



Nonprofit & Association Lobbying Compliance

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Introduction & Scope of Presentation

- Enforcement of Lobbying and Related Rules
- Lobbying Rules & Reporting: Federal and State
- Related Gift and Political Activity Restrictions



Enforcement Examples



- Advocacy activity can draw unwanted scrutiny:
 - House Committee on Oversight and Accountability
 - Press Release Published: Feb 14, 2024
 - Comer Opens Probe into IRS Enforcement of Political Lobbying Restrictions on Tax Exempt Entities
- **WASHINGTON** | House Committee on Oversight and Accountability Chairman James Comer (R-Ky.) is today opening an investigation into substantial political campaigning and lobbying by 501(c)(3) tax exempt entities and the ability of the Internal Revenue Service (IRS) to identify and enforce related violations of tax laws.

Enforcement Examples (Cont'd.)

Short of an investigation, compliance failures can cause reputation damage as well as financial penalties:

- **Illinois:**

- ComEd fined \$200 million for lobbying practices in Springfield
- Chicago company fined \$2,000 b/c employee failed to register lobbyist


- **Pennsylvania:**

- Two advocacy firms fined \$29,080 for failing to register/report activities

- **California:**

- Two entities and affiliated individuals fined \$162,500 for failure to register and report lobbying activities

Non-Profit Comparison

 NOSSAMAN <small>LLP</small>	501(c)(3)	501(c)(3)	501(c)(4)	501(c)(6)
Fred Dombo, 202.887.1485 fdombo@nossaman.com	Private Foundation	Public Charity	Social Welfare Org	Business League
Primary Funding Source	Generally funded by a single source (gift from family or corporation)	Donations from many public sources. No limit	Membership dues and/or donations from the public. No limit	Membership dues. No limit
Partisan Political Campaign Activity	Absolutely Prohibited	Absolutely Prohibited	Permitted so long as it does not constitute the organization's primary activity	Permitted so long as it does not constitute the organization's primary activity
Direct Contributions to Candidates	Absolutely Prohibited	Absolutely Prohibited	Prohibited at the federal level; permitted in some states	Prohibited at the federal level; permitted in some states
Independent Expenditure Activity (Donor Disclosure?)	Absolutely Prohibited (N/A)	Absolutely Prohibited (N/A)	Permitted so long as it does not constitute the organization's primary activity (Donors Not Disclosed, except in some states)	Permitted so long as it does not constitute the organization's primary activity (Donors Not Disclosed, except in some states)
Get-Out-The-Vote	Permitted if non-partisan and in furtherance of exempt purpose	Permitted if non-partisan and in furtherance of exempt purpose	Unlimited if in furtherance of exempt purpose	Unlimited if in furtherance of exempt purpose
Lobbying	Functionally prohibited due to excise tax penalty	Limited amount permitted – no substantial part test or 501(h) election	Unlimited if in furtherance of exempt purpose	Unlimited if in furtherance of exempt purpose
General Advocacy	Functionally prohibited due to excise tax penalty	Permitted as a non-partisan educational activity	Unlimited if in furtherance of exempt purpose	Unlimited if in furtherance of exempt purpose

Sharing Resources: 501(c)(3) Charity & 501(c)(4) Social Welfare Organization

- Use of a proper firewall can insulate from charge charitable funds are being used to underwrite advocacy.
- In short you must maintain their “separateness” as legal entities and not appear to allow the charity to subsidize the advocacy organization.
- To that end you should:
 - Keep separate accounts and records (e.g. separate bank accounts, financial statements, board minutes, and other books and records).
 - Minimize overlap in directorships and officers, understanding maintaining completely independent management may be difficult as a practical matter.

Sharing Resources: 501(c)(3) Charity & 501(c)(4) Social Welfare Organization (Cont'd.)

- The organizations should not have common directors who constitute a majority of both boards, but an officer or board member of one may attend a board meetings of the other as a non-voting observer, and vice versa.
- Governing documents (e.g., bylaws or conflict of interest policy) should prohibit a board member from voting on a matter or transaction where they are also a director of the other party to it, and the other party has a material interest in it (e.g., a loan).
- Monitor sharing of facilities and assets (e.g. office space, and equipment), but best to do so according to a cost sharing agreement detailing how they determine such shares and the manner and time in which payment is made

Sharing Resources: 501(c)(3) Charity & 501(c)(4) Social Welfare Organization (Cont'd.)

