

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1657

By: Representatives Glover, Stewart and Wilson

"AN ACT TO REQUIRE REPORTING BY PAID LOBBYISTS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. TITLE. This Act shall be known and cited as the "Paid Lobbyist Reporting Act of 1987."

SECTION 2. DEFINITIONS. (a) As used in this Act "paid lobbyist" is defined to include any person, corporation, organization or other entity who, on behalf of any corporation, organization or other entity, or any other person, communicates directly or indirectly with any official or employee of the legislative branch, or the executive branch, or state board or commission to influence action, where the person acts for pay or for any other consideration or thing of value.

(b) As used in this Act, "paid lobbyist" shall not include the following who limit their lobbying activity as described:

(1) Employees of the state government or state supported institutions of higher learning who appear before legislative committees to explain the effect of legislation related to their department, division, agency or institution.

(2) Legislators and employees of the Legislature when acting within the scope of their duties.

(3) Elected and appointed officers of this State and its political subdivisions who lobby on issues directly related to the authority and duty of their office.

(4) Persons who engage in lobbying activity solely on their own behalf, and receive no compensation for their efforts.

(5) Officers or employees of state political parties that qualified

for position on the ballot in the most recent gubernatorial election only when they act on behalf of their party.

(c) As used in this Act "lobbying activity" is defined to include any act which might influence any official or employee of the legislative branch, the executive branch or any state board or commission, or any act in preparation for an influencing act.

(d) As used in this Act "lobbying expenditure" is defined to include any money or other thing of value spent, donated or used to purchase anything of value which directly or indirectly benefits any official or employee of the legislative branch, the executive branch, or any state board or commission; or which in any way furthers any lobbying activity.

SECTION 3. PERSONS AND ENTITIES WHO MUST REPORT. (a) Periodic. A paid lobbyist shall file a quarterly lobbying activity report with the Secretary of State on or before the tenth day of January, April, July and October for the preceding quarter if he incurs lobbying expenditures aggregating to One Thousand Dollars (\$1,000.00) or more during the preceding calendar quarter. In place of the quarterly reports, during months in which the General Assembly is in session, a paid lobbyist shall file a monthly lobbying activity report with the Secretary of State on or before the tenth day of each calendar month for the preceding month if he incurs lobbying expenditures aggregating to Five Hundred Dollars (\$500.00) or more during the preceding calendar month.

(b) Annually. A paid lobbyist shall file an annual lobbying activity report with the Secretary of State on or before January 15 of each calendar year for the preceding year if he:

(1) incurred lobbying expenditures of One Thousand Dollars (\$1,000.00) or more during the preceding year, or

(2) engaged in lobbying activity as part of his regular employment during the previous year whether or not he is directly compensated for lobbying activity, or engaged another paid lobbyist during the preceding year.

SECTION 4. REPORT CONTENTS. (a) All Reports. All monthly and annual lobbying activity report shall contain an accounting of each lobbying expenditure in excess of Twenty-Five Dollars (\$25.00), stating for each expenditure:

- (1) Range of expenditure: \$25.01 to \$100, \$100 to \$300, over \$300.
- (2) Activity Category: Lodging, meals, gifts, transportation, retainers, miscellaneous entertainment, other.
- (3) Source, and
- (4) Purpose.

(b) Additional requirements for annual reports.

(1) Each annual lobbying activity report shall contain a listing of all legislation, rules, regulations and decisions which the paid lobbyist attempted to influence, during the preceding year, whether or not there were any expenditures associated with the lobbying activity.

(2) Each annual report of a paid lobbyist shall state the names of all other paid lobbyists it employed or otherwise engaged during the preceding year and the total salary or other consideration paid to each.

SECTION 5. PROHIBITION OF CONTINGENT PAYMENT. No paid lobbyist shall accept or agree to accept any payment in any way contingent upon the enactment, defeat or outcome of any proposed legislative or administrative policy.

SECTION 6. CRIMINAL PENALTY FOR KNOWING VIOLATIONS. Any person knowingly violating any provision of this Act or Act 162 of 1967 (Ark. Stat. Ann. §§4-801 to 807 (Repl. 1976)), shall be guilty of a Class B misdemeanor for the first offense and a Class A misdemeanor for subsequent offenses.

SECTION 7. MISCELLANEOUS PROVISIONS. (a) The Secretary of State shall make all reports available for public inspection during normal working hours and shall be responsible for maintaining records of lobbying activity reports for a period of three (3) years. The reports shall also be made available during regular and special sessions of the General Assembly for review by the appropriate House and Senate committees, the Secretary of the Senate, the Chief Clerk of the House of Representatives, the Governor and the Attorney General.

(b) The Secretary of State shall, with the approval of the Attorney General, promulgate forms to be used by paid lobbyists in filing reports required by this Act. Each form shall provide for the signature of the paid lobbyist, under penalty of false swearing, as to the truth and accuracy of the statements made on the form.

SECTION 8. REPEALER OF LAWS IN CONFLICT. All laws and parts of laws in conflict with this Act are hereby repealed.

