

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3062

By Delegate Linville

[Introduced January 26, 2023; Referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §6B-3-5 of the Code of West Virginia, 1931, as amended, relating to
 2 grass roots lobbying campaigns; modifying reporting thresholds for grass roots lobbying
 3 campaigns; and clarifying the disclosure of contributions made for the purpose of
 4 furthering grass roots lobbying campaigns.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. LOBBYISTS.

§6B-3-5. Grass roots lobbying campaigns.

1 (1) Any person who has made expenditures, not required to be reported under other
 2 sections of this chapter, exceeding ~~\$500~~ \$5,000 in the aggregate within any three-month period or
 3 exceeding ~~\$200~~ \$1,000 in the aggregate within any one-month period in presenting a program
 4 addressed to the public, a substantial portion of which is intended, designed or calculated primarily
 5 to influence legislation, shall be required to register and report, as provided in subsection (2) of this
 6 section, as a sponsor of a grass roots lobbying campaign.

7 (2) Within thirty days after becoming a sponsor of a grass roots lobbying campaign, the
 8 sponsor shall register by filing with the Ethics Commission a registration statement, in such detail
 9 as the commission shall prescribe, showing:

10 (a) The sponsor's name, address and business or occupation, and, if the sponsor is not an
 11 individual, the names, addresses, and titles of the controlling persons responsible for managing
 12 the sponsor's affairs;

13 (b) The names, addresses and business or occupation of all persons organizing and
 14 managing the campaign, or hired to assist the campaign, including any public relations or
 15 advertising firms participating in the campaign, and the terms of compensation for all such
 16 persons;

17 (c) The names and addresses of each person contributing ~~\$25~~ \$1,000 or more to made for
 18 the purpose of furthering the campaign and the aggregate amount contributed;

19 (d) The purpose of the campaign, including the specific legislation, rules, rates, standards

20 or proposals that are the subject matter of the campaign;

21 (e) The totals of all expenditures made or incurred to date on behalf of the campaign, which
22 totals shall be segregated according to financial category, including, but not limited to, the
23 following: Advertising, segregated by media, and, in the case of large expenditures (as provided
24 by legislative rule of the commission), by outlet; contributions; entertainment, including meals and
25 beverages; office expenses, including rent and the salaries and wages paid for staff and
26 secretarial assistance, or the proportionate amount thereof paid or incurred for lobbying campaign
27 activities; consultants; and printing and mailing expenses.

28 (3) Every sponsor who has registered under this section shall file reports with the
29 commission, which reports shall be filed for the same time periods required for the filing of
30 lobbyists' reports under the provisions of section four of this article.

31 (4) When the campaign has been terminated, the sponsor shall file a notice of termination
32 with the final monthly report, which notice shall state the totals of all contributions and
33 expenditures made on behalf of the campaign, in the same manner as provided for in the
34 registration statement.

NOTE: The purpose of this bill is to clarify reporting thresholds and donor disclosure requirements for the purposes of grass roots lobbying expenditures.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.