- If operating out of leased space, if possible, enter into separate leases or have one sublease from the other (with the lessor's consent).
- If a single staff person performs services for both organizations, then that person should track and record his or her time so that the two organizations can determine how salaries, benefits, payroll taxes and other employee overhead should be allocated between them.
- If one uses copyrighted materials (e.g., photographs, artwork or text) of the other, the two organizations should enter into a license agreement and an arm's-length fee should be paid for use of such materials.
- If one uses the mailing list of the other for fundraising or other purposes, the two organizations should enter into a license agreement and an arm's-length fee should be paid for use of such materials.

Sharing Resources: 501(c)(3) Charity & 501(c)(4) Social Welfare Organization (Cont'd.)

- Try to keep separate websites and social media - critical if the advocacy organization uses them for grassroots lobbying and/or supports or opposes candidates for public office.
- Fundraise separately to the extent possible. When raising funds for one, avoid mention of the other. Ideally, conduct fundraising campaigns at different times and in a manner that avoids confusion between the campaigns. If the organizations insist on raising funds jointly, each must pay its share of the fundraising costs. In each campaign separation should be maintained as much as possible between bank accounts, contribution checks/transactions from donors.

Lobbying/Advocacy Scenario

Advocating for your cause while maintaining you tax status:

Q. A Public Charity wants continue to advocate of their cause as an election approaches by broadcasting their message. How can they do that without risking their tax-exempt charitable status or violating election law?



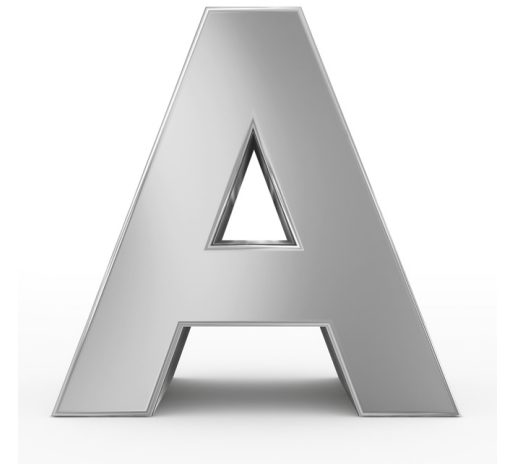
Lobbying/Advocacy Scenario

Advocating for your cause while maintaining you tax status:

A. The charity may, within the limits of its 501(h) election, pay for communications regarding their position on a piece of legislation, which contain a call to legislative/official action.

- **Trap for the unwary:**

- Do not use the name or image of an official who is also candidate within an “electioneering window.”
 - Do not use words of express advocacy.
 - Do not “coordinate” with any candidate / political party.



Federal Lobbying

- Internal Revenue Code definition of “Lobbying”
- Federal “Lobbying Disclosure Act” (“LDA”) Key Definitions:
 - Lobbyist
 - Covered Official
 - Lobbying Activities
 - Exceptions
 - Reporting



Internal Revenue Code Definition of “Lobbying”

- Lobbying (non-deductible as a business expense), per IRC section 162(e) – different from the above LDA definition.
- It’s what you talk about more than to whom you speak.
 - Attempting to influence legislation or referenda with anyone, including general public (not just public officials).
 - Federal- and state-level legislative bodies, not county or city.
 - IRS regulations permit any "reasonable" method (safe harbor).
- Public Charities need to stay within their 501(h) election.
 - “No Substantial Part.
 - Prohibited for Private Foundations.

Federal Lobbying (Cont'd.)

- Lobbyist (requiring registration under LDA) means:
 - An individual employed by a lobbying organization (including in-house) for compensation for services that include more than one “lobbying contact” (without regard to time period); AND
 - “Lobbying activities” constitute 20% or more of services rendered by to client (employer) over 3 month reporting period.
- Income/Expenditure Threshold:
 - Over \$14,000 for in-house lobbyist
 - Over \$3,000 for lobbying firms

Federal Lobbying (Cont'd.)

