



Let State and Federal Communications be your guide in 2018

It is not too early to start planning...Not for Thanksgiving, Christmas, or New Year's Eve. I am talking about 2018 legislative sessions, primary elections, and the November 6th general election.

The Research Department at State and Federal Communications has been busy, busy, busy updating our website with the important dates you need for 2018.

- When will the states go into session? ✓
- When are lobbying reports due? ✓
- Will there be blackout periods in 2018? ✓
- When will the primaries be held in the states? ✓
- When are pre- and post-election reports due? ✓
- Does every state have a general election in 2018? ✓

You just cannot go wrong when connected with the State and Federal Communications Community to know when your reports are due; elections are held; and when legislatures convene, adjourn, recess, and go into special session.

Access is easy for our subscribers. Sign onto www.stateandfed.com and input your login and password. The world is then at your fingers. If you need assistance with your access information, please call Megan Huber-Kovachik or Tony Didion at 330-761-9960 and they will provide the information.

You might not be able to tell by my desk, but my calendar is organized. Staying on top of these important compliance dates will help you manage your time in 2018.

This year is almost ending, which is hard to believe. Rest assured, State and Federal Communications is at your side for 2018.

[Elizabeth Z. Bartz](#)

President and CEO
@elizabethbartz

Summary of Changes UPDATE

Note Recent Changes to Compliance Regulations

by Michael Beckett, Esq., Research Manager

Update

ARKANSAS: Beginning October 1, all lobbyists must register and file reports through the new lobbyist registration and reporting system. The new system requires all lobbyists, regardless of whether they are new lobbyists or currently registered, to re-register and submit a new signature card. Lobbyists must re-register and submit a new signature card to file third quarter reports.



BRITISH COLUMBIA, CANADA: Cabinet ministers and other public officer holders will be prohibited from lobbying the government for two years after leaving office under a bill proposed in the Legislature. The prohibition in the bill applies to former public office holders, which the legislation defines as a former member of the Executive Council and any individual formerly employed in the former member's former office, other than administrative support staff, or a former parliamentary secretary. Those listed in the definition also includes any individual who formerly occupied either a senior executive position in a ministry, the position of associate deputy minister, assistant deputy minister or a position of comparable rank in a ministry, or a prescribed position in a provincial entity.

CALIFORNIA: Gov. Jerry Brown signed Senate Bill 568, moving up the state's presidential primary to March 3, 2020. The date of

the 2016 primary was in June, but the Legislature pushed for an earlier primary in an attempt to have more of an impact on the national level. The bill does not change the date of the 2018 primary.

FEDERAL: On October 10, the Federal Election Commission (FEC) extended the comment period concerning internet communications disclaimers to November 9. The FEC is specifically requesting comments addressing advertisements on internet-enabled applications and devices. Originally, the FEC published an Advance Notice of Proposed Rulemaking seeking comment on October 13, 2011, and then again on October 18, 2016. This month, the commission has decided to again reopen the comment period to receive additional comments once more because of technological changes since the last comment period ended. Federal regulations require disclaimers identifying who paid for a political campaign communication and whether the communication was authorized by a candidate. The FEC is not proposing changes to any other rules adopted in the Internet Communications rulemaking of 2006.

SACRAMENTO, CALIFORNIA: Gov. Jerry Brown signed Senate Bill 267, authorizing the Fair Political Practices Commission to have primary responsibility for the impartial, administration, implementation, and enforcement of local campaign finance reform for the city of Sacramento, effective immediately.

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' online Compliance Laws for Government Relations Professionals. They can be found on a jurisdiction's home page.

Summaries of major bills are also included in the monthly Summary of Changes email update 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 2018
Lobbying Laws	374	46	40	99	121
Political Contributions	582	50	63	163	200
Procurement Lobbying	505	51	52	122	162

St. Petersburg City Council Passes Controversial Super PAC Contribution Limits

Kevin Newman, Esq.
Research Associate



In a direct assault on Citizens United v. FEC and subsequent jurisprudence, city lawmakers in St. Petersburg, Florida, passed legislation seeking to limit the influence of independent expenditures in local elections. Through three separate ordinances, City Council placed limits on contributions to super PACs, prohibited foreign-influenced corporations from participating in city

elections, and increased disclosure requirements for groups making independent expenditures.

Effectively eliminating the existence of super PACs at the city level, Ordinance 300-H creates a \$5,000 limit on contributions to groups raising money for or making expenditures or electioneering communications in city elections. Additionally, the ordinance prohibits corporations with 5 percent ownership by a single foreign owner, or 20 percent overall foreign ownership, from participating in city elections. This provision requires the chief executive officer of a company making certain expenditures or contributions to certify the company is not foreign-influenced.

The additional two laws, Ordinances 301-H and 302-H, requires the filing of a notice of independent spender status

as well as regular political activity reports from persons, political committees, and corporations. Disclosure reports must show all expenditures made and contributions made or received. Political advertisements paid for by independent expenditures must also include certain disclaimers stating the source of the funds.

Supporters of the legislation hope to spark a constitutional challenge to bring the question of super PACs to the Supreme Court. The U.S. Court of Appeals for the Eleventh Circuit, governing Florida, has not yet ruled on the issue. However, other circuits, including the D.C. Circuit, have ruled limits on contributions to independent expenditure-only committees are unconstitutional. Opponents within city government voiced concern over exposing the city to expensive litigation and personal liability for officials enforcing the ordinances. Free Speech for People, a nonprofit group who authored the laws, has offered to defend the city pro bono if litigation ensues. The ordinances take effect on January 1, 2018, exempting the upcoming November elections.

