

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 109

Short Title: Lobbyist Disclosure.

(Public)

Sponsors: Senator Miller.

Referred to: Judiciary II.

February 16, 1999

A BILL TO BE ENTITLED

AN ACT TO REQUIRE MORE SPECIFIC DISCLOSURE OF LOBBYING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-47.2 reads as rewritten:

"§ 120-47.2. **Registration procedure.**

(a) A lobbyist shall file a registration statement with the Secretary of State before engaging in any lobbying. A separate registration statement is required for each lobbyist's principal.

(b) The form of the registration shall be prescribed by the Secretary of State and shall include the registrant's full name, firm, and complete address; the registrant's place of business; the full name and complete address of each person by whom the registrant is employed or retained; ~~and a general description of the matters on which the registrant expects to act as a lobbyist.~~ a statement of the general issue areas in which the registrant expects to engage in lobbying on behalf of each principal; and the name of every political committee of which each principal is a parent entity under the provisions of G.S. 163-278.19.

(c) Each lobbyist shall register again with the Secretary of State no later than 10 days after any change in the information supplied in his last registration under subsection

(b). Each supplementary registration shall include a complete statement of the information that has changed.

1 (d) Within 20 days after the convening of each session of the General Assembly,
2 the Secretary of State shall furnish each member of the General Assembly and the State
3 Legislative Library a list of all persons who have registered as lobbyists and whom they
4 represent. A supplemental list shall be furnished periodically each 20 days thereafter as
5 the session progresses.

6 (e) Each registration statement required under this Article shall be effective from
7 the date of filing until January 1 of the following odd-numbered year. The lobbyist shall
8 file a new registration statement after that date, and the applicable fee shall be due and
9 payable."

10 Section 2. G.S. 120-47.6 reads as rewritten:

11 "**§ 120-47.6. Statements of lobbyist's lobbying expenses and lobbying activities**
12 **required.**

13 (a) Each lobbyist shall file an expense report and a report of lobbying activities
14 with the Secretary of State with respect to each principal within 60 days after the last day
15 of the regular session. ~~This expense report shall include all expenditures made between January~~
16 ~~1 and the last day of the regular session. The lobbyist shall file a supplemental report including~~
17 ~~all expenditures made after the last day of the regular session, but during the calendar year, by~~
18 ~~February 28 of the following year. The lobbyist shall file both expense reports whether or not~~
19 ~~expenditures are made.~~

20 (b) The expense report shall include all expenditures made between January 1 and
21 the last day of the regular session. The lobbyist shall file a supplemental report including
22 all expenditures made after the last day of the regular session, but during the calendar
23 year, by February 28 of the following year. The lobbyist shall file both expense reports
24 whether or not expenditures are made. Each expense report shall set forth the date of each
25 expenditure, to whom paid, the name of any legislator who benefitted from each
26 expenditure, and the amount of each expenditure made during the previous reporting
27 period in connection with lobbying, in each of the following categories: (1)
28 transportation, (2) lodging, (3) entertainment, (4) food, (5) any item having a cash
29 equivalent value of more than twenty-five dollars (\$25.00) and (6) contributions made,
30 paid, incurred or promised, directly or indirectly. It shall not be necessary to report
31 expenditures of twenty-five dollars (\$25.00) or less, nor shall it be necessary to report any
32 expenditures made in connection with the attendance of a legislator at any fund-raising
33 function or event sponsored by a nonprofit organization qualified under 26 U.S.C. §
34 501(c). When more than 10 members of the General Assembly benefitted or were invited
35 to benefit from an expenditure, the lobbyist shall not be required to report the name of
36 any legislator, but shall be required to report the number of legislators or, with
37 particularity, the basis for their selection.

38 (b1) The report of lobbying activities shall cover the period between January 1 and
39 the last day of the regular session. The lobbyist shall file a supplemental report covering
40 all lobbying activities engaged in after the last day of the regular session, but during the
41 calendar year, by February 28 of the following year. The lobbyist shall file both reports
42 of lobbying activities, whether or not any lobbying occurred. The report of lobbying
43 activities shall state the specific issues upon which that lobbyist engaged in lobbying as

1 defined in G.S. 120-47.1, including, to the maximum extent practicable, a list of bill
2 numbers.

3 (c) All reports shall be in the form prescribed by the Secretary of State and shall
4 be open to public inspection. The Secretary of State may combine the expense report and
5 the lobbying activities report on a single form, or place them on separate forms.

6 (d) When a lobbyist fails to file a lobbying expense report or report of lobbying
7 activities as required herein, the Secretary of State shall send a certified or registered
8 letter advising the lobbyist of the delinquency and the penalties provided by law. Within
9 20 days of the receipt of the letter, the lobbyist shall deliver or post by United States mail
10 to the Secretary of State the required report and an additional late filing fee of ten dollars
11 (\$10.00). Filing of the required report and payment of the additional fee within the time
12 extended shall constitute compliance with this section. Failure to file ~~an expense a~~ report
13 in one of the manners prescribed herein shall result in revocation of any and all
14 registrations of a lobbyist under this Article. No lobbyist may register or reregister under
15 this Article until he has fully complied with this section."

