

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENROLLED

House Bill 2120

BY DELEGATES D. SMITH, FEHRENBACHER, AND HORNBY

[Passed April 11, 2025; in effect 90 days from
passage (July 10, 2025)]

1 AN ACT to amend and reenact §6B-2-1, §6B-2-2, §6B-2-12, §6B-3-1, §6B-3-2, §6B-3-4, §6B-3-
2 5, §6B-3-7, and §6B-3-9 of the Code of West Virginia, 1931, as amended, relating to
3 modifying certain provisions regarding governmental ethics; modifying certain Ethics
4 Commission duties and authorities; requiring a commission member to recuse himself or
5 herself from certain decisions under certain circumstances; modifying certain rulemaking
6 requirements; requiring Ethics Commission develop certain electronic registration and
7 reporting system by date certain and establishing criteria and functionality for same;
8 requiring Ethics Commission provide certain information and resources on its website for
9 public and lobbyist use; modifying certain lobbying registration requirements; modifying
10 certain lobbying reporting requirements and increasing the number of required lobbying
11 activity reports per year; and modifying the penalty provisions related to violations of
12 statutory provisions governing lobbyists.

Be it enacted by the Legislature of West Virginia:

CHAPTER 6B. PUBLIC OFFICERS AND EMPLOYEES; ETHICS; CONFLICTS OF INTEREST; FINANCIAL DISCLOSURE.

ARTICLE 2. WEST VIRGINIA ETHICS COMMISSION; POWERS AND DUTIES; DISCLOSURE OF FINANCIAL INTEREST BY PUBLIC OFFICIALS AND EMPLOYEES; APPEARANCES BEFORE PUBLIC AGENCIES; CODE OF CONDUCT FOR ADMINISTRATIVE LAW JUDGES.

§6B-2-1. West Virginia Ethics Commission created; members; appointment, term of office and oath; compensation and reimbursement for expenses; meetings and quorum.

1 (a) The West Virginia Ethics Commission is continued. The members of the commission
2 shall be appointed by the Governor with the advice and consent of the Senate.

3 (b) A person may not be appointed to the commission or continue to serve as a member
4 of the commission who:

(1) Holds elected or appointed office under the government of the United States, the State of West Virginia, or any of its political subdivisions;

(2) Is a candidate for any political office;

(3) Is otherwise subject to the provisions of this chapter other than by reason of his or her appointment to or service on the commission; or

(4) Holds any political party office or participates in a campaign relating to a referendum or other ballot issue. A member may contribute financially to a political campaign, but shall recuse himself or herself from any commission decision involving any candidate or campaign to which he or she contributed.

(c) The Ethics Commission consists of the following nine members, appointed with staggered terms:

(1) One member who served as a member of the West Virginia Legislature;

(2) One member who served as an elected or appointed county official;

(3) One member who served as an elected or appointed municipal official;

(4) One member who served as an elected county school board member;

(5) One member from a rural area; and

(6) Four citizen members.

(d) Any commission member in office on June 30, 2014, who meets one of the categories for membership set out in subsection (c) of this section, may be reappointed. Not more than five members of the commission may be of the same political party and not more than two members may be from the same state senatorial district.

(e) The term of office for a commission member is five years. A member may not serve more than two consecutive full or partial terms. A person may not be reappointed to the commission until at least two years have elapsed after the completion of the second consecutive term. A member may continue to serve until a successor has been appointed and qualified.

(f) All appointments shall be made by the Governor in a timely manner so as not to create a vacancy for longer than 60 days.

(g) Each member shall be a resident of this state during the appointment term.

(h) Five members of the commission constitutes a quorum.

(i) Each member of the commission shall take and subscribe to the oath or affirmation required pursuant to section five, article IV of the Constitution of West Virginia.

(j) A member may be removed by the Governor for substantial neglect of duty, gross misconduct in office, or a violation of this chapter, after written notice and opportunity for reply.

(k) The commission, as appointed on July 1, 2014, shall meet before August 1, 2014, at a time and place to be determined by the Governor, who shall designate a member to preside at that meeting until a chairperson is elected. At the first meeting, the commission shall elect a chairperson and any other officers as are necessary. The commission shall within 90 days after the first meeting adopt rules for its procedures. The commission may use the rules in place on July 1, 2014, until those rules are amended or revoked.