[The details for this article have been updated on our website in the St. Petersburg, Florida Independent Expenditure section of the Political Contribution Compliance Laws.]

You
Should Know



PRIMER

website

Understanding the potential of
State and Federal Communications
online political compliance publications.

www.stateandfed.com

**State and Federal Communication's
Primer Website** webinars are a
wonderful way to familiarize yourself with the
**Compliance Laws for
Government Relations
Professionals publications.**

This month's webinar is a great opportunity for our clients learn the full potential of our online political compliance publications. Join us to learn about their features and how they can help you.

This month's webinar is on
Thursday, November 9 at 2 p.m. EST.
Seats are limited, so register today.

Questions?
Contact marketing@stateandfed.com

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.

Q

We are forming a new organization that will be formed as a 501(c)(6) tax-exempt trade association. Can we lobby and still maintain our nonprofit tax status?

A

In short, yes. Many people think lobbying and nonprofits don't go together and the perception that nonprofits can't lobby is widespread. However, the fact is that nonprofits, even 501(c)(3) organizations (charitable organizations), which are the most restricted type of nonprofits, may legally lobby. Unlike lobbying and political activity restrictions that apply to Section 501(c)(3) organizations, Section 501(c)(6) (and (c) (4) and (c) (5)) organizations are not subject to those same restrictions.

Therefore, your organization may engage in as much lobbying as you see fit as long as those lobbying efforts are within the exempt purpose of the organization without jeopardizing your tax-exempt status.



Please feel free to contact us if you have any questions.

[*Click here to read ALL Ask the Experts articles in full*](#)

[*Please fill out the small form to gain access to all article free! Thanks.*](#)

Rebecca F. South, Federal Compliance Associate



W E B S I T E T I P

Our website features extensive coverage of individual jurisdictions while also providing quick access to common information many of our subscribers want to know. These Quick Reference Charts can be found by clicking on the three bars on the right-hand side of the red publication bars you use to choose the publication you wish to view. Clicking on the buttons will bring up the list of Quick Reference Charts specific to that publication.

A recent addition to the Lobbying Laws Quick Reference Charts deals with contingency lobbying. Contingency lobbying is when payment – be that a commission, percentage, brokerage or other fee – is paid based on the favorable outcome of a legislative matter. The Contingency Lobbying chart discusses whether this type of lobbying is prohibited and if there are any exceptions to the law.

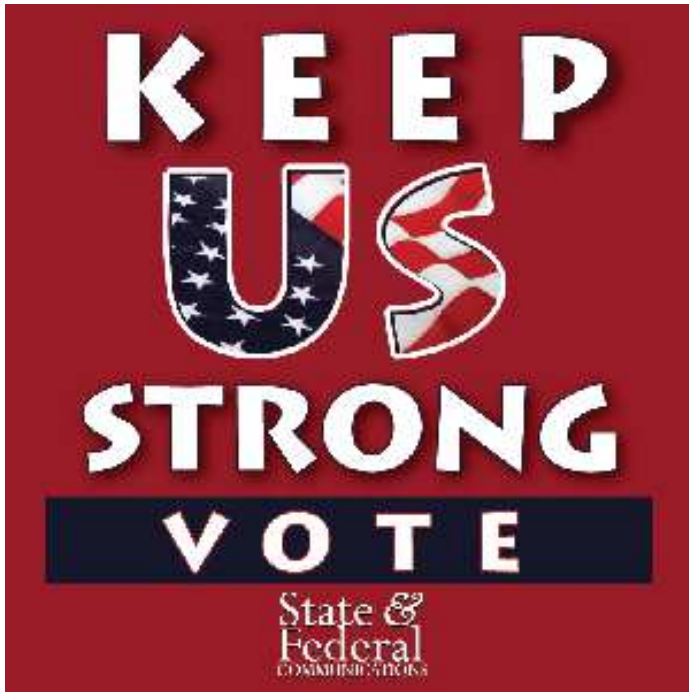
We will continue to add more of these charts for topics that are the frequent subject of questions from subscribers.

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

November 3, 2017	PLEN: Women in Corporate and Nonprofit Leadership Seminar Washington, DC
November 6 - 7, 2017	Professional Women in Advocacy Washington, DC
November 8-11, 2017	Women in Government Washington, DC
November 8, 2017	NPC Headliners Book Event: Chris Matthews Washington, DC
November 14, 2017	WGR Toastmasters Washington, DC
November 15, 2017	NABPAC PAC Management Conference Washington, DC
November 17, 2017	Advocacy Leaders' Network Washington, DC
November 28, 2017	WGR Toastmasters Washington, DC
November 18-21, 2017	SGAC Leaders Policy Conference Naples, Florida
December 3-7, 2017	COGEL Conference Toronto, Ontario, Canada
December 12, 2017	WGR Toastmasters Washington, DC



We earnestly remind you to exercise your right to vote -
November 7, 2017.
KEEP US STRONG - VOTE!



The Cleveland Cavaliers and Quicken Loans Arena
honored Breast Cancer Survivors and families
Saturday, October 21.
Elizabeth Bartz is an 11.5 year SURVIVOR!



Elizabeth Z. Bartz received the Kent State
University Alumni Advocacy Award on
October 13, 2017.



Elizabeth with Dr. Bev Warren, KSU President.