisionmaking process in both the legislative and executive branches of the Federal Government;
 - (2) existing lobbying disclosure statutes have been ineffective because of unclear statutory language, weak administrative and enforcement provisions, and an absence of clear guidance as to who is required to register and what they are required to disclose; and
 - (3) the effective public disclosure of the identity and extent of the efforts of paid lobbyists to influence Federal officials in the conduct of Government actions will increase public confidence in the integrity of Government.

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- SEC. 4. REGISTRATION OF LOBBYISTS.
- (a) REGISTRATION.
 - (1) GENERAL RULE.-No later than 45 days after a lobbyist first makes a lobbying contact or is employed or retained to make a lobbying contact, whichever is earlier, such lobbyist (or, as provided under paragraph (2), the organization employing such lobbyist) shall register with the Secretary of the Senate and the Clerk of the House of Representatives.
 - (2) EMPLOYER FILING.-Any organization that has 1 or more employees who are lobbyists shall file a single registration under this section on behalf of such employees for each client on whose behalf the employees act as lobbyists.

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- SEC. 5. REPORTS BY REGISTERED LOBBYISTS.
- (a) SEMIANNUAL REPORT.-No later than 45 days after the end of the semiannual period beginning on the first day of each January and the first day of July of each year in which a registrant is registered under section 4, each registrant shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives on its lobbying activities during such semiannual periods. A separate report shall be filed for each client of the registrant.
- (b) CONTENTS OF REPORT.-Each semiannual report filed under subsection (a) shall contain:
 - (1) the name of the registrant, the name of the client, and any changes or updates to the information provided in the initial registration;
 - (2) for each general issue area in which the registrant engaged in lobbying activities on behalf of the client during the semiannual filing period:
 - (A) a list of the specific issues upon which a lobbyist employed by the registrant engaged in lobbying activities, including, to the maximum extent practicable, a list of bill numbers and references to specific executive branch actions;
 - (B) a statement of the Houses of Congress and the Federal agencies contacted by lobbyists employed by the registrant on behalf of the client;
 - (C) a list of the employees of the registrant who acted as lobbyists on behalf of the client; and

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- SEC. 5. REPORTS BY REGISTERED LOBBYISTS.
- (b) a description of the interest, if any, of any foreign entity identified under section 4(b)(4) in the specific issues listed under subparagraph (A);
- (3) in the case of a lobbying firm, a good faith estimate of the total amount of all income from the client, including any payments to the registrant by any other person for lobbying activities on behalf of the client during the semiannual period, other than income for matters that are unrelated to lobbying activities; and
- (4) in the case of a registrant engaged in lobbying activities on its own behalf, a good faith estimate of the total expenses that the registrant and its employees incurred in connection with lobbying activities during the semiannual filing period.
- (c) ESTIMATES OF INCOME OR EXPENSES. For purposes of this section, estimates of income or expenses shall be made as follows:
 - (1) Estimates of amounts in excess of \$10,000 shall be rounded to the nearest \$20,000.
 - (2) In the event income or expenses do not exceed \$10,000, the registrant shall include a statement that income or expenses totaled less than \$10,000 for the reporting period.
 - (3) A registrant that reports lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986 may satisfy the requirement to report income or expenses by filing with the Secretary of the Senate and the Clerk of the House of Representatives a copy of the form filed in accordance with section 6033(b)(8).

Lobbyist Disclosure Act of 1995

- SEC. 6. DISCLOSURE AND ENFORCEMENT.
- The Secretary of the Senate and the Clerk of the House of Representatives shall:
 - (1) provide guidance and assistance on the registration and reporting requirements of this Act and develop common standards, rules, and procedures for compliance with this Act;
 - (2) review, and, where necessary, verify and inquire to ensure the accuracy, completeness, and timeliness of registration and reports;
 - (3) develop filing, coding, and cross-indexing systems to carry out the purpose of this Act, including:
 - (A) a publicly available list of all registered lobbyists, lobbying firms, and their clients; and
 - (B) computerized systems designed to minimize the burden of filing and maximize public access to materials filed under this Act;
 - (4) make available for public inspection and copying at reasonable times the registrations and reports filed under this Act;
 - (5) retain registrations for a period of at least 6 years after they are terminated and reports for a period of at least 6 years after they are filed;
 - (6) compile and summarize, with respect to each semi-annual period, the information contained in registrations and reports filed with respect to each period in a clear and complete manner;
 - (7) notify any lobbyist or lobbying firm in writing that may be in noncompliance with this Act; and
 - (8) notify the United States Attorney for the District of Columbia that a lobbyist or lobbying firm may be in noncompliance with this Act, if the registrant has been notified in writing and has failed to provide an appropriate response within 60 days after notice was given under paragraph (7).

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Lobbyist Disclosure Act of 1995

- Whoever knowingly fails to-
 - (1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or
 - (2) comply with any other provision of this Act; shall, upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil fine of not more than \$50,000, depending on the extent and gravity of the violation.