(l) Members of the commission shall receive the same compensation and expense reimbursement as is paid to members of the Legislature for their interim duties as recommended by the Citizens Legislative Compensation Commission and authorized by law for each day or portion thereof engaged in the discharge of official duties. To be eligible for compensation and expense reimbursement, the member shall participate in a meeting or adjudicatory session in person.

(m) The commission shall appoint an executive director to assist the commission in carrying out its functions in accordance with commission rules and with applicable law. The executive director shall be paid a salary fixed by the commission or as otherwise provided by law. The commission shall appoint and discharge counsel and employees and shall fix the compensation of employees and prescribe their duties. Counsel to the commission shall advise

the commission on all legal matters and on the instruction of the commission may commence appropriate civil actions. Any commission counsel may not both advise the commission and act in a representative capacity in any proceeding.

(n) The commission may delegate authority to the chairperson or the executive director to act in the name of the commission between meetings of the commission, except that the commission may not delegate the power to hold hearings and determine violations to the chairperson or the executive director.

(o) The principal office of the commission shall be in the seat of government, but it or its designated subcommittees may meet and exercise its power at any other place in the state. Meetings of the commission shall be public unless:

(1) They are required to be private by the provisions of this chapter relating to confidentiality; or

(2) They involve discussions of commission personnel, planned or ongoing litigation, and planned or ongoing investigations.

(p) Meetings of the commission shall be upon the call of the chairperson and may be conducted by telephonic or other electronic conferencing means.

(1) When the commission is acting as a hearing board under this article, or when the Probable Cause Review Board meets to receive an oral response as authorized by this article, members may not participate or vote by telephonic means. Participation and voting may be permitted if the member attends and participates via video conferencing that allows the witness and the member to observe and communicate with one another.

(2) Members shall be given notice of meetings held by telephone or other electronic conferencing in the same manner as meetings at which the members are required to attend in person. Telephone or other electronic conferences shall be electronically recorded and the recordings shall be retained by the commission in accordance with its record retention policy.

§6B-2-2. General powers and duties.

1 (a) The commission may promulgate rules in accordance with the provisions of §29A-1-1
2 *et seq.* of this code to carry out the purposes of this chapter. Any disclosure form, statement, or
3 report required under any provision of this chapter shall be prescribed by procedural rule and
4 made available on the commission's website.

5 (b) The commission may initiate or receive complaints and make investigations, as
6 provided in §6B-2-4 of this code, and upon complaint by an individual of an alleged violation of
7 this chapter by a public official or public employee, refer the complaint to the review board as
8 provided in §6B-2-2a of this code. Any person charged with a violation of this chapter is entitled
9 to the administrative hearing process contained in §6B-2-4 of this code.

10 (c) The commission may subpoena witnesses, compel their attendance and testimony,
11 administer oaths and affirmations, take evidence, and require by subpoena the production of
12 books, papers, records, or other evidence needed for the performance of the commission's duties
13 or exercise of its powers, including its duties and powers of investigation.

14 (d) The commission shall, in addition to its other duties:

15 (1) Prescribe forms for reports, statements, notices, and other documents required by law;

16 (2) Prepare and publish manuals and guides explaining the duties of individuals covered
17 by this law; and giving instructions and public information materials to facilitate compliance with,
18 and enforcement of, this act; and

19 (3) Provide assistance to agencies, officials, and employees in administering the
20 provisions of this act.

21 (e) The commission may:

22 (1) Prepare reports and studies to advance the purpose of the law;

23 (2) Contract for any services which cannot satisfactorily be performed by its employees;

24 (3) Require the Attorney General to provide legal advice without charge to the commission;

25 (4) Employ additional legal counsel;

(5) Request appropriate agencies of the state to provide any professional assistance the commission may require in the discharge of its duties. The commission shall reimburse any agency, other than the Attorney General, the cost of providing assistance; and

(6) Share otherwise confidential documents, materials, or information with appropriate agencies of state government, provided that the recipient agrees to maintain the confidentiality and privileged status of the document, material, or information.

§6B-2-12. Online reporting system.

