

Louisiana to Regulate Executive Branch Lobbying

November 2004

Effective January 1, 2005, Louisiana will begin to regulate those individuals who lobby the state's executive branch and, separately, those who have or are seeking contracts or business relationships with the state's retirement systems. These changes are a result of Act 116 (former H.B. 1246) and Act 868 (former H.B. 1215). Like the legislative branch lobbying code discussed in the September 2004 issue of *Election Law News* (visit www.wrf.com for a copy), both types of lobbying have a \$500 calendar-year expenditure threshold before the regulations apply to any individual. The Louisiana Board of Ethics is currently finalizing the pertinent forms and regulations applicable to each type of lobbyist.

New Law Starts January 1, 2005

The executive branch lobbying provisions apply to those making direct communications with executive branch officials in order to influence "executive branch actions," which are any acts related to, among other things, policymaking, rulemaking, legislation or, importantly, contracts. The covered communications are those with elected or appointed officials in the state's executive branch or with employees in the executive branch. The new executive branch lobbying law does not apply to communications with officials at the local level.

Executive branch lobbyists must register within five days of being employed as a lobbyist or within five days of the first action requiring registration. Registration expires every December 31, and a lobbyist may re-register between December 1 and January 31 of each year. There is a registration fee of \$110.

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Executive branch lobbyists must file semi-annual certified reports on August 15 and February 15. Lobbying expenditures must be aggregated on the reports, and itemization is required if a lobbyist expends more than \$50 on one state official on one occasion, or spends an aggregate for the reporting period of more than \$250 on one state official. Expenditures by a lobbyist principal or employer made in the presence of the lobbyist must also be reported by the lobbyist. Lobbyist employers and principals are not required to register or report, but a lobbyist principal may report for all of its lobbyists if it so chooses.