

1 **Rule 4.18. State Officer or Employee Representation of**  
2 **Others in Transactions involving the State.**

3 A. No state officer or employee shall receive or agree to  
4 receive compensation to represent or assist another individual  
5 or other entity in any transaction involving the state or to  
6 represent another individual or other entity before any state  
7 agency, unless authorized by law. The prohibitions in this  
8 section shall not apply to the practice of law before any court,  
9 nor shall they apply to members of boards, commissions,  
10 authorities and similar public bodies of state agencies for  
11 representation before state agencies other than the agency the  
12 member serves or an agency where the member has personally  
13 participated in any matter during his or her term of office.

14 B. 1. No individual who previously served as an elected state  
15 officer shall serve as a legislative lobbyist or legislative  
16 liaison until a period of Two (2) Years has passed since the  
17 individual's term of office ended. Nor shall such individual  
18 serve as an executive lobbyist, either at an agency under the  
19 elected state officer's official responsibility, or at an agency  
20 where the elected state officer personally participated in any  
21 matter during his or her term of office until a period of Two  
22 (2) Years has passed since the individual's term of office  
23 ended.

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1 2. No individual who previously served as an elected state  
2 officer shall represent another entity for compensation on any  
3 matter involving the agency he or she previously served until a  
4 period of Two (2) Years has passed since the individual's term  
5 of office ended. Nor shall such individual represent another  
6 entity for compensation at an agency that was within the elected  
7 state officer's official responsibility or at an agency where  
8 the elected state officer personally participated in any matter  
9 until a period of Two (2) Years has passed since the  
10 individual's term of office ended.

11 3. No individual who previously served as an elected state  
12 officer shall for compensation influence, or attempt to  
13 influence, actions involving the agency he or she previously  
14 served until a period of Two (2) Years has passed since the  
15 individual's term of office ended. Nor shall such individual  
16 for compensation influence, or attempt to influence, actions  
17 involving an agency that was within the elected state officer's  
18 official responsibility or at an agency where the elected state  
19 officer personally participated in any matter until a period of  
20 Two (2) Years has passed since the individual's term of office  
21 ended.

22 C.1. No individual who previously served as a chief  
23 administrative officer of an agency shall serve as a legislative

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1 lobbyist or legislative liaison until a period of Two (2) Years  
2 has passed since the individual served as a chief administrative  
3 officer.

4 2. No individual identified in (C) (1) shall serve as an  
5 executive lobbyist at the agency where the individual served as  
6 a chief administrative officer until a period of Two (2) Years  
7 has passed since the individual left the service of the agency  
8 where he or she served as a chief administrative officer.

9 Nor shall such person serve as an executive lobbyist at an  
10 agency where the individual personally participated in a matter  
11 until a period of Two (2) Years has passed since the individual  
12 participated in a matter involving the agency.

13 3. No individual who previously served as a chief administrative  
14 officer of an agency shall represent another entity for  
15 compensation on any matter at the agency where the individual  
16 previously served as a chief administrative officer until a  
17 period of Two (2) Years has passed since the individual left the  
18 service of the agency where he or she served as a chief  
19 administrative officer. Nor shall such an individual represent  
20 another entity for compensation at any agency where the  
21 individual personally participated in a matter until a period of  
22 Two (2) Years has passed since the individual participated in a  
23 matter involving the agency.

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1 4. No individual who previously served as a chief administrative  
2 officer of an agency shall for compensation influence, or  
3 attempt to influence, actions of the agency the state officer or  
4 employee previously served until a period of Two (2) Years has  
5 passed since the individual left the service of the agency where  
6 he or she served as a chief administrative officer.

7 Nor shall such individual for compensation influence, or attempt  
8 to influence, actions of an agency where the individual  
9 personally participated in a matter until a period of Two (2)  
10 Years has passed since the individual served in such position.

11 ED. Any individual identified in subsections (B) and (C) shall  
12 not lobby, or for compensation represent, influence or attempt  
13 to influence, actions of any agency regarding any matter in  
14 which that individual personally and substantially participated  
15 in during his or her term of office or while serving as a chief  
16 administrative officer of an agency.

17 DE. Provided, however, the Two (2) Year period in subsections  
18 (B) and (C) will not begin for any state officer who is elected,  
19 retained, or appointed until the term of office for which he or  
20 she was elected, retained, or appointed has ended.

21 EF. Subsections (B), (C) and (D) of this Rule shall not apply  
22 to an attorney representing a client in a legal, non-lobbying  
23 capacity in a court of law.

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**Rule 4.22. Waiver for Preexisting Relationship.**

A. Pre-Existing Relationship. A state officer or employee may apply to the Commission for a waiver of a Rule based on a preexisting relationship between the state officer or employee and a person whose status restricts or prohibits certain activities under these Rules.