- Lobbying Contact means:
 - any direct communication to a covered official with regarding the formulation, modification or adoption of Legislation, rules, regulation, Executive Order, or any other program or policy or the nomination or confirmation of a person subject to Senate confirmation; (exceptions apply)
- Lobbying Activities include:
 - actual lobbying contacts
 - any efforts in support of lobbying contacts.

LDA Reports*

- 2 Separate reporting regimes:
 - Quarterly electronic filing of Lobbying Report (LD-2) and semi-annual electronic filing of political related contributions (LD-203).
- Quarterly LD-2: Q1 2024 due April 22, 2024
- Semi-Annual Report: (Registrant and every individual lobbyist employed by Registrant): Mid-Year LD-203 due July 30, 2024
 - Certain political contributions; “Honorary” expenditures.
 - *See Sample Forms in Appendix

Federal Lobbying (Cont'd.)

- Civil and Criminal penalties
 - Certifications regarding gift and travel ban compliance
 - \$200,000 civil fine if “knowingly fails” to comply;
 - 5 years prison if “knowingly and corruptly” fail to comply.
- Bundling
 - \$22,700 Reporting Threshold for 2024.
- Revolving Door - Criminal provision (18 U.S.C. sec. 207) prohibits lobbying by certain former government officials.

LDA Threshold & Reporting Scenarios

“I spend almost 50% of my time performing research and other prep work for meetings with covered officials. Based on this, I am required to register as a lobbyist under the LDA.”

- **FALSE:** The LDA registration threshold is a 2 part test. You must also make more than one lobbying contact in addition to the 20% requirement.

LDA Threshold & Reporting Scenarios (cont'd.)

“Direct communication to any individual in the Executive Branch with regard to a regulation, executive order, or any other program or policy is considered a lobbying contact under the LDA.”

- **FALSE:** Only contact with certain covered officials constitutes a lobbying contact under the LDA.

LDA Threshold & Reporting Scenarios (cont'd.)

“I requested a meeting with a covered official.”

This does not constitute a lobbying contact.

- **TRUE:** This request does not constitute a lobbying contact provided the request does not include an attempt to influence a covered official.

LDA Threshold & Reporting Scenarios (cont'd.)

“On my LD-203 report, I am required to report expenditures for an event where more than 5 covered officials were in attendance.”

- **FALSE:** Attendance by covered officials does not necessarily trigger the LD-203 reporting requirement. You are required to report expenditures for events that honor covered officials or to an entity that is established, financed, maintained or controlled by a covered official.

The Foreign Agent Registration Act (“FARA”)

- FARA requires anyone who is an agent of a “foreign principal,” and not otherwise exempt, to register with the Department of Justice and file forms which publicly disclose the registrant’s agreements with the foreign principal, income received from the foreign principal, and expenditures made on behalf of the foreign principal.
- Required where a person agrees to act on behalf of a foreign country government or political party;
- Includes an individual, partnership, corporation, association, or organization that is controlled - in whole or in major part - by a foreign government or political party, or any other foreign principal;



FARA (Cont'd)

- “Control” may take the form of direct or indirect supervision of activities, financing, or subsidies, such as where a foreign government may direct the activities of a company through a seat on the Board of Directors.
- Activities that trigger registration and reporting: acting with intent to influence a U.S. government official or agency, or any segment of the U.S. population, with reference to political interests or public relations of a foreign government or political party; public relations advice, information gathering, political consulting.

FARA (Cont'd)

- Exemptions from registration:
 - LDA exemption: where a person is otherwise required to register but has engaged in lobbying activities and has registered under the Lobbying Disclosure Act of 1995 [2 U.S.C. 1601 et seq.] (LDA) in connection with the representation of the foreign principal. This exemption does not apply if the foreign principal is a foreign government or a foreign political party. Applies if the LDA Registrant is working for a foreign-owned business, so long as that business is not controlled by a foreign government or foreign political party

FARA (Cont'd)

- 2 Commercial Exemptions:
 - Private, non-political activities (must not be lobbying) and those activities are “not serving predominantly a foreign interest’.
 - Applies to activities on behalf of a foreign corporation that further the bona fide commercial, industrial, or financial operations of the foreign corporation, even if the foreign corporation is owned in whole or in part by a foreign government, so long as the activities do not directly promote the public or political interests of a foreign government or foreign political party.
 - Activities “not serving predominantly a foreign interest.” Where engaging in “political activities,” (e.g. lobbying) may qualify for this exemption even if foreign principal is owned by a foreign government, provided their work is not directed by a foreign government or political party and does not directly promote the public or political interests of one.