(a) On or before December 31, 2025, the commission shall develop and make available for public use an electronic lobbyist registration and reporting system that:

(1) Allows a person to register as a lobbyist;

(2) Allows a lobbyist to electronically file any report required to be filed under this chapter;

(3) Permits a lobbyist to create a password-protected account through which the lobbyist can save user information to be automatically populated into reports that are filed through the electronic system; and

(4) Includes a search function by which members of the public can search for information about lobbyists, including all information lobbyists are required to report under §6B-3-1 *et seq.* of this code.

(b) The commission may contract for the development of the system.

(c) The commission shall ensure that the electronic lobbyist registration and reporting system is properly maintained and that any period of downtime or inaccessibility is promptly remediated.

ARTICLE 3. LOBBYISTS.

§6B-3-1. Definitions.

As used in this article, unless the context clearly indicates otherwise:

(1) "Compensation" means money or any other thing of value received or to be received by a lobbyist from an employer for services rendered;

4 (2) "Employer" or "lobbyist's employer" means any person who employs or retains a
5 lobbyist;

6 (3) "Expenditure" means payment, distribution, loan, advance deposit, reimbursement, or
7 gift of money, real or personal property, or any other thing of value; or a contract, promise, or
8 agreement, whether or not legally enforceable;

9 (4) "Government officer or employee" means a member of the Legislature, a legislative
10 employee, the Governor, and other members of the board of Public Works, heads of executive
11 departments, and any other public officer or public employee under the legislative or executive
12 branch of state government who is empowered or authorized to make policy and perform
13 nonministerial functions. In the case of elected offices included herein, the term "government
14 officer or employee" includes candidates who have been elected but who have not yet assumed
15 office;

16 (5) "Legislation" means bills, resolutions, motions, amendments, nominations, and other
17 matters pending or proposed in either house of the Legislature and includes any other matters
18 that may be the subject of action by either house or any committee of the Legislature and all bills
19 or resolutions that, having passed both houses, are pending approval or veto by the Governor;

20 (6) "Lobbying" or "lobbying activity" means the act of communicating with a government
21 officer or employee to promote, advocate, oppose, or otherwise attempt to influence:

22 (A) The passage or defeat or the executive approval or veto of any legislation which may
23 be considered by the Legislature of this state; or

24 (B) The adoption or rejection of any rule, regulation, legislative rule, standard, rate, fee,
25 or other delegated legislative or quasi-legislative action to be taken or withheld by any executive
26 department;

27 (7) "Lobbying firm" means any business entity, including an individual contract lobbyist,
28 which meets either of the following criteria:

(A) The business entity receives or becomes entitled to receive any compensation, other than reimbursement for reasonable travel expenses, for the purpose of lobbying on behalf of any other person, and any partner, owner, officer, or employee of the business entity;

(B) The business entity receives or becomes entitled to receive any compensation, other than reimbursement for reasonable travel expenses, to communicate directly with any elected state official, agency official, or legislative official for the purpose of lobbying on behalf of any other person;

(8)(A) "Lobbyist" means any individual employed by a lobbying firm or who is otherwise employed or contracts for economic consideration, other than reimbursement for reasonable travel expenses, to communicate directly or through his or her agents with any elective state official, agency official, or legislative official for the purpose of promoting, advocating, opposing, or otherwise attempting to influence:

(i) The passage or defeat or the executive approval or veto of any legislation which may be considered by the Legislature of this state; or

(ii) The adoption or rejection of any rule, legislative rule, standard, rate, fee, or other delegated legislative or quasi-legislative action to be taken or withheld by any executive department.

(B) The term "lobbyist" does not include the following persons, who are exempt from the registration and reporting requirements set forth in this article, unless they engage in activities which would otherwise subject them to the registration and reporting requirements:

(i) Persons who limit their lobbying activities to appearing before public sessions of committees of the Legislature, or public hearings of state agencies;

(ii) Persons who limit their lobbying activities to attending receptions, dinners, parties or other group functions and make no expenditure in connection with such lobbying;

(iii) Persons who engage in news or feature reporting activities and editorial comment as working members of the press, radio, or television and persons who publish or disseminate such

55 news, features, or editorial comment through a newspaper, book, regularly published periodical,
56 radio station, or television station;

