

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 109
House Committee Substitute Favorable 7/13/00

Short Title: Lobbyist Disclosure.

(Public)

Sponsors:

Referred to:

February 16, 1999

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE MORE SPECIFIC DISCLOSURE OF LOBBYING.

3 The General Assembly of North Carolina enacts:

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

5 "**§ 120-47.2. Registration procedure.**

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

9 (b) The form of the registration shall be prescribed by the Secretary of State and
10 shall include the registrant's full name, firm, and complete address; the registrant's place
11 of business; the full name and complete address of each person by whom the registrant is
12 employed or retained; ~~and a general description of the matters on which the registrant expects~~
13 ~~to act as a lobbyist.~~ a statement of the general issue areas in which the registrant expects to
14 engage in lobbying on behalf of each principal; and the name of every political
15 committee of which each principal is a parent entity under the provisions of G.S. 163-
16 278.19.

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

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

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

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

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

13 "**§ 120-47.6. Statements of lobbyist's lobbying expenses and lobbying activities**
14 **required.**

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

22 (b) The expense report shall include all expenditures made between January 1 and
23 the last day of the regular session. The lobbyist shall file a supplemental report including
24 all expenditures made after the last day of the regular session, but during the calendar
25 year, by February 28 of the following year. The lobbyist shall file both expense reports
26 whether or not expenditures are made. Each expense report shall set forth the date of each
27 expenditure, to whom paid, the name of any legislator who benefitted from each
28 expenditure, and the amount of each expenditure made during the previous reporting
29 period in connection with lobbying, in each of the following categories: (1)
30 transportation, (2) lodging, (3) entertainment, (4) food, (5) any item having a cash
31 equivalent value of more than ~~twenty five dollars (\$25.00)~~ fifty dollars (\$50.00) and (6)
32 contributions made, paid, incurred or promised, directly or indirectly. It shall not be
33 necessary to report expenditures of ~~twenty five dollars (\$25.00)~~ fifty dollars (\$50.00) or
34 less, nor shall it be necessary to report any expenditures made in connection with the
35 attendance of a legislator at any fund-raising function or event sponsored by a nonprofit
36 organization qualified under 26 U.S.C. § 501(c). When more than 10 members of the
37 General Assembly benefitted or were invited to benefit from an expenditure, the lobbyist
38 shall not be required to report the name of any legislator, but shall be required to report
39 the number of legislators or, with particularity, the basis for their selection.

40 (b1) The report of lobbying activities shall cover the period between January 1 and
41 the last day of the regular session. The lobbyist shall file a supplemental report covering
42 all lobbying activities engaged in after the last day of the regular session, but during the
43 calendar year, by February 28 of the following year. The lobbyist shall file both reports

1 of lobbying activities, whether or not any lobbying occurred. The report of lobbying
2 activities shall state the specific issues upon which that lobbyist engaged in lobbying as
3 defined in G.S. 120-47.1, including, to the maximum extent practicable, a list of bill
4 numbers.

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

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

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

19 "**§ 120-47.7. Statements ~~of~~ by lobbyist's principal of lobbying expenses and of**
20 **lobbying activities required.**

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

28 (b) The expense report shall include all expenditures made between January 1 and
29 the last day of the regular session. The principal shall file a supplemental report including
30 all expenditures made after the last day of the regular session, but during the calendar
31 year, by February 28 of the following year. The principal shall file both expense reports
32 whether or not expenditures are made. Each expense report shall set forth the name and
33 address of each lobbyist employed, appointed, or retained by the lobbyist's principal, the
34 date of each expenditure made, to whom paid, name of any legislator who benefitted
35 from each expenditure, and amount of each expenditure made during the previous
36 reporting period in connection with lobbying, in each of the following categories: (1)
37 transportation, (2) lodging, (3) entertainment, (4) food, (5) any item having a cash
38 equivalent value of more than ~~twenty five dollars (\$25.00)~~ fifty dollars (\$50.00), (6)
39 contributions made, paid, incurred or promised, directly or indirectly, and (7)
40 compensation to lobbyists in connection with their lobbying activities. It shall not be
41 necessary to report expenditures of ~~twenty five dollars (\$25.00)~~ fifty dollars (\$50.00) or
42 less, nor shall it be necessary to report any expenditures made in connection with the
43 attendance of a legislator at any fund-raising function or event sponsored by a nonprofit

1 organization qualified under 26 U.S.C. § 501(c). When more than 10 members of the
2 General Assembly benefitted or were invited to benefit from an expenditure, the principal
3 shall not be required to report the name of any legislator, but shall be required to report
4 the number of legislators or the basis for their selection. In the category of compensation
5 to lobbyists the principal shall estimate and report the compensation paid or promised
6 directly or indirectly, to all lobbyists based on the estimated time, effort and expense in
7 connection with lobbying activities on behalf of the principal. If a lobbyist is a full-time
8 employee of the principal, or is compensated by means of an annual fee or retainer, the
9 principal shall estimate and report the portion of all such lobbyists' salaries or retainers
10 that compensate the lobbyists for lobbying.

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

- 17 (1) The name and address of each lobbyist employed, appointed, or retained
18 by the principal; and
19 (2) A list of the specific issues upon which each lobbyist lobbied on behalf
20 of the principal, including, to the maximum extent practicable, a list of
21 the bill numbers.

22 (b2) The principal shall state in its report of lobbying activities the name of any
23 political committee of which it is the parent entity under the provisions of G.S. 163-
24 278.19.

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

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

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

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

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