

Checking Up on State Campaign Finance, Ethics and Lobbying Laws

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Over the past few months several developments have occurred concerning campaign finance, ethics and lobbying at the state level.

Alabama. The Alabama legislature passed a bill, H.B. 466, which was signed into law by Alabama's Governor on May 15, 2012, which defines "de minimis" for purposes of the state ethics laws as \$25 or less per occasion with an aggregate amount of \$50 or less per calendar year from a single provider.

Delaware. Delaware's legislature recently passed two bills related to campaign finance and one bill related to lobbying provisions. The campaign finance provisions require persons that engage in electioneering communications to file reports and increase penalties on late or incomplete campaign finance reports. Regarding the lobbying provision, the bill requires lobbyists to report the subject matter on which they lobby and requires the Delaware Public Integrity Commission to post lobbyist activity reports online. As of the time of printing, these bills have not become effective.

Oklahoma. The Oklahoma Ethics Commission revised its campaign finance rules earlier this year and these new rules recently became effective. The revised rules address registration requirements for political action committees only making independent expenditures or electioneering communications as well as the reporting requirements for making independent expenditures or electioneering communications.

New York. In 2011, the New York state legislature passed the "Public Integrity Act of 2011." This law, among other things, requires some lobbyists—effective June 1, 2012—to disclose sources of funding.

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(Additional information about this change to New York's lobbying law is available in a May 2012 article, "Some New York Lobbyists and Clients Must Soon Disclose Sources of Lobbying Funds," in Wiley Rein's *Election Law News*). On June 7, 2012, the New York Joint Commission on Public Ethics (JCOPE) held a hearing addressing this new provision. At the hearing, some speakers urged that disclosure not be required until implementing regulations have been issued while others urged that disclosure begin with the next scheduled lobbying reports. JCOPE has not yet issued implementing regulations.

Rhode Island. The Rhode Island legislature passed a bill, H7859, that was signed into law by Rhode Island Governor's on June 26, 2012, and took effect upon passage. The bill requires reporting by persons who engage in electioneering communications and independent expenditures.