FARA (Cont'd)

- **Potential Changes:** This month DOJ is expected to propose a rulemaking for “Clarification and Modernization” of FARA
 - Recent comments by head of DOJ’s FARA Unit at the end of last year raised concern that changes proposed will narrow the scope of the above exemptions from registration in a way that will focus more on “domestic interest” vs. international interest.
 - Could mean changes to past DOJ FARA guidance - away from focusing on whether the lobbying is for the benefit of a foreign government or political party, in favor of analyzing the advocacy to see whether it predominantly benefits an international interest.
 - Media have quoted sources from within the DOJ as saying a company lobbying for its own financial purpose in the US would remain exempt, even if their actions had incidental benefits to the foreign parent. However, determining what “predominantly” benefits an international interest may be complicated.

Related Issues: Gift Bans

- Congressional Members and staff may not accept anything of value (e.g. gift) unless an “exception” applies
- Executive Branch Gift limits (\$20 per gift; \$50 annual aggregate)
- Exceptions include:
 - Snacks/refreshments of nominal value not part of a meal (“reception exception”)
 - Informational materials
 - Free attendance at widely attended events, charity events, campaign events.
 - Gifts based on (and truly motivated by) a personal friendship; several factors to consider.



Related Issues: Gift Bans (Cont'd.)

- Office of Government Ethics (“OGE”) March 2017 Guidance generally prohibit all gifts from lobbyist; limited exceptions apply.
- Biden – 01/20/21 – Executive Order (“EO”): “Commitments by Executive Branch Personnel”
 - Flat ban on all gifts from lobbyists with select exceptions
 - Applies post- employment restrictions to all lobbying activities

Gift Scenario

- The same charity from the lobbying scenario above is an LDA Registrant and wants to host the Chair of a US Senate committee at its annual benefit (attended by 100+ people) and to speak on a key issue.

Q. Can they pay for the travel, lodging and meal of the Chair?

A. Yes, if approved in advance and travel is limited in duration.



Gift Scenario

- The same charity from the lobbying scenario above is an LDA Registrant and wants to host the Chair of a US Senate committee at its annual benefit (attended by 100+ people) and to speak on a key issue.

Q. Can their Federal lobbyist help arrange it?

A. Not if they pay for travel and lodging, but yes if just the meal.



Gift Scenario

- The same charity from the lobbying scenario above is an LDA Registrant and wants to host the Chair of a US Senate committee at its annual benefit (attended by 100+ people) and to speak on a key issue.

Q. Can they give an award to the Chair?

A. Chair may accept an award that is commemorative and has no utilitarian value.



Gift Scenario

- The same charity from the lobbying scenario above is an LDA Registrant and wants to host the Chair of a US Senate committee at its annual benefit (attended by 100+ people) and to speak on a key issue.

Q. What from all of this is reportable?

- A. The Chair's travel expenses and award cost are lobbying expenses; event cost and award go on the charity's Lobbying Contribution Report (Form LD-203).



Related Issues: Political Activity

- Corporate Prohibition: Federal and many state laws prohibit corporate contributions to candidates.
 - Contributions generally include anything of value like a third party paying for communications that support or oppose candidates or political parties.
- “Coordinated” communications are made, “in cooperation, consultation, or concert with, or at the request or suggestion of a candidate, a candidate’s authorized committee, or their agents or a political party committee or its agents

Related Issues: Political Activity

- “Electioneering” communications are broadcast, cable or satellite communications paid for by you, that refer to a clearly identified federal candidate and are targeted to their electorate; and they are prohibited if they air within 30 days of the candidate’s primary election or 60 days of their general.
 - This prohibition is effective even if the ad is devoid of any discussion of the election and is not intended to influence voters’ views of the candidate.

