

2016 Regular Session

HOUSE BILL NO. 770

BY REPRESENTATIVE JAY MORRIS

LOBBYING: Requires lobbyists to disclose information concerning certain relationships and transactions with legislators and related persons

1 AN ACT

2 To amend and reenact R.S. 24:53(A)(5) and (H), relative to lobbying; to provide for
3 disclosure; to require lobbyists to disclose information concerning certain
4 relationships and transactions with legislators and related persons; to provide for
5 deadlines; to provide for penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 24:53(A)(5) and (H) are hereby amended and reenacted to read as
8 follows:

9 §53. Registration of lobbyists with the board; compilation of information

10 A. Each lobbyist shall register with the board as soon as possible after
11 employment as a lobbyist or after the first action requiring his registration as a
12 lobbyist, whichever occurs first, and in any event not later than five days after
13 employment as a lobbyist or not later than five days after the first action requiring
14 his registration as a lobbyist, whichever occurs first. He shall electronically file with
15 the board using forms provided by it, the following information:

16 * * *

17 (5)(a) The identity of each legislator or spouse of a legislator with whom he
18 or his employer has, or has had in the preceding twelve months, a business
19 relationship and a detailed description of the business relationship. For purposes of
20 this Paragraph, "business relationship" means any transaction, contract, or activity

1 that is conducted or undertaken for profit and which arises from a joint ownership
2 interest, partnership, or common legal entity between a lobbyist or his employer and
3 a legislator or spouse of a legislator ~~when the legislator or spouse owns ten percent~~
4 ~~or more of such interest, partnership, or legal entity.~~ "Business relationship" shall
5 not include ownership in a publicly traded corporation.

6 (b) A statement detailing each contract or transaction in excess of one
7 hundred dollars per year that is in existence or was entered into within the preceding
8 twelve months between the lobbyist or his employer and any of the following:

9 (i) A legislator or the spouse of a legislator.

10 (ii) A person of which the legislator or the spouse of a legislator is an officer,
11 director, trustee, partner, or employee.

12 (iii) A legal entity in which a legislator or the spouse of a legislator, either
13 individually or collectively, has an interest that exceeds twenty-five percent of the
14 legal entity.

15 (c) The provisions of Subparagraph (b) of this Paragraph shall not apply to
16 the purchase of goods or services from the employer of the lobbyist if the purchase
17 is subject to the same terms, conditions, and availability as would be available to any
18 member of the public and fair market value is paid for the goods or services.

19 * * *

20 H.(1) Whenever any information contained in his registration changes, or the
21 lobbyist begins representing an additional person, a supplemental electronic
22 registration shall be filed with the board as soon as possible after such change occurs
23 and in any event not later than five days after such change, using forms provided by
24 the board.

25 (2) If the lobbyist enters into a business relationship, contract, or other
26 transaction that must be disclosed pursuant to Paragraph (A)(5) of this Section, a

1 supplemental electronic registration shall be filed with the board as soon as possible
2 thereafter and in any event not later than five days thereafter, using forms provided
3 by the board.

4 * * *

5 Section 2. This Act shall become effective January 1, 2017.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 770 Original

2016 Regular Session

Jay Morris

Abstract: Requires lobbyists to disclose information concerning certain relationships and transactions with legislators and related persons

Present law (R.S. 24:50 et seq.) regulates lobbying of the legislature. Present law (R.S. 24:53) requires each lobbyist to register with the Board of Ethics. Requires the lobbyist to file certain information with the board when registering, including the lobbyist's name and business address, the name of each of the lobbyist's clients and the amount the lobbyist will be paid for lobbying, and the subject matters about which the lobbyist anticipates lobbying.

Present law additionally requires the lobbyist to identify each legislator with whom the lobbyist or his employer has, or has had in the preceding 12 months, a business relationship. Defines "business relationship" as any transaction, contract, or activity that is conducted or undertaken for profit and which arises from a joint ownership interest, partnership, or common legal entity between a lobbyist or his employer and a legislator or spouse of a legislator.

Proposed law retains present law.

Present law requires the legislator or spouse to own 10% or more of the interest, partnership, or legal entity to be included in the definition of "business relationship."

Proposed law repeals present law. Additionally requires the lobbyist to include a detailed description of the business relationship. Excludes from the definition of "business relationship" ownership in a publicly traded corporation.

Proposed law requires the lobbyist to file with the board a statement detailing each contract or transaction in excess of \$100 per year that is in existence or was entered into within the preceding 12 months between the lobbyist or his employer and any of the following:

- (1) A legislator or the spouse of a legislator.
- (2) A person of which the legislator or the spouse of a legislator is an officer, director, trustee, partner, or employee.
- (3) A legal entity in which a legislator or the spouse of a legislator, either individually or collectively, has an interest that exceeds 25% percent of the legal entity.

Provides that proposed law does not apply to the purchase of goods or services from the employer of the lobbyist if the purchase is subject to the same terms, conditions, and

availability as would be available to any member of the public and fair market value is paid for the goods or services.

Present law provides that whenever any information contained in his registration changes, or the lobbyist begins representing an additional person, a supplemental electronic registration shall be filed with the board as soon as possible after such change occurs and in any event not later than five days after such change, using forms provided by the board.

Proposed law retains present law. Additionally provides that if the lobbyist enters into a business relationship, contract, or other transaction that must be disclosed pursuant to proposed law, a supplemental electronic registration shall be filed with the board as soon as possible thereafter and in any event not later than five days thereafter, using forms provided by the board.

Present law provides for enforcement by the Board of Ethics. Provides for the imposition of penalties for failing to timely file required reports.

Proposed law makes present law penalties applicable to proposed law.

Effective Jan. 1, 2017.

(Amends R.S. 24:53(A)(5) and (H))