



REGULATION ON LOBBYING
ADOPTED BY THE
LEGISLATIVE COMMISSION
August 13, 2010

AUTHORITY: NRS 218H.400 and 218H.500

The Legislative Commission hereby adopts the following regulation concerning lobbyists. This regulation supersedes all previously adopted regulations on this subject.

1. In addition to providing for the registration of lobbyists during each legislative session or special session, the Deputy Director of the Legislative Counsel Bureau shall provide for the registration of lobbyists before the beginning of each legislative session or special session, including the collection of the appropriate registration fee and identification badges. Except as otherwise provided in this subsection, any fee paid before the legislature is convened is refundable, upon request, but note, the Deputy Director shall deduct \$20 to cover processing costs.

2. The various fees for registering as a lobbyist are determined as follows: Veteran's Nonpaid: \$0.00; Nonpaid Lobbyist: \$20.00; and Paid Lobbyist: \$300.00. The Legislative Counsel Bureau shall transfer the first \$100,000 collected for fees established for registration to the State General Fund. Fees above \$100,000 will be used to defray the expense of issuing identification badges and administration of the lobbyist process. For the purposes of this subsection, a paid lobbyist is a person who receives compensation for appearing in person in the Legislative Building or any other building in which the legislature or any of its standing committees hold meetings and communicates directly with a member of the legislative branch on behalf of someone other than himself to influence legislative action. To be considered a paid lobbyist, the compensation paid need not be paid solely for the act of lobbying, but may be paid for other tasks in addition to lobbying. A nonpaid lobbyist is a person who receives no compensation for appearing in person in the Legislative Building or any other building in which the legislature or any of its standing committees hold meetings and communicates directly with a member of the legislature branch. In the event of a special session, the Deputy Director of the Legislative Counsel Bureau shall determine an appropriate fee for registering as a lobbyist.

3. The photo identification badges for paid lobbyists have a **blue background with yellow lettering stating "PAID LOBBYIST"** within it and the badges for nonpaid lobbyists have a **blue background with light blue or white lettering stating "NON PAID LOBBYIST."** The badges have the name of the lobbyist. The photos are done by the Legislative Police and distributed by the Legislative Police or Lobbyist Registration Office after the registration process. The fee for a second or subsequent (replacement) identification badge is \$20.00 each.

4. All registrations must be in accordance with the provisions of NRS 218H.200 and 218H.210. The registration statement must be on forms developed by the Deputy Director. Registrants must declare persons who retain or employ them, all business associations or partnerships involving current legislators and the amount of involvement in political campaigns. Involvement in certain real estate transactions must be disclosed pursuant to NRS 281A.620.

5. An employee of state government who is not required to register as a lobbyist solely because of the exclusion specified in paragraph (c) of subsection 2 of NRS 218H.080 shall obtain a photo identification badge. The badge must be worn whenever the employee appears in the Legislative Building. The badges for state employees have a **white and gray background and states "STATE EMPLOYEE."** They are obtained, without charge, from the Legislative Police.

6. Monthly expenditure reports must be filed by all lobbyists whether expenditures have been made or not. Expenditures must always be identified by legislator, organization, event or person and categorized in the following manner:

- A. "Entertainment," which must include the expenditures for any intangible item such as a fee for a membership in a club, the price of admission to a theatrical performance or the cost of food or beverage. Entertainment includes the price paid for admission to a sporting event or other form of entertainment.
- B. "Party or similar event" hosted by the organization represented by the registrant.
- C. "Gifts and loans." These include money or service on anything of value provided to a legislator, organization, or any other person for benefit of a legislator or organization. "Gift" includes expenditures for any tangible item such as books, hardware, software for computers, plaques or flowers. "Gift" does not include a ticket for admission to a sporting event or other form of entertainment.
- D. "Other" expenditures which may include the separate meal costs of a guest of a legislator or the cost of a special purpose trip for a legislator.

7. All lobbyists must file monthly expenditure reports. Paid lobbyists will be charged \$10 per day for failure to file in a timely manner; however, a paid lobbyist who does not file a report(s) or pay the penalty is subject to suspension or revocation of the lobbyist's registration and will not be permitted to lobby or register again until all reports are filed and current fees and fines are paid. Nonpaid lobbyists are exempt from late fees; however, a nonpaid lobbyist who does not file a required report is subject to suspension or revocation of the lobbyist's registration and will not be permitted to lobby or register again until all reports are filed.

8. If the Legislative Commission authorizes an audit or investigation of a registrant, the registrant must make available all books, accounts, claims, reports, vouchers, and other records pertaining to lobbying activities to the Legislative Auditor.

9. As used in this regulation, "organization" means any organization whose primary purpose is to provide support for legislators of a particular political party and house.