57 (iv) Persons who lobby without compensation or other consideration, other than
58 reimbursement for reasonable travel expenses, for acting as lobbyists, who are not employed by
59 a lobbying firm or lobbyist employer, and whose total expenditures in connection with lobbying
60 activities do not exceed \$150 during any calendar year. The exemptions contained in this
61 subparagraph and in subparagraph (ii) are intended to permit and encourage citizens of this state
62 to exercise their Constitutional rights to assemble in a peaceable manner, consult for the common
63 good, instruct their representatives, and apply for a redress of grievances. Accordingly, such
64 persons may lobby without incurring any registration or reporting obligation under this article. Any
65 person exempt under this subparagraph or subparagraph (ii) may at his or her option register and
66 report under this article;

67 (v) Persons who lobby on behalf of a nonprofit organization with regard to legislation,
68 without compensation, and who restrict their lobbying activities to not more than 20 days or parts
69 thereof during any regular session of the Legislature. The commission may promulgate a
70 legislative rule to require registration and reporting by persons who would otherwise be exempt
71 under this subparagraph, if it determines that such rule is necessary to prevent frustration of the
72 purposes of this article. Any person exempt under this subparagraph may, at his or her option,
73 register and report under this article;

74 (vi) The Governor, members of the Governor's staff, members of the board of Public
75 Works, officers and employees of the executive branch who communicate with a member of the
76 Legislature on the request of that member, or who communicate with the Legislature, through the
77 proper official channels, requests for legislative action or appropriations which are deemed
78 necessary for the efficient conduct of the public business or which are made in the proper
79 performance of their official duties;

80 (vii) Members of the Legislature;

(viii) Persons employed by the Legislature for the purpose of aiding in the preparation or enactment of legislation or the performance of legislative duties;

(ix) Persons rendering professional services in drafting proposed legislation or in advising or rendering opinions to clients as to the construction and effect of proposed or pending legislation; and

(9) "Person" means any individual, partnership, trust, estate, business trust, association, or corporation; any department, commission, board, publicly supported college or university, division, institution, bureau, or any other instrumentality of the state; or any county, municipal corporation, school district, or any other political subdivision of the state.

§6B-3-2. Registration of lobbyists.

(a) Before engaging in any lobbying activity, a lobbyist shall register with the Ethics Commission by filing a lobbyist registration statement. The registration statement shall include the following information:

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

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

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

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

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

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

(b) Any lobbyist who receives or is to receive compensation from more than one person for services as a lobbyist shall file a separate notice of representation with respect to each person compensating him or her for services performed as a lobbyist. When a lobbyist whose fee for lobbying with respect to the same subject is to be paid or contributed by more than one person, then the lobbyist may file a single statement, in which he or she shall detail the name, business address and occupation of each person paying or contributing to the fee.

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

(d) Each lobbyist who has registered shall file a new registration statement, revised as appropriate, on the Monday preceding the second Wednesday in January of each odd-numbered year and failure to do so terminates his or her authorization to lobby. Until the registration is renewed, the person may not engage in lobbying activities unless he or she is otherwise exempt under §6B-3-1(8)(B) of this code.

(e) The following public officers or employees may not, during or up to one year after the termination of their public employment or service, be allowed to register as lobbyists:

(1) Members of the Legislature;

(2) Members of the Executive Department as referenced in article VII, section one of the Constitution of West Virginia;

(3) Will and pleasure professional employees of the Legislature under the direct supervision of a member of the Legislature;

(4) Will and pleasure professional employees of members of the Executive Department under the direct supervision of the Executive Department officer and who regularly, personally

43 and substantially participates in a decision-making or advisory capacity regarding agency or
44 department policy;

45 (5) Members of the Supreme Court of Appeals;

46 (6) Any department secretary of an executive branch department created by the provisions
47 of §5F-1-2 *et seq.* of this code; and

48 (7) Heads of any state departments or agencies.

49 (f) The commission shall accept the registration and forms required by this section in
50 electronic or paper format, as desired by the individual submitting the registration or form. The
51 commission shall accept signatures on all forms required by this section in electronic or hand-
52 written ink format, as desired by the individual signing the form. A lobbyist is not required to retain
53 an original, printed form if he or she has a completed electronic form, a photocopy of the original,
54 or completed the requirements of this section through the online registration and reporting system
55 under §6B-2-12 of this code.

§6B-3-4. Reporting by lobbyists.