Related Issues: Political Activity (Cont'd)

- Pay to Play Laws
 - Varies By State – 30+ laws/rules across more than 25 States
 - Effectively Bans/Limits political contributions
 - Disclosure requirements
- Importance of Pre-Clearing – PENALTIES!
 - Contract Voided/Bid Disqualified



Political Activity Reporting Scenarios

“My neighbor is running for City Council and has asked me to help spread the word about her campaign. I've agreed to help print fliers for an upcoming rally. To save time, I print the fliers on a TIM company printer during my lunch hour.”

This is considered a corporate political donation to the campaign.

- **TRUE:** Using company resources is considered a corporate donation to the campaign. Corporate contributions are illegal in many jurisdictions, including the federal government and most state governments. Use of company resources for political purposes in violation of federal or state law could have severe consequences for the company and employee.

Corporate Facilitation Scenario

- The same charity from the lobbying scenario above decides to run an add on the key issue. That issue has become an important issue in the reelection campaign of the Senate Committee Chair. The charity has been following my advice in this course so far, so they do not use the name or image of the Chair or any campaign statements or slogans of that campaign in the ad they broadcast

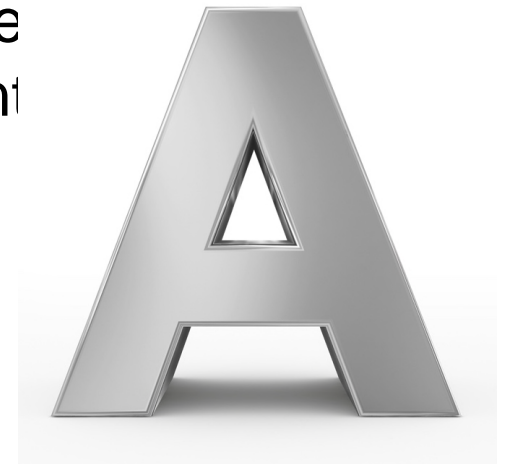
Corporate Facilitation Scenario

Q. Can the charity thank the Chair for being their champion on the issue and for appearing at their annual benefit by broadcasting their ad on the issue in the parts of the state where the manager of the Chair's reelection campaign told them it would be most helpful?



Corporate Facilitation Scenario

A. No. The charity is incorporated and the funds it used to create the ads are corporate funds, which are prohibited in contributions to federal candidates. While the ad doesn't mention a candidate or political party, it is of value to the campaign because it is broadcast at times and in places designed to benefit the candidate. So, it is "coordinated" (thus prohibited) in-kind contribution.



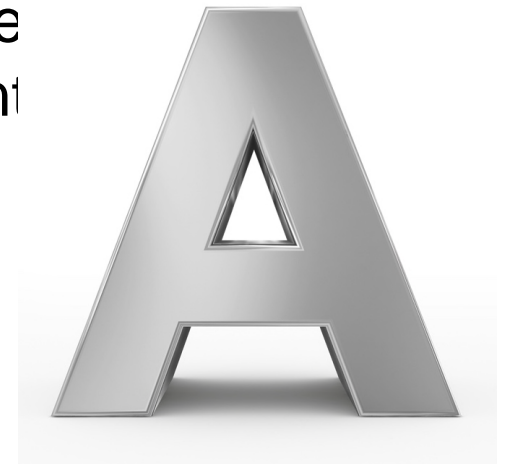
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Related Issues: Political Activity (Cont'd.)

- Pay to Play Examples

- **Illinois:** Contractors with more than \$50,000 in state contracts or pending bids, and affiliated entities and persons, may not make contribution to certain officeholders responsible for awarding contract or candidate for that office.
- **Pennsylvania:** Business that have been awarded a “non-bid” contract from the state or any of its political subdivisions must annually disclose (by February 15) campaign contributions over \$1,000 made by persons affiliated with the business entity.

Related Issues: Political Activity (Cont'd.)

- Pay to Play Examples (Cont'd.)
 - **New Jersey:** State shall not enter into contract valued at more than \$17,500 with business entity that has solicited or made any contribution for governor, Lt. governor, any state/county party committee, or legislative leadership committee within 18 months preceding contract negotiations or at any time during the term of an incumbent candidate. Same applies to county or municipality where contribution made to elected official/party in that locality.
 - Business entity includes principals who own or control more than 10% (including spouses and dependent children), subsidiaries, or their affiliated political entities.

