

1 **H. B. 2297**

2  
3 (By Delegate Andes)

4 [Introduced January 12, 2011; referred to the  
5 Committee on the Judiciary.]

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10 A BILL to amend and reenact §6B-3-2 of the Code of West Virginia,  
11 1931, as amended, relating to requiring lobbyists to disclose  
12 compensation agreements for each registered employer.

13 *Be it enacted by the Legislature of West Virginia:*

14 That §6B-3-2 of the Code of West Virginia, 1931, as amended,  
15 be amended and reenacted to read as follows:

16 **ARTICLE 3. LOBBYISTS.**

17 **§6B-3-2. Registration of lobbyists.**

18 (a) Before engaging in any lobbying activity, or within thirty  
19 days after being employed as a lobbyist, whichever occurs first, a  
20 lobbyist shall register with the Ethics Commission by filing a  
21 lobbyist registration statement. The registration statement shall  
22 contain information and be in a form prescribed by the Ethics  
23 Commission by legislative rule, including, but not limited to, the  
24 following information:

1 (1) The registrant's name, business address, telephone numbers  
2 and any temporary residential and business addresses and telephone  
3 numbers used or to be used by the registrant while lobbying during  
4 a legislative session;

5 (2) The name, address and occupation or business of the  
6 registrant's employer;

7 (3) A statement as to whether the registrant is employed or  
8 retained by his or her employer solely as a lobbyist or is a  
9 regular employee performing services for the employer which  
10 include, but are not limited to, lobbying;

11 (4) A statement as to whether the registrant is employed or  
12 retained by his or her employer under any agreement, arrangement or  
13 understanding according to which the registrant's compensation, or  
14 any portion of the registrant's compensation, is or will be  
15 contingent upon the success of his or her lobbying activity;

16 (5) The general subject or subjects, if known, on which the  
17 registrant will lobby or employ some other person to lobby in a  
18 manner which requires registration under this article; ~~and~~

19 (6) An appended written authorization from each of the  
20 lobbyist's employers confirming the lobbyist's employment and the  
21 subjects on which the employer is to be represented; and

22 (7) An appended written disclosure of all compensation  
23 agreements for each registered employer.

24 (b) Any lobbyist who receives or is to receive compensation

1 from more than one person for services as a lobbyist shall file a  
2 separate notice of representation with respect to each person  
3 compensating him or her for services performed as a lobbyist. When  
4 a lobbyist whose fee for lobbying with respect to the same subject  
5 is to be paid or contributed by more than one person, then the  
6 lobbyist may file a single statement, in which he or she shall  
7 detail the name, business address and occupation of each person  
8 paying or contributing to the fee.

9 (c) Whenever a change, modification or termination of the  
10 lobbyist's employment occurs, the lobbyist shall, within one week  
11 of the change, modification or termination, furnish full  
12 information regarding the change, modification or termination by  
13 filing with the commission an amended registration statement.

14 (d) Each lobbyist who has registered shall file a new  
15 registration statement, revised as appropriate, on the Monday  
16 preceding the second Wednesday in January of each odd-numbered year  
17 and failure to do so terminates his or her authorization to lobby.  
18 Until the registration is renewed, the person may not engage in  
19 lobbying activities unless he or she is otherwise exempt under  
20 paragraph (B), subdivision (7), section one of this article.

NOTE: The purpose of this bill is to require lobbyists to disclose compensation agreements for each registered employer.

Strike-throughs indicate language that would be stricken from

the present law, and underscoring indicates new language that would be added.