The Catalyst

60 MINUTES

NRS 218H

CHAPTER 218H - LOBBYING

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218H.010 Short title.
 218H.011 Legislative hearings and deliveries.
 218H.012 Definitions.
 218H.013 "When" defined.
 218H.014 "Business purpose" defined.
 218H.015 "Expenditure or substantial benefit, credit or wage" defined.
 218H.016 "Organization" defined.
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 218H.018 "Specialized funds" defined.
 218H.019 "Legislative council" defined.
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 218H.021 "Member of the Legislature" defined.
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 218H.024 "Senate" defined.

CONTINUING APPLICABILITY TO CERTAIN LOBBYISTS

218H.030 Certain persons deemed to be lobbyists for purposes of continuing applicability; period of continuing applicability exceptions.

REGISTRATION

218H.040 Registration statement required during session; filing with Director excepted.
 218H.041 Content of registration statement.
 218H.042 Legislative council registration statement required upon change in registration information; exceptions.
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IDENTIFICATION BADGES

218H.050 Issuance by Director; different color for each classification; requirement to wear in Legislature Building.

REPORTS OF LOBBYING ACTIVITIES

218H.060 Plans to file; form; content; limitation of expenditures; audits and investigations.
 218H.061 Fee for file filing; return and completion.

ADMINISTRATION AND ENFORCEMENT

218H.070 Registration fees; classification of lobbyists; Bureau accounting and reporting methods; filing system; public inspection; retention of records; list of registrants.
 218H.071 Administration and enforcement of chapter; coordination with Secretary of State regarding Nevada Revised Statutes Act.
 218H.072 Department of legislative council and reports of lobbying activities; notice of non-compliance.
 218H.073 Application of chapter regarding filing of activities; content of report of non-compliance; lobbyist activities for non-compliance.
 218H.074 Suspension of registration and non-compliance; grounds and procedure for suspension or revocation of registration; hearing and appeal; continuing registration and renewal of registration after suspension or non-compliance; grounds and procedure for suspension or revocation of registration; hearing and appeal; continuing registration and renewal of registration.
 218H.075 Separate fund.

UNLAWFUL ACTS; PENALTIES

218H.080 Unlawful to file lobbyist registration statement.
 218H.081 Unlawful to file lobbyist registration statement.
 218H.082 Unlawful to file lobbyist registration statement.
 218H.083 Unlawful to file lobbyist registration statement.

NRS 218H

- NRS 218H.180 Certain persons deemed to be lobbyists for purposes of continuing applicability; period of continuing applicability; exceptions.
- 1. Except as otherwise provided in subsection 2, a person who is required to register as a lobbyist during a regular or special session shall be deemed to be a lobbyist for the purposes of this chapter from the date of the first activity that required registration until the commencement of the next regular session, whether or not the person:
 - (a) Properly registered as a lobbyist for the regular or special session pursuant to NRS 218H.200; or
 - (b) Filed a notice of termination of session activity for the regular or special session pursuant to NRS 218H.230.
- 2. The provisions of subsection 1 do not apply to a person who:
 - (a) Ceases all lobbying activities and terminates all representation concerning the interests of all clients to all members of the Legislative Branch; and
 - (b) Thereafter, does not engage in or otherwise provide, or offer, promise, agree or attempt to engage in or otherwise provide, any lobbying activities or representation concerning the interests of any clients to any members of the Legislative Branch at any time before the commencement of the next regular session.

NRS 218H

- NRS 218H.200 Registration statement required during session; filing with Director; exceptions.
- 1. Every person who acts as a lobbyist during a regular or special session shall, not later than 2 days after the beginning of that activity, file a registration statement with the Director in such form as the Director prescribes, unless the person qualifies for an exemption or exception from the requirements to register as a lobbyist pursuant to any regulations adopted in accordance with NRS 218H.500.
- 2. The Director shall not accept a registration statement from a former Legislator who was a member of the Legislature during the immediately preceding regular session in the classification set forth in NRS 218H.500 or a lobbyist who receives any compensation for his or her lobbying activities unless the former Legislator certifies in writing, under penalty of perjury that he or she qualifies under the exception set forth in subsection 2 of NRS 218H.950.

NRS 218H

IDENTIFICATION BADGES

- NRS 218H.300 Issuance by Director; different color for each classification; requirement to wear in Legislative Building.
- 1. The Director shall furnish an appropriate identification badge to each lobbyist who files a registration statement under this chapter. The identification badge for each classification of lobbyist set forth in NRS 218H.500 must be a different color.
- 2. The identification badge must be worn by the lobbyist whenever the lobbyist appears in the Legislative Building.

NRS 218H

REPORTS OF LOBBYING ACTIVITIES

NRS 218H.400 Duty to file; form; contents; itemization of expenditures; audits and investigations.

- 1. Each registrant shall file with the Director:
 - (a) Within 30 days after the close of a regular or special session, a final report signed under penalty of perjury concerning the registrant's lobbying activities; and
 - (b) Between the 1st and 10th day of the month after each month that the Legislature is in a regular or special session, a report concerning the registrant's lobbying activities during the previous month, whether or not any expenditures were made.
- 2. Each report must:
 - (a) Be on a form prescribed by the Director; and
 - (b) Include the total of all expenditures, if any, made by the registrant on behalf of a Legislator or an organization whose primary purpose is to provide support for Legislators of a particular political party and House, including expenditures made by others on behalf of the registrant if the expenditures were made with the registrant's express or implied consent or were ratified by the registrant.