Related Issues: Political Activity (Cont'd.)

- Pay to Play Examples (Cont'd.)
 - **Maryland:** Reporting required of business entities with single contracts of \$200,000 or more with state, county, municipality or other political subdivision. Includes certain contract details and contributions to any candidate in excess of \$500 (cumulative). Also applies to a business entity that employs a registered lobbyist for compensation exceeding \$500.
 - Includes contributions by any subsidiaries, political committees, officers, directors, and partners thereof; and any employees who made contributions at their direction.

Related Issues: Revolving Door

- Congressional
 - House Rule, Senate Rule
 - Employment Negotiations generally permissible but may require recusal.
- Statutory (Executive Branch) Rules
 - Senior-one year, former agency;
 - Very senior two years, former agency and certain others;
 - All employees-particular matters.



State Lobbying Thresholds

- **Maryland:** Register if, during a 6-month reporting period:
 - Communicate with an official or employee of the legislative or executive branch in the presence of official and incur \$500 expenses per employer, or earn \$2,500 in compensation to influence legislative or executive action (Md. Code Ann. Gen. Prov. § 5-702(a)(1)(i));
 - Communicate with official or employee of legislative or executive, not in presence of that official, and earn \$5,000 (Md. Code Ann. Gen. Prov. § 5-702(a)(1)(ii));
 - Spend \$100 on meals, beverages, special events, or gifts on one or more officials/employee of Executive Branch to influence Executive Action (Md. Code Ann. Gen. Prov. § 5-702(a)(2));

State Lobbying Thresholds

- **Maryland:** Register if, during a 6-month reporting period:
 - Employed to influence executive action on procurement of more than \$100k (unless by salesperson) (Md. Code Ann. Gen. Prov. §§ 5-702(a)(3); (b)(4));
 - Spend \$2,000 on grassroots lobbying (Md. Code Ann. Gen. Prov. § 5-702(a)(5));
 - Spend \$2,500 to compensate registered lobbyist(s)/ entities. Md. Code Ann. Gen. Prov. § 5-702(a)(6).
 - Note: “in the presence of” does not include Zoom and similar meetings.

State Lobbying Thresholds (Cont'd.)

- **DC:** Compensation or expenditures of \$250 or more in any 3-consecutive-calendar month period. D.C. Code § 1-1162.27(a).
- **Virginia:** An individual must register if they receive more than \$500 in compensation or reimbursements per year for lobbying activities. Va. Code Ann. § 2.2-420(7) and (8).

State Lobbying Reporting Scenario

“I invited several employees of local community colleges to lunch during a conference. While everyone paid for his/her own lunch I gave them each a TIAA branded keychain. The keychain is just a small trinket, so it's the type of thing that's permissible to give anyone.”

- **FALSE:** Depending on the state, this keychain could be an impermissible gift based on TIAA's status as a lobbyist employer or because TIAA is doing business with the community colleges. The gift rules vary in all 50 states, and state/local public institutions can have their own, more restrictive rules, which is why all gifts, regardless of value and circumstances must be precleared.

State Lobbying Reporting Scenario

“I am not a lobbyist and lobbying is not part of my job description. However, during a recent conference I got to know a state legislator and talked to him separately on TIAA's position regarding ways to encourage saving for retirement. However, I don't need to register as a lobbyist because the conversation was not about legislation and lobbying is not part of my job description.”

- **FALSE:** Whether or not you are now required to register depends on the laws and rules of the state where that legislator serves. Many states include procurement as a lobbying activity, and "first toe in the water" states have no floor or minimum threshold an individual can stay within to avoid registering as a lobbyist.

Appendix 1

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LOBBYING REGISTRATION

Lobbying Disclosure Act of 1995 (Section 4)

Check One: New Registrant New Client for Existing Registrant Amendment

1. Effective Date of Registration

2. House Identification Senate Identification

REGISTRANT

Organization/Lobbying Firm Self Employed Individual

3. Registrant Organization

Address Address2
City State DC Zip Country USA
4. Principal place of business (if different than line 3)
City State Zip Country
5. Contact name and telephone number International Number
Contact Telephone () E-mail
6. General description of registrant's business or activities

CLIENT

A Lobbying Firm is required to file a separate registration for each client. Organizations employing in-house lobbyists should check the box labeled "Self" and proceed to line 10. Self

7. Client name
Address
City State Zip Country
8. Principal place of business (if different than line 7)
City State Zip Country
9. General description of client's business or activities

LOBBYISTS

10. Name of each individual who has acted or is expected to act as a lobbyist for the client identified on line 7. If any person listed in this section has served as a "covered executive branch official" or "covered legislative branch official" within twenty years of first acting as a lobbyist for the client, state the executive and/or legislative position(s) in which the person served.

