



COMPLIANCE NOW

E-News from State and Federal Communications, Inc.

August 2016

The Dream Team of 2016 — Appearing at NCSL on Tuesday, August 9th



Well, we are not exactly the Mod Squad, but we are this year's speakers at NCSL's Legislative Summit in Chicago. I will join Brad Smith from the Center for Competitive Politics and Capital OH Law School and Nick Penniman from Issue One to speak about Campaign Finance: What It All Means.

We are going to discuss the phrases you hear all the time in the news—campaign treasuries, PACs, Super PACs, 501(c)(4)(s), and independent expenditure group. Each one of these has a different meaning in the states and has a different contribution limitation. This fabulous team, which will be moderated by Alexis Stang, Senate Counsel, Research, and Fiscal Analysis from the state of Minnesota, will look at the impact of self-funded campaigns, contribution limits, and disclosure requirements.

I know this is very exciting and you do not want to miss it. I should add this breakfast session runs from 7:30 am to 9 am Tuesday, August 9 in McCormick Place, Room W181. If you need a wake-up call, let me know. I can help schedule it for you.

There is very little other than elections going on between now and November. Stay on top of the rules and regulations. Stop and see the 2016 Dream Team. See you in Chicago.

[Elizabeth Z. Bartz](#)
President and CEO
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Legislation We Are Tracking

At any given time, more than 1,000 legislative bills, which can affect how you do business as a government affairs professional, are being discussed in federal, state, and local jurisdictions. These bills are summarized in State and Federal Communications' digital encyclopedias for lobbying laws, political contributions, and procurement lobbying and can be found in the client portion of our website.

Summaries of major bills are also included in monthly email updates sent to all clients. The chart below shows the number of bills we are tracking in regard to lobbying laws, political contributions, and procurement lobbying.

	Total bills	Number of Jurisdictions	Passed	Died	Carried over to 2016
Lobbying Laws	323	42	16	157	4
Political Contributions	600	49	33	237	14
Procurement Lobbying	342	43	22	109	0

Summary of Changes UPDATE

Note Recent Changes to Compliance Regulations

by Michael Beckett, Esq., Research Manager

Update

HOUSTON, TEXAS: On June 28, City Council passed an ordinance updating its campaign finance law by delineating clear periods of time when candidates may receive political contributions. Under the new ordinance, a person may make contributions to a city candidate of up to \$5,000 per contribution cycle. A political action committee may make a contribution of up to \$10,000 for the same period of time. Each contribution cycle lasts two years, from January 1 (following a general election or after the end of the last contribution cycle) to December 31 of the next year. Additional contributions can be made to a runoff candidate during a separate runoff contribution cycle. The ordinance became effective on July 1.

KENTUCKY: The Executive Branch Ethics Commission has launched a new payment application for the 2016 lobbyist employer registration fee. The application is available on any mobile device; however, updated registration statements must be submitted directly to the Ethics Commission. Payments were able to be made through the application beginning July 1.

MICHIGAN: A U.S. District Court has issued a preliminary injunction against a new campaign finance law enabling corporations to deduct PAC contributions from employees' paychecks while prohibiting labor unions from doing the same. The court's decision cited freedom of political speech and evenhanded application of

law as reasons for the injunction. This is the second provision of Senate Bill 571 to be successfully challenged. Earlier in the year, a federal judge halted a different portion of the law prohibiting communication with community residents regarding ballot proposals during the 60 days prior to an election.

NEW YORK: Senate Bill 8160 requires charities donating to state lobbying nonprofits to be subject to new disclosure requirements. If signed into law, the bill would require any charitable organization donating over \$2,500 to New York lobbying campaigns to disclose all of its donors, including those unrelated to lobbying efforts. To determine the donation amount, in-kind donations of staff or other resources will be included, in addition to monetary donations. Public disclosure would then follow if the State Attorney General's Office verifies no individual donor would be harmed by release of the information. Gov. Andrew Cuomo is expected to sign the bill.

WASHINGTON, D.C.: The District Council has preliminarily approved a bill that will bring more transparency and accountability to the government procurement process. Among other structural and procedural reforms, the measure establishes the Office of the Ombudsman for Contracting and Procurement. The bill will need approval at a second reading before it is sent to the mayor. A stricter reform measure that included a one year pay-to-play restriction failed to pass.



W E B S I T E T I P



If your government affairs program has ever been audited, you understand the importance of good recordkeeping. State and Federal Communications now has a quick reference chart in the Lobbying Law publication dedicated to cataloging document retention requirements in the states. The chart can be accessed by clicking on the right side of the red Lobbying Law banner and selecting "Document Retention Requirements" in the pop-up menu. Be sure to reference this information before you approve any internal recordkeeping policy.

Rhode Island Prepares for Lobby Reform Act

by *George Ticoras, Esq., Esq., Research Associate*

You
Should Know

Effective January 1, 2017, the Rhode Island Lobby Reform Act ushers in a new legal framework for lobbyists and lobbyist employers registering and reporting in the state. Senate Bill 2361 Sub A and House Bill 7388 Sub A, signed by Gov. Gina M. Raimondo on June 13, repeal the current lobbying laws in Title 22 and Title 42 of the state's statutes.

