

January 27, 2005

H 6. AMEND LOBBYING LAWS. TO AMEND THE LOBBYING LAWS BY INCREASING THE INFORMATION REQUIRED TO BE REPORTED ON LOBBYING ACTIVITIES AND BY REQUIRING REGISTRATION AND REPORTING OF LOBBYING ACTIVITIES OF EXECUTIVE BRANCH AGENCIES AND EMPLOYEES, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE ACT. Amends Art. 9A of Ch. 120 of the GS as follows: (1) Amends GS 120-47.1 by (a) removing the exemption for prizes, awards or compensation totaling less than \$100 in a calendar year from the definition of "contribution," "compensation," and "expenditure" in subsection (1); (b) adding the terms "executive action," "executive lobbyist," and "legislative lobbyist" to the list of defined terms; (c) adding consideration of any bill by the Governor for approval or veto to the definition of the term "legislative action"; (d) amending the term "lobbying" to include (i) influencing or attempting to influence legislative action through communication with a member of the staff or an employee of the General Assembly, and (ii) influencing or attempting to influence executive action; (e) amending the definition of the term "lobbyist" to include both executive lobbyists and legislative lobbyists. (2) Amends GS 120-47.2 and 120-47.3 by adding registration requirements for executive lobbyists. (3) Adds new GS 120-47.4A. prohibiting lobbyists or their principals from giving to any legislator, member of a legislator's immediate family, legislative staff person, legislative employee (a) gifts in excess of \$25.00 in value; (b) gifts valued at \$25.00 or less, unless the same types of gifts are given to every member of the General Assembly; (c) meals; (d) transportation expenses, except reasonable actual expenses; (e) tickets to any sporting or entertainment events; (f) speaking fees or honoraria except for reimbursement for reasonable actual expenses; (g) loans; and (h) contributions other than lawful campaign contributions. (4) Amends GS 120-47.5 by adding new subsections (c) and (d) prohibiting lobbying fees contingent on executive actions and promises of election support to the Governor or a member of the Council of State. (5) Amends GS 120-47.6 and 120-47.7 by (a) adding requirements for executive lobbyists and their principals to file expense reports with the Secretary of State; (b) making changes to reporting requirements consistent with the amendments to GS 120-47.1 and GS 120-47.4A.; and (c) requiring that the expense reports include information concerning contractual arrangements in excess of \$100.00 per year or direct business relationships between a legislator, a legislator's spouse or dependents and the lobbyist or the lobbyist's principal. (6) Adds new GS 120-47.7A. giving the Secretary of State the authority to audit lobbyists' expense reports. (7) Adds new GS 120-47.7B. prohibiting any legislator from (a) being employed as a lobbyist during any biennial legislative session to which the legislator was elected or appointed; and (b) from soliciting contributions or donations from lobbyists or their principals for any charitable, civic, or community project. (8) Makes technical changes to GS 120-47.8, which lists exemptions from the provisions of Art. 9A and adds one new exemption for persons responding to inquiries from an executive branch officer or employee who engages in no further activities as a lobbyist. (9) Adds new subsection (b) to GS 120-47.9 giving the Secretary of State the authority to levy civil fines for false or inadequate reporting of lobbying activities and expenses. (10) Adds new subsection (c) to GS 120-47.12 providing that all legislative liaisons and the State dep'ts or constituent University of North Carolina institutions that employ them report all lobbying expenses pursuant to new GS. 120-47.6 and 120-47.7. Amendments effective Jan. 1, 2006. Effective July 1, 2005, appropriates \$200,000 from General Fund to Sec'y of State to implement amendments and \$112,000 for implementation of electronic filing of lobbyists' reports.

Intro. by Hackney.

Ref. to Rules

GS 120, APPROP