

Major Changes to State Lobbying and Ethics Laws

January 2017

Several changes to lobbying and ethics laws recently went into effect across the country. Below are highlights of some of the most significant changes.

Missouri

Recently elected Governor Eric Greitens issued an executive order on his first day in office that prohibits Executive branch employees from accepting gifts from lobbyists. The new Attorney General, Josh Hawley, also announced strict new ethics requirements for his office. In addition to prohibiting Attorney General Office (AGO) employees from accepting gifts from lobbyists, the policy prohibits communications with any person about official business unless that person has registered as a lobbyist. The policy also prohibits campaign contributions from persons bidding on or applying for state contracts over which the AGO has authority and from persons under investigation by the AGO.

Oregon

Oregon reduced the time period that a lobbyist has to register after entering into a lobbying engagement from 10 business days to three. The legislation also requires a lobbyist employer to sign the lobbyist's registration statement within 10 calendar days and requires that lobbyists notify the Ethics Commission within three business days of ceasing to represent a client.

Rhode Island

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Rhode Island adopted legislation that consolidated its previously separate Legislative and Executive branch lobbying regulations. Instead, all lobbyists and lobbyist employers file online statements with the Secretary of State within seven days of an engagement. The law also requires monthly reporting from February to July and additional reports due in October and January. The legislation simplified the required contents of these reports as well.

South Dakota

Last fall, South Dakota voters approved a major campaign finance referendum that also contained a strict gift limitation on lobbyists and lobbyist employers. Lobbyists and lobbyist employers are now prohibited from giving gifts to a state official or staff member (as well as their families) aggregating more than \$100 in a calendar year. Opponents of the referendum have filed a lawsuit challenging the constitutionality of the measure. A state court recently issued a preliminary injunction stopping the entire law from taking effect until the merits of the case could be litigated.

Texas

The Texas Ethics Commission adopted a rule changing the lobbyist registration threshold. Previously, the rule exempted a person who spent 5% or less of his or her compensated time in a calendar quarter on lobbying activity from registering as a lobbyist. The new rule exempts persons from registration requirements if they spend 40 hours or less on lobbying activity in a calendar quarter (including preparatory activity).

Increased Lobbying/Gift Thresholds

Several states increased the thresholds applicable to lobbyist registration and reporting and gifts to government officials. Michigan increased its lobbyist registration and reporting thresholds, and Montana increased its lobbyist registration threshold. California adjusted its annual aggregate gift limit from \$460 to \$470.