

2023 -- H 5614

LC001772

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND
LOBBYING REFORM ACT

Introduced By: Representatives Place, Rea, Chippendale, Newberry, and Nardone

Date Introduced: February 15, 2023

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-139.1-3 of the General Laws in Chapter 42-139.1 entitled "The
2 Rhode Island Lobbying Reform Act" is hereby amended to read as follows:

3 **42-139.1-3. Definitions.**

4 (a) For the purposes of this chapter, the following definitions apply:

5 (1) "Appointed" or "engaged" means receiving compensation from another for lobbying.

6 (2) "Compensation" means any remuneration or earnings received or to be received for
7 services rendered as a lobbyist, including any fee, salary, forbearance, forgiveness, or any other
8 form of recompense, and any combination of these, but does not include reimbursement for
9 incidental expenses.

10 (3) "Lobbying" means acting directly or soliciting others to act for the purpose of
11 promoting, opposing, amending, or influencing any action or inaction by any member of the
12 executive or legislative branch of state or municipal government, local fire district, or any public
13 corporation.

14 (4) "Lobbying firm" means a business entity that receives compensation for lobbying.

15 (5) "Lobbyist" means any of the following:

16 (i) "Contract lobbyist" means any person who engages in lobbying as the appointed or
17 engaged representative of another person; or

18 (ii) "In-house lobbyist" means any employee, officer, director, or agent of a corporation,

1 partnership, or other business entity or organization whose job responsibilities include lobbying; or

2 (iii) "Governmental lobbyist" means any employee of any federal, state, or local
3 government office or agency or any public corporation who engages in lobbying.

4 (6) "Money" and "anything of value" means any fee, salary, commission, expense
5 allowance, forbearance, forgiveness, royalty, rent, capital gain, gift, loan, reward, favor or service,
6 gratuity or special discount, or any other form of recompense that constitutes income under the
7 Federal Internal Revenue Code, but shall not include campaign contributions.

8 (7) "Person" means an individual, firm, business, corporation, association, partnership, or
9 other group.

10 (8) "Public corporation" means a body corporate and politic acting as a public corporation,
11 which has been organized pursuant to law and granted certain powers, rights, and privileges by the
12 general laws, but which has a separate and distinct legal existence from the state, and is not a
13 department of the state.

14 (9) "Secretary" means the Rhode Island secretary of state.

15 (b) The following persons shall not be deemed "lobbyists" for purposes of this chapter:

16 (1) Licensed attorneys who:

17 (i) Represent a client in a contested administrative proceeding, a licensing or permitting
18 proceeding, or a disciplinary proceeding; and

19 (ii) Engage in any communications with an executive branch official or office if those
20 communications are incidental to the attorney's representation of their client rather than lobbying
21 activities as defined in this section.

22 (2) A qualified expert witness testifying in an administrative proceeding or legislative
23 hearing, either on behalf of an interested party or at the request of the agency or legislative body or
24 committee;

25 (3) Any member of the general assembly, general officer of the state, municipal elected or
26 appointed official, head of any executive department of state government, and/or head of any public
27 corporation, or a duly appointed designee of one of the foregoing offices acting in the official
28 capacity of said office, and any judge of this state acting in their official capacity;

29 (4) Persons participating in a governmental advisory committee or task force;

30 (5) Persons appearing on behalf of a business entity by which they are employed or
31 organization with which they are associated, if that person's regular duties do not include lobbying
32 or government relations;

33 (6) Persons appearing solely on their own behalf;

34 (7) Employees or agents of the news media who write, publish, or broadcast news items or

1 editorials which directly or indirectly promote or oppose any action or inaction by any member or
2 office of the executive or legislative branch of state government;

3 (8) Individuals participating in or attending a rally, protest, or other public assemblage
4 organized for the expression of political or social views, positions, or beliefs;

5 (9) Individuals participating in any proceeding pursuant to chapter 35 of this title;

6 (10) Individuals, other than employees or agents of the news media, involved in the
7 issuance and dissemination of any publication, including data, research, or analysis on public policy
8 issues that is available to the general public, including news media reports, editorials, commentary,
9 or advertisements; and

10 (11) Individuals responding to a request for information made by a state agency,
11 department, legislative body, or public corporation.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND
LOBBYING REFORM ACT

- 1 This act would expand the lobbying reform act to apply to persons who lobby municipal
- 2 government executives and legislative bodies, as well as local fire districts.
- 3 This act would take effect upon passage.

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