16 Section 3. G.S. 120-47.7 reads as rewritten:

17 "**§ 120-47.7. Statements ~~of~~ by lobbyist's principal of lobbying expenses and of**
18 **lobbying activities required.**

19 (a) Each lobbyist's principal shall file an expense report and a report of lobbying
20 activities with the Secretary of State within 60 days after the last day of the regular
21 session. ~~This expense report shall include all expenditures made between January 1 and the last~~
22 ~~day of the regular session. The principal shall file a supplemental expense report, including all~~
23 ~~expenditures made after the last day of the regular session, but during the calendar year, by~~
24 ~~February 28 of the following year. The principal shall file both expense reports whether or not~~
25 ~~expenditures are made during a reporting period.~~

26 (b) The expense report shall include all expenditures made between January 1 and
27 the last day of the regular session. The principal shall file a supplemental report including
28 all expenditures made after the last day of the regular session, but during the calendar
29 year, by February 28 of the following year. The principal shall file both expense reports
30 whether or not expenditures are made. Each expense report shall set forth the name and
31 address of each lobbyist employed, appointed, or retained by the lobbyist's principal, the
32 date of each expenditure made, to whom paid, name of any legislator who benefitted
33 from each expenditure, and amount of each expenditure made during the previous
34 reporting period in connection with lobbying, in each of the following categories: (1)
35 transportation, (2) lodging, (3) entertainment, (4) food, (5) any item having a cash
36 equivalent value of more than twenty-five dollars (\$25.00), (6) contributions made, paid,
37 incurred or promised, directly or indirectly, and (7) compensation to lobbyists in
38 connection with their lobbying activities. It shall not be necessary to report expenditures
39 of twenty-five dollars (\$25.00) or less, nor shall it be necessary to report any expenditures
40 made in connection with the attendance of a legislator at any fund-raising function or
41 event sponsored by a nonprofit organization qualified under 26 U.S.C. § 501(c). When
42 more than 10 members of the General Assembly benefitted or were invited to benefit
43 from an expenditure, the principal shall not be required to report the name of any

1 legislator, but shall be required to report the number of legislators or the basis for their
2 selection. In the category of compensation to lobbyists the principal shall estimate and
3 report the compensation paid or promised directly or indirectly, to all lobbyists based on
4 the estimated time, effort and expense in connection with lobbying activities on behalf of
5 the principal. If a lobbyist is a full-time employee of the principal, or is compensated by
6 means of an annual fee or retainer, the principal shall estimate and report the portion of
7 all such lobbyists' salaries or retainers that compensate the lobbyists for lobbying.

8 (b1) The report of lobbying activities shall cover the period between January 1 and
9 the last day of the regular session. The principal shall file a supplemental report covering
10 all lobbying activities engaged in after the last day of the regular session, but during the
11 calendar year, by February 28 of the following year. The principal shall file both reports
12 of lobbying activities, whether or not lobbying occurred. The report of lobbying activities
13 shall state the following:

14 (1) The name and address of each lobbyist employed, appointed, or retained
15 by the principal; and

16 (2) A list of the specific issues upon which each lobbyist lobbied on behalf
17 of the principal, including, to the maximum extent practicable, a list of
18 the bill numbers.

19 (b2) The principal shall state in its report of lobbying activities the name of any
20 political committee of which it is the parent entity under the provisions of G.S. 163-
21 278.19.

22 (c) All reports shall be in the form prescribed by the Secretary of State and open to
23 public inspection. The Secretary of State may combine the expense report and the
24 lobbying activities report on a single form, or place them on separate forms.

25 (d) When a lobbyist's principal fails to file a lobbying expense report or a report of
26 lobbying activities as required herein, the Secretary of State shall send a certified or
27 registered letter advising the lobbyist's principal of the delinquency and the penalties
28 provided by law. Within 20 days of the receipt of the letter, the lobbyist's principal shall
29 deliver or post by United States mail to the Secretary of State the required report and a
30 late filing fee of ten dollars (\$10.00). Filing of the required report and payment of the late
31 fee within the time extended shall constitute compliance with this section."

32 Section 4. G.S. 163-278.11 is amended by adding a new subsection to read:

33 "(d) Each statement filed by a political committee pursuant to the provisions of this
34 Article shall state whether the political committee or its parent entity employed or
35 contracted with a lobbyist required to be registered pursuant to Article 9A of Chapter 120
36 of the General Statutes. The statement shall identify the lobbyist and shall specify the
37 period of time during which the political committee or its parent entity employed or
38 contracted with the lobbyist."

39 Section 5. This act becomes effective January 1, 2001.