

Senate Bill 43

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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**.

Subject to certain exemptions, expands definition of lobbying to include person who holds position with public body or private entity and whose work responsibilities include lobbying.

Clarifies when lobbyist must register with Oregon Government Ethics Commission and file lobbyist registration statement.

A BILL FOR AN ACT

1
2 Relating to lobbying; creating new provisions; and amending ORS 171.735 and 171.740.

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

4 **SECTION 1.** ORS 171.735 is amended to read:

5 171.735. ORS 171.740 and 171.745 do not apply to the following persons:

6 (1) News media, or their employees or agents, that in the ordinary course of business directly
7 or indirectly urge legislative action but that engage in no other activities in connection with the
8 legislative action.

9 (2) Any legislative official acting in an official capacity.

10 (3) Any individual who does not receive compensation or reimbursement of expenses for lobby-
11 ing, who limits lobbying activities solely to formal appearances to give testimony before public ses-
12 sions of committees of the Legislative Assembly, or public hearings of state agencies, and who, when
13 testifying, registers an appearance in the records of the committees or agencies.

14 *[(4) A person who does not:]*

15 *[(a) Agree to provide personal services for money or any other consideration for the purpose of*
16 *lobbying;]*

17 *[(b) Spend more than an aggregate amount of 24 hours during any calendar quarter lobbying;*
18 *and]*

19 *[(c) Spend an aggregate amount in excess of \$100 lobbying during any calendar quarter.]*

20 **[(5)] (4)** The Governor, chief of staff for the Governor, deputy chief of staff for the Governor,
21 legal counsel to the Governor, deputy legal counsel to the Governor, Secretary of State, Deputy
22 Secretary of State appointed pursuant to ORS 177.040, State Treasurer, Deputy State Treasurer ap-
23 pointed pursuant to ORS 178.060, chief of staff for the office of the State Treasurer, Attorney Gen-
24 eral, Deputy Attorney General appointed pursuant to ORS 180.130, Deputy Superintendent of Public
25 Instruction appointed pursuant to ORS 326.300, Commissioner of the Bureau of Labor and Industries,
26 deputy commissioner of the Bureau of Labor and Industries appointed pursuant to ORS 651.060,
27 members and staff of the Oregon Law Commission who conduct the law revision program of the
28 commission or any judge.

29 **(5) Any person not otherwise exempt from ORS 171.740 and 171.745 under subsections (1)**

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 **to (4) of this section, unless the person:**

2 (a) **Agrees to provide personal services for money or any other consideration for the**
 3 **purpose of lobbying;**

4 (b) **Holds a position with a public body as defined in ORS 174.109, or with a private entity,**
 5 **with work responsibilities that include lobbying;**

6 (c) **Spends more than an aggregate amount of 24 hours lobbying during any calendar**
 7 **quarter; or**

8 (d) **Spends an aggregate amount in excess of \$100 lobbying during any calendar quarter.**

9 **SECTION 2.** ORS 171.740, as amended by section 2, chapter 101, Oregon Laws 2016, is amended
 10 to read:

11 171.740. (1) Within three business days [*after exceeding the limit of time or expenditure specified*
 12 *in ORS 171.735 (4), or within three business days after agreeing to provide personal services for money*
 13 *or any other consideration for the purpose of lobbying,*] **of meeting the requirements for any sit-**
 14 **uation described in ORS 171.735 (5),** a lobbyist shall register with the Oregon Government Ethics
 15 Commission by filing with the commission a statement containing the following information:

16 (a) The name, address, electronic mail address and telephone number of the lobbyist.

17 (b) The name, address, electronic mail address and telephone number of each person that em-
 18 ploys the lobbyist or in whose interest the lobbyist appears or works.

19 (c) A general description of the trade, business, profession or area of endeavor of any person
 20 designated under paragraph (b) of this subsection, and a statement by the person that the lobbyist
 21 is officially authorized to lobby for the person.

22 (d) The name of any member of the Legislative Assembly employed, retained or otherwise com-
 23 pensated by:

24 (A) The lobbyist designated under paragraph (a) of this subsection; or

25 (B) A person designated under paragraph (b) of this subsection.

26 (e) The general subject or subjects of the legislative action of interest to the person for whom
 27 the lobbyist is registered.

28 (2)(a) Not later than 10 calendar days after a lobbyist files a registration statement under this
 29 section, the designation of official authorization to lobby shall be signed by an official of each person
 30 that employs the lobbyist or in whose interest the lobbyist appears or works.

31 (b) A lobbyist may unilaterally withdraw a registration statement filed under this section not
 32 more than one time per calendar year for each person designated under subsection (1)(b) of this
 33 section if the withdrawal is made:

34 (A) Before the designation of official authorization to lobby has been signed in the manner re-
 35 quired under paragraph (a) of this subsection; and

36 (B) No more than 10 calendar days after the lobbyist filed the registration statement.

37 (3) A lobbyist must file a separate registration statement under subsection (1) of this section for
 38 each person that employs the lobbyist or in whose interest the lobbyist appears or works. If a
 39 lobbyist appears or works for a person for whom the lobbyist has not registered, the lobbyist shall
 40 register with the commission not later than three business days after the day the lobbyist first ap-
 41 pears or works for the person.

42 (4)(a) Except as provided in paragraph (b) of this subsection, if any of the information submitted
 43 by a lobbyist in the statement required under subsection (1) of this section changes, the lobbyist
 44 shall revise the statement within 30 days of the change.

45 (b) A lobbyist shall notify the commission within three business days if the lobbyist ceases to

1 represent a person for whom the lobbyist is registered. Notification must be made by updating the
2 registration statement required under subsection (1) of this section.

3 (5) A lobbyist registration expires December 31 of each odd-numbered year. If a lobbyist renews
4 the registration before January 31 of the following even-numbered year, the commission shall con-
5 sider the registration to have been effective as of December 31 of the odd-numbered year on which
6 the registration expired.

7 (6) For the statement required by subsection (1) of this section, an entity composed of more than
8 one lobbyist may file one statement for the lobbyists who compose the entity. The statement the
9 entity files must include the names of the individuals authorized to lobby on behalf of the client
10 listed in the statement.

11 **SECTION 3. The amendments to ORS 171.735 and 171.740 by sections 1 and 2 of this 2017**
12 **Act first apply to lobbying, the registration of lobbyists and the filing of lobbyist registration**
13 **statements and updates or revisions to lobbyist registration statements that occur on or**
14 **after the effective date of this 2017 Act.**