1 (a) A registered lobbyist shall file with the commission reports of his or her lobbying
2 activities, signed by the lobbyist. The reports shall be filed four times per year as follows:

3 (1) On or before March 15, a lobbyist shall report all lobbying activities in which he or she
4 engaged from January 1 through February 28 or, in the case of leap year, February 29;

5 (2) On or before May 15, a lobbyist shall report all lobbying activities in which he or she
6 engaged from March 1 through April 30;

7 (3) On or before September 15, a lobbyist shall report all lobbying activities in which he
8 or she engaged from May 1 through August 31; and

9 (4) On or before January 15, a lobbyist shall report all lobbying activities in which he or
10 she engaged from September 1 through December 31.

11 (b) If the date on which a lobbyist expenditure report is due falls on a Saturday, Sunday,
12 or legal holiday, the report will be considered timely filed if it is postmarked not later than the next

business day. If a registered lobbyist files a late report, the lobbyist shall pay the commission a fee of \$10 for each late day, not to exceed a total of \$250. If a registered lobbyist fails to file a report or to pay the required fee for filing an untimely report, the commission may, after written notice sent by certified mail, return receipt requested, suspend the lobbyist's privileges as a registered lobbyist until the lobbyist has satisfactorily complied with all reporting requirements and paid the required fee.

(c) (1) Except as otherwise provided in this section, each report filed by a lobbyist shall show the total amount of all expenditures for lobbying activities made or incurred by on behalf of the lobbyist during the period covered by the report. The report shall also show subtotals segregated according to financial category, including meals and beverages; living accommodations; advertising; travel; contributions; gifts to public officials or employees or to members of the immediate family of a public official or employee; and other expenses or services.

(2) Lobbyists are not required to report the following:

(A) Unreimbursed personal living and travel expenses not incurred directly for lobbying;

(B) Any expenses incurred for the lobbyist's own living accommodations;

(C) Any expenses incurred for the lobbyist's own travel to and from public meetings or hearings of the legislative and executive branches; or

(D) Any expenses incurred for telephone and any office expenses, including rent and salaries and wages paid for staff and secretarial assistance.

(d) If a lobbyist is employed by more than one employer, the report shall show the proportionate amount of the expenditures in each category incurred on behalf of each of his or her employers.

(e) The report shall describe the subject matter of the lobbying activities in which the lobbyist has been engaged during the reporting period.

(f) If, during the period covered by the report, the lobbyist made expenditures or expenditures were made or incurred on behalf of the lobbyist in the reporting categories of meals

and beverages, living accommodations, travel, gifts or other expenditures, other than for those expenditures governed by subsection (g) of this section, the lobbyist shall report the name of the public official or employee to whom or on whose behalf the expenditures were made, the total amount of the expenditures, and the subject matter of the lobbying activity, if any. A registered lobbyist who entertains more than one public official or public employee at a time with meals and beverages complies with the provisions of this section if he or she reports the names of the public officials or public employees entertained and the total amount expended for meals and beverages for all of the public officials or public employees entertained. Where several lobbyists join in entertaining one or more public officials or public employees at a time with meals and beverages, each lobbyist complies with the provisions of this section by reporting the names of the public officials or public employees entertained and his or her proportionate share of the total amount expended for meals and beverages for all of the public officials or public employees entertained. Under this subsection, no portion of the amount of an expenditure for a dinner, party, or other function sponsored by a lobbyist's employer need be attributed to a particular public official or employee who attends the function if the sponsor has invited to the function all the members of: (1) The Legislature; (2) either house of the Legislature; (3) a standing or select committee of either house; or (4) a joint committee of the two houses of the Legislature. However, the amount spent for the function shall be added to other expenditures for the purpose of determining the total amount of expenditures reported under subdivision (1), subsection (c) of this section. If the expenditure is for a function to which the entire membership of the Legislature has been invited, the lobbyist need only report that fact, the total amount of the expenditure, and the subject matter of the lobbying activity.

(g) If, during the period covered by the report, the lobbyist made expenditures in the reporting categories of meals and beverages, lodging, travel, gifts, and scheduled entertainment for or on behalf of a particular public official or public employee in return for the participation of the public official or employee in a panel or speaking engagement at a meeting, the lobbyist shall

65 report the name of the public official or employee to whom or on whose behalf the expenditures
66 were made and the total amount of the expenditures.

