

House Bill 2651

Sponsored by Representative DOHERTY (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Includes in definition of "lobbying" proposing uniform, model, suggested or recommended legislation for consideration by Legislative Assembly. Defines "expenditure" for purposes of lobbying regulation.

A BILL FOR AN ACT

1
2 Relating to lobbying regulation; creating new provisions; and amending ORS 171.725, 171.745 and
3 171.750.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 171.725 is amended to read:

6 171.725. As used in ORS 171.725 to 171.785, unless the context requires otherwise:

7 (1) "Compensation" has the meaning given that term in ORS 292.951.

8 (2) "Consideration" includes a gift, payment, distribution, loan, advance or deposit of money or
9 anything of value, and includes a contract, promise or agreement, whether or not legally enforcea-
10 ble.

11 (3) "Executive agency" means a commission, board, agency or other body in the executive
12 branch of state government that is not part of the legislative or judicial branch.

13 (4) "Executive official" means any member or member-elect of an executive agency and any
14 member of the staff or an employee of an executive agency. A member of a state board or commis-
15 sion, other than a member who is employed in full-time public service, is not an executive official
16 for purposes of ORS 171.725 to 171.785.

17 (5) "**Expenditure**" means:

18 (a) **Moneys expended for food, refreshments and entertainment by the lobbyist for the**
19 **purpose of lobbying; and**

20 (b) **Travel, lodging or registration costs provided by a lobbyist for attendance at a con-**
21 **ference, meeting or other event for the purpose of lobbying.**

22 [(5)] (6) "Judge" means an active judge serving on the Oregon Supreme Court, Court of Appeals,
23 Oregon Tax Court, or an Oregon circuit court.

24 [(6)] (7) "Legislative action" means introduction, sponsorship, testimony, debate, voting or any
25 other official action on any measure, resolution, amendment, nomination, appointment, or report, or
26 any matter that may be the subject of action by either house of the Legislative Assembly, or any
27 committee of the Legislative Assembly, or the approval or veto thereof by the Governor.

28 [(7)] (8) "Legislative official" means any member or member-elect of the Legislative Assembly,
29 any member of an agency, board or committee that is part of the legislative branch, and any staff
30 person, assistant or employee thereof.

31 [(8)] (9) "Lobbying" means influencing, or attempting to influence, legislative action through oral

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 or written communication with legislative officials, **or through** solicitation of executive officials or
 2 other persons:

3 (a) To influence or attempt to influence legislative action, or attempting to obtain the goodwill
 4 of legislative officials[.]; **or**

5 (b) **To propose uniform, model, suggested or recommended legislation for consideration**
 6 **by the Legislative Assembly.**

7 [(9)] (10) "Lobbyist" means:

8 (a) Any individual who agrees to provide personal services for money or any other consideration
 9 for the purpose of lobbying.

10 (b) Any person not otherwise subject to paragraph (a) of this subsection who provides personal
 11 services as a representative of a corporation, association, organization or other group, for the pur-
 12 pose of lobbying.

13 (c) Any public official who lobbies.

14 [(10)] (11) "Public agency" means a commission, board, agency or other governmental body.

15 [(11)] (12) "Public official" means any member or member-elect of any public agency and any
 16 member of the staff or an employee of the public agency.

17 **SECTION 2.** ORS 171.745 is amended to read:

18 171.745. (1) A lobbyist registered with the Oregon Government Ethics Commission or required
 19 to register with the commission shall, according to the schedule described in ORS 171.752, file with
 20 the commission a statement showing for the applicable reporting period:

21 (a) The total amount of all [*moneys expended for food, refreshments and entertainment by the*
 22 *lobbyist for the purpose of lobbying*] **expenditures.**

23 (b) The name of any legislative or executive official to whom or for whose benefit, on any one
 24 occasion, an expenditure is made [*for the purposes of lobbying*], and the date, name of payee, purpose
 25 and amount of that expenditure. This paragraph applies if the total amount expended on the occa-
 26 sion by one or more persons exceeds \$50.

27 (2) Statements required by this section need not include amounts expended by the lobbyist for
 28 personal living and travel expenses and office overhead, including salaries and wages paid for staff
 29 and secretarial assistance, and maintenance expenses. If the amount of any expenditure required to
 30 be included in a statement is not accurately known at the time the statement is required to be filed,
 31 an estimate of the expenditure shall be submitted in the statement and designated as an estimate.
 32 The exact amount expended for which a previous estimate was made shall be submitted in a subse-
 33 quent report when the information is available.

34 (3) A statement required by this section shall include a copy of any notice provided to a public
 35 official or candidate under ORS 244.100.

36 (4) For each statement required by this section, an entity comprised of more than one lobbyist
 37 may file one statement that reports expenditures by the entity and not by individual lobbyists.

38 **SECTION 3.** ORS 171.750 is amended to read:

39 171.750. (1) Any person on whose behalf a lobbyist was registered, or was required to register,
 40 with the Oregon Government Ethics Commission at any time during the calendar year shall file with
 41 the commission, according to the schedule described in ORS 171.752, a statement showing for the
 42 applicable reporting period:

43 (a) The total amount of all [*moneys expended*] **expenditures** for lobbying activities on the
 44 person's behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying
 45 services.

1 (b) The name of any legislative or executive official to whom or for whose benefit, on any one
2 occasion, an expenditure is made for the purposes of lobbying by the person, and the date, name of
3 payee, purpose and amount of that expenditure. This paragraph applies if the total amount expended
4 on the occasion by one or more persons exceeds \$50. This paragraph does not apply to information
5 reported in compliance with ORS 171.745.

6 (c) The name of each registered lobbyist or entity comprised of more than one lobbyist to whom
7 the person paid moneys for lobbying activities on the person's behalf, excluding living and travel
8 expenses incurred for a lobbyist performing lobbying services, and the total amount of moneys paid
9 to that lobbyist or entity.

10 (2) A statement required under subsection (1) of this section shall include a copy of any notice
11 provided to a public official or candidate under ORS 244.100.

12 **SECTION 4. The amendments to ORS 171.725, 171.745 and 171.750 by sections 1 to 3 of this**
13 **2013 Act apply to expenditures made and lobbying that occurs on or after the effective date**
14 **of this 2013 Act.**