First	Last	Name	Suffix	Covered Official Position (if applicable)

Appendix 1

LOBBYING ISSUES

11. General lobbying issue areas (Select all applicable codes).

12. Specific lobbying issues (current and anticipated)

AFFILIATED ORGANIZATIONS

13. Is there an entity other than the client that contributes more than \$5,000 to the lobbying activities of the registrant in a quarterly period and either actively participates in and/or in whole or in major part plans, supervises or controls the registrant's lobbying activities?

No --> Go to line 14. Yes --> Complete the rest of this section for each entity matching the criteria above, then proceed to line 14.

Internet Address: _____

Name	Address				Principal Place of Business	
	Street City	State Province	Zip Code	Country	City	Country

FOREIGN ENTITIES

14. Is there any foreign entity

a) holds at least 20% equitable ownership in the client or any organization identified on line 13; or
b) directly or indirectly, in whole or in major part, plans, supervises, controls, directs, finances or subsidizes activities of the client or any organization identified on line 13; or
c) is an affiliate of the client or any organization identified on line 13 and has a direct interest in the outcome of the lobbying activity?

No --> Sign and date the registration. Yes --> Complete the rest of this section for each entity matching the criteria above, then sign the registration.

Name	Address				Principal place of business (city and state or country)	Amount of contribution for lobbying activities	Ownership %
	Street City	State Province	Country	City			

Appendix 1

LD-203 Contribution Report — 2008 Year-End Amendment

1 Report Period & Name 2 List PACs 3 List Contributions 4 Certification & Signature

List Contributions

[Review & Print Your Report](#)

*Contribution Type: FECA

*Contributor Name: Self

*Date:

*Amount:

*Payee Name:

*Honoree Name:

# 1.	Edit	Delete		
Type: Meeting Expenses	Contributor: Official Pac Name	Date: 11/11/2008	Amount: 5,200.00	
Payee: Meeting Hall	Honoree: Member Name			
# 2.	Edit	Delete		
Type: FECA	Contributor: Self	Date: 09/16/2008	Amount: 500.00	
Payee: Payee Name	Honoree: Member Name			

Appendix 2: Sample State Registration Thresholds

- Registration/Reporting thresholds vary by time/costs:
 - **Illinois:** Any compensation for lobbying triggers registration; register within two days after being employed or retained for lobbying.
 - Lobbying means: any communication with executive or legislative official, “for ultimate purpose of influencing executive, legislative, or administrative action.”
 - **Pennsylvania:** \$3,000 comp. or 20 hrs. for lobbying triggers registration; register within ten days.
 - Lobbying means any effort to influence legislative action or administrative action. The term includes (1) direct or indirect communication; (2) office expenses; and (3) providing any gift, hospitality, transportation or lodging to a State official or employee for the purpose of advancing the interest of the lobbyist or principal.

Appendix 2: Sample State Registration Thresholds

- Registration/Reporting thresholds vary by time/costs:
 - **California:** \$2,000 comp. or 1/3 time in any month for lobbying triggers registration; register within ten days.
 - Lobbying is influencing administrative/legislative action. (Doesn't cover state procurement, except public retirement systems).
 - **Florida:** Any compensation for lobbying triggers registration; register prior to first lobbying communication; exception for in house employees who are not “principally employed for government affairs.”
 - Lobbying means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

Appendix 2: Sample State Registration Thresholds

- Registration/Reporting thresholds vary by time/costs:
 - **New York:** \$5,000 comp. or expenses (combined) per year triggers registration; register within fifteen days of being employed, or ten days of meeting the dollar threshold.
 - Lobbying means any attempt to influence public official, including legislative lobbying and governmental procurement.

Trainer Contact Information



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