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

1 (a) Any person who has made expenditures, not required to be reported under other
2 sections of this chapter, exceeding \$5,000 in the aggregate within any three-month period or
3 exceeding \$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
5 primarily to influence legislation, is required to register and report, as provided in subsection (b)
6 of this section, as a sponsor of a grass roots lobbying campaign.

7 (b) Within 30 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 (1) The sponsor's name, address, and business or occupation, and, if the sponsor is not
11 an individual, the names, addresses, and titles of the controlling persons responsible for
12 managing the sponsor's affairs;

13 (2) 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 (3) The names and addresses of each person contributing \$1,000 or more made for the
18 purpose of furthering the campaign and the aggregate amount contributed;

19 (4) The purpose of the campaign, including the specific legislation, rules, rates, standards,
20 or proposals that are the subject matter of the campaign;

21 (5) The totals of all expenditures made or incurred to date on behalf of the campaign,
22 which totals shall be segregated according to financial category, including, but not limited to, the
23 following: (A) Advertising, segregated by media, and, in the case of expenditures of \$5,000 or

24 more, by outlet; (B) contributions; (C) entertainment, including meals and beverages; (D) office
25 expenses, including rent and the salaries and wages paid for staff and secretarial assistance, or
26 the proportionate amount thereof paid or incurred for lobbying campaign activities; (E)
27 consultants; and (F) printing and mailing expenses.

28 (c) 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 filing lobbyists'
30 reports under the provisions of §6B-3-4 of this code.

31 (d) 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.

§6B-3-7. Duties of lobbyists.

1 Any person required to register as a lobbyist under this article is subject to the obligations
2 and prohibitions provided in this section. A violation of any obligation or prohibition may be cause
3 for revocation of his or her lobbyist registration and termination of his or her lobbying privileges.
4 The violation may subject the person, and the person's employer, if the employer aids, abets,
5 ratifies, or confirms the violation, to other civil liabilities as provided by this chapter.

6 (1) Any person required to register as a lobbyist shall obtain, preserve, and make available
7 for inspection by the commission at any time all accounts, bills, receipts, books, papers, and
8 documents necessary to substantiate the financial reports required to be made under this article
9 for a period of at least two years from the date of the filing of the statement to which those items
10 relate: *Provided*, That if a lobbyist is required under the terms of his or her employment contract
11 to turn any records over to his or her employer, responsibility for the preservation of the records
12 under this subsection shall rest with the employer.

13 (2) A person required to register as a lobbyist may not:

14 (A) Engage in any lobbying activity before registering as a lobbyist;

(B) Knowingly deceive or attempt to deceive any government officer or employee as to any fact pertaining to a matter which is the subject of lobbying activity;

(C) Cause or influence the introduction of any legislation for the purpose of thereafter being employed to secure its defeat;

(D) Exercise any undue influence, extortion, or unlawful retaliation upon any government officer or employee by reason of the government officer's or employee's position with respect to, or his or her vote upon, any matter which is the subject of lobbying activity;

(E) Exercise undue influence upon any legislator or other privately employed government officer or employee through communications with the person's employer;

(F) Give a gift to any government officer or employee in excess of or in violation of any limitations on gifts set forth in §6B-2-5(c) of this code, or give any gift, whether lawful or unlawful, to a government officer or employee without the government officer or employee's knowledge and consent.

§6B-3-9. Penalties.

(a) Any person who is required under the provisions of this article to file an application, statement, or report and who willfully and knowingly makes a false statement, conceals a material fact, or otherwise commits a fraud in the application, statement, or report, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or confined in a county or regional jail not more than one year, or both fined and confined.

(b) Any person who is subject to the registration and reporting requirements of this article may be the subject of a complaint filed with the Ethics Commission, and may be proceeded against in the same manner and to the same ends as a public officer or public employee under the provisions of this chapter, if he or she:

(1) Fails or refuses to register;

(2) Fails or refuses to file a required statement or report; or

(3) Otherwise violates the provisions of this article.

13 (c) Any person who willfully and knowingly files a false report under the provisions of this
14 article is liable in a civil action to any government officer or employee who sustains damage as a
15 result of the filing or publication of the report.

The Clerk of the House of Delegates and the Clerk of the Senate hereby
certify that the foregoing bill is correctly enrolled.

.....
Clerk of the House of Delegates

.....
Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

.....
Speaker of the House of Delegates

.....
President of the Senate

The within is this the.....
Day of, 2025.

.....
Governor