3. The Legislative Commission may authorize an audit or investigation by the Legislative Auditor that is proper and necessary to verify compliance with the provisions of this section. If the Legislative Commission authorizes such an audit or investigation:

- (a) All lobbyists shall make available to the Legislative Auditor all books, accounts, claims, reports, vouchers and other records requested by the Legislative Auditor in connection with any such audit or investigation;
- (b) The Legislative Auditor shall confine requests for such records to those which specifically relate to the lobbyist's compliance with the reporting requirements of this section.

4. A report filed pursuant to this section must not itemize with respect to each Legislator an expenditure if the expenditure is the cost of a party, meal, function or other social event to which every Legislator was invited.

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NRS 218H

REPORTS OF LOBBYING ACTIVITIES

- 3. Except as otherwise provided in subsection 6, the report:
 - (a) Must identify each Legislator and each organization whose primary purpose is to provide support for Legislators of a particular political party and House on whose behalf expenditures were made;
 - (b) Must be itemized with respect to each such Legislator and organization; and
 - (c) Does not have to include any expenditures made on behalf of a person other than a Legislator or an organization whose primary purpose is to provide support for Legislators of a particular political party and House, unless the expenditure is made for the benefit of a Legislator or such an organization.
- 4. If expenditures made by or on behalf of a registrant during the previous month exceed \$50, the report must include a compilation of expenditures, itemized in the manner required by the regulations of the Legislative Commission.
- 5. The Legislative Commission may authorize an audit or investigation by the Legislative Auditor that is proper and necessary to verify compliance with the provisions of this section. If the Legislative Commission authorizes such an audit or investigation:
 - (a) All lobbyists shall make available to the Legislative Auditor all books, accounts, claims, reports, vouchers and other records requested by the Legislative Auditor in connection with any such audit or investigation;
 - (b) The Legislative Auditor shall confine requests for such records to those which specifically relate to the lobbyist's compliance with the reporting requirements of this section.
- 6. A report filed pursuant to this section must not itemize with respect to each Legislator an expenditure if the expenditure is the cost of a party, meal, function or other social event to which every Legislator was invited.

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NRS 294A

CHAPTER 294A - CAMPAIGN PRACTICES

GENERAL PROVISIONS

NRS 294A.001	Definitions.
NRS 294A.002	"Advisory opinion" defined.
NRS 294A.003	"Candidate" defined.
NRS 294A.004	"Candidate committee" defined.
NRS 294A.005	"Candidate committee" defined.
NRS 294A.006	"Candidate committee" defined.
NRS 294A.007	"Candidate committee" defined.
NRS 294A.008	"Candidate committee" defined.
NRS 294A.009	"Candidate committee" defined.
NRS 294A.010	"Candidate committee" defined.
NRS 294A.011	"Candidate committee" defined.
NRS 294A.012	"Candidate committee" defined.
NRS 294A.013	"Candidate committee" defined.
NRS 294A.014	"Candidate committee" defined.
NRS 294A.015	"Candidate committee" defined.
NRS 294A.016	"Candidate committee" defined.
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NRS 294A.026	"Candidate committee" defined.
NRS 294A.027	"Candidate committee" defined.
NRS 294A.028	"Candidate committee" defined.
NRS 294A.029	"Candidate committee" defined.
NRS 294A.030	"Candidate committee" defined.
NRS 294A.031	"Candidate committee" defined.
NRS 294A.032	"Candidate committee" defined.
NRS 294A.033	"Candidate committee" defined.
NRS 294A.034	"Candidate committee" defined.
NRS 294A.035	"Candidate committee" defined.
NRS 294A.036	"Candidate committee" defined.
NRS 294A.037	"Candidate committee" defined.
NRS 294A.038	"Candidate committee" defined.
NRS 294A.039	"Candidate committee" defined.
NRS 294A.040	"Candidate committee" defined.
NRS 294A.041	"Candidate committee" defined.
NRS 294A.042	"Candidate committee" defined.
NRS 294A.043	"Candidate committee" defined.
NRS 294A.044	"Candidate committee" defined.
NRS 294A.045	"Candidate committee" defined.
NRS 294A.046	"Candidate committee" defined.
NRS 294A.047	"Candidate committee" defined.
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Citizens United

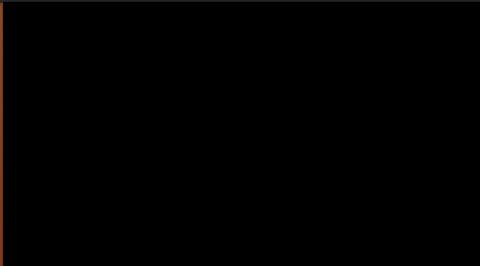
- The court held 5-4 that the freedom of speech clause of the First Amendment prohibits the government from restricting independent expenditures for political campaigns by corporations, including nonprofit corporations, labor unions, and other associations.

Citizens United
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Q&A C-SPAN

Citizens United
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Questions

- Questions