The bills simplify lobbyist reporting requirements, increase penalties for failing to comply with lobbying requirements, and provide more investigative and administrative authority for enforcing the lobbying laws, including subpoena power.

Lobbyists and employers will file monthly activity reports for the first half of the year and quarterly activity reports for the second half of the year. Reports will be due the 15th day of February, March, April, May, June, and July for activity during the calendar month immediately preceding each filing. A report is also due on October 15 for July through September activity and by January 15 for October through December activity.

The Office of Secretary of State will have the authority to adopt rules to create a schedule of administrative penalties to be assessed for minor infractions, such as the failure to timely file any of the reports. Additionally, the office will be empowered to collect fines and registration fees.

Knowingly and willfully violating the Lobby Reform Act is punishable with a civil penalty of up to \$5,000 per violation and is a misdemeanor criminal conviction carrying a fine of up to \$1,000 and imprisonment of up to one year. The penalty for violations may also include the revocation of a registration for a period of up to three years.

A new web-based Lobby Tracker Portal is currently being developed by the Office of Secretary of State for lobbyist registration and reporting. Public comment for the new system will be solicited later this year.



See Us in Person

Plan to say hello at future events where **State and Federal Communications, Inc.** will be attending and/or speaking regarding compliance issues.

Events

August 8-11	NCSL Legislative Summit, Chicago, Illinois
August 18	Akron Roundtable, Akron, Ohio
September 7-9	Practising Law Institute - Corporate Political Activities, Washington, DC
September 15	Akron Roundtable, Akron, Ohio
September 26-28	PAC State and Local Government Relations Conference, Alexandria, VA
October 27	PAC Webinar: Pay-to-Play and the Procurement Process, Washington, DC
November 19-22	SGAC Leaders' Policy Conference, Dana Point, California

ASK THE EXPERTS

State and Federal Communications' Experts Answer Your Questions -

Here is your chance to "Ask the Experts" at State and Federal Communications, Inc. Send your questions to experts@stateandfed.com. (Of course, we have always been available to answer questions from clients that are specific to your needs, and we encourage you to continue to call or email us with questions about your particular company or organization. As always, we will confidentially and directly provide answers or information you need.) Our replies are not legal advice, just our analysis of laws, rules, and regulations.



Our company is active and registered as a lobbyist employer in several states. What are best practices for record-keeping? What will we need to access and keep in the event of a state audit?



Each state takes a different approach to auditing, requiring registered companies and lobbyists to keep substantiating records for varying periods of time. As a conservative rule of thumb, it's generally advisable to keep substantiating records for seven years. However, for each state where your company has an active registration, you should determine if there is a set document retention policy. While some states have no set period of time for lobbyists/employers to retain records, a majority of states require retention for a set period of time, usually within a three to five year range.



[Click here to read the full article](#)

You must have a subscription to www.stateandfed.com and be logged on!

Myra Cottrill, Esq., Client Specialist



Jurisdiction Added to our Website

The number of municipalities and regional governments our research associates track continues to grow. We now cover almost 300 municipalities and local governments. This is part of a continuous effort to better serve the needs of our clients.

In that effort, we have added abridged jurisdictions to our website. These entries, condensed due to the limited number of relevant local laws, provide the core information our clients need for their government relations work.

The new jurisdiction is:
Nassau County, New York

Scrapbook

State and Federal Communications, Inc. Celebrates another 10 Year employee, Mr. Dave McPeek



The "10 Year Club" at State and Federal Communications, Inc.
Amber Fish Linke, Esq., Director, Client and Product Operations, Renold Koozer, Executive Director,
Nicolette Bartz Koozer, Sr. Graphics Specialist, Dave McPeek, IT Business and Operations Analyst,
Elizabeth Z. Bartz, President and CEO,
John Cozine, Esq., ALERTS Manager, Nola R. Werren, Esq., Client Specialist, and Jim Sedor, NYCU Editor.



We celebrated Dave McPeek Day as he was elevated to the 10-Year Club.
As a treat, we had the Dave and the Derbytownt Barbershop Chorus perform.
Congratulations, Dave.

**State and Federal Communications, Inc.
Celebrating Dave McPeek on his 10 year anniversary.**



July Akron Roundtable



Kennedy photo by: Rachel Elysabethe Anderson.



Rep. Patrick Kennedy, author of “A Common Struggle: A Personal Journey Through the Past and Future of Mental Illness and Addiction”, speaks at the July Akron Roundtable luncheon.

LEFT: Rep. Patrick Kennedy; RIGHT TOP: Rep. Tom Sawyer,
RIGHT BOTTOM: Steven Schmidt, President, Akron Roundtable.

Akron Mayor Dan Horrigan visits with our Summer Interns



Akron Mayor, Dan Horrigan, [in office since January 2016] took the time to talk with our interns about his plans to keep Akron thriving and finding something for all ages in downtown Akron.

LEFT to RIGHT: Tony Didion, Zack Koozer, Elizabeth Z. Bartz, Christopher Jackson, Mayor Dan Horrigan, Brittany Anderson, Clemence Besnard, Olivia Snyder, and Sophia Avouris.