B. Post-Service. A current or former ~~elected~~ state officer or employee who is impacted by the prohibitions in Rule 4.18 may request a waiver of the applicable provisions of Rule 4.18. Any waiver request pursuant to this provision by an individual who is at the time of the request ~~an-elected~~ state officer or employee, and the Commission's decision on the request, will remain confidential until a waiver is granted by the Commission, or until the individual is no longer ~~an-elected~~ state officer or employee. Provided, however, the Commission shall not release either a waiver request or decision on the request until the Commission has taken reasonable steps to notify the requestor of the release of information.

C. The Commission shall have exclusive authority and discretion to grant a waiver on a case-by-case basis, based upon the totality of circumstances and a finding that the purposes of these Rules will not be impeded or hindered by the waiver.

D. A waiver shall have only prospective application.

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1 E. The Commission may request whatever information it deems  
2 appropriate from an applicant, including but not limited to  
3 verified statements by the applicant or other persons impacted  
4 by the restriction.

5 F. The restrictions between a state officer or employee and a  
6 person whose status restricts or prohibits certain activities  
7 under these Rules shall not apply when the two are family  
8 members.

9 **Rule 5.3. Annual Registration for Legislative Liaison and**  
10 **Legislative Lobbyist.**

11 A. Each legislative liaison or legislative lobbyist shall be  
12 required to register with the Ethics Commission each year that  
13 the legislative liaison or legislative lobbyist engages in  
14 lobbying. Each legislative liaison or legislative lobbyist  
15 shall register or renew his or her registration with the  
16 Commission and pay any applicable fees no earlier than December  
17 1 of each year nor later than January 15 of the following year  
18 for the calendar year beginning January 1 or within five (5)  
19 days after engaging in lobbying on behalf of one or more  
20 lobbyist principals. Registration by legislative liaisons or  
21 legislative lobbyists shall be filed electronically, unless  
22 otherwise ordered by the Commission or the Executive Director of  
23 the Commission. Information on the registration shall include

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1 the legislative liaison or legislative lobbyist's name, business  
2 address, including electronic mail address and business  
3 telephone numbers, the name and address of each lobbyist  
4 principal by whom the liaison or lobbyist is employed or  
5 retained and the date of the registration.

6 B. No individual who previously served as an elected state  
7 officer shall register as a legislative lobbyist or legislative  
8 liaison until a period of Two (2) Years has passed since the  
9 individual's term of office ended.

10 C. No individual who previously served as a chief administrative  
11 officer of an agency shall serve as a legislative lobbyist or  
12 legislative liaison until a period of Two (2) Years has passed  
13 since the individual served as a chief administrative officer.

14 D. The Two (2) Year period in subsections (B) and (C) will not  
15 begin for any state officer who is elected, retained, or  
16 appointed until the term of office for which he or she was  
17 elected, retained, or appointed has ended.

18 **Rule 5.5. Annual Registration and Termination of Registration**  
19 **for Executive Lobbyist.**

20 A. Each executive lobbyist shall be required to register with  
21 the Ethics Commission. An executive lobbyist may register and  
22 pay any applicable fees no earlier than December 1 of each year  
23 nor later than January 15 of the following year for the calendar

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1 year beginning January 1 or within five (5) days after engaging  
2 in lobbying on behalf of one or more lobbyist principals.  
3 Registration by executive lobbyists shall be filed  
4 electronically, unless otherwise ordered by the Commission or  
5 the Executive Director of the Commission. Information on the  
6 registration shall include the executive lobbyist's name,  
7 business address, including electronic mail address and business  
8 telephone numbers, the name and address of each lobbyist  
9 principal by whom the lobbyist is employed or retained, the  
10 agency or agencies before which the lobbyist is lobbying and the  
11 date of the registration. The executive lobbyist may terminate  
12 his or her registration at any time by electronically filing a  
13 notice of termination on a form provided by the Commission and  
14 filing a final Executive Lobbyist Report. An executive lobbyist  
15 whose registration has not been terminated by November 30 of any  
16 year shall be required to register as provided in this  
17 subsection for the calendar year beginning the following January  
18 1. Until terminated, the registration shall remain effective,  
19 and the executive lobbyist shall be required to file Executive  
20 Lobbyist Reports as provided by these Rules.  
21 B. No individual who previously served as an elected state  
22 officer shall serve as an executive lobbyist at the agency  
23 previously served, at an agency within the elected state



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1 officer's official responsibility, or at an agency where the  
2 elected state officer personally participated in any matter  
3 during his or her term of office until a period of Two (2) Years  
4 has passed since the individual's term of office ended.

5 C. No individual who previously served as a chief administrative  
6 officer of an agency shall serve as an executive lobbyist at the  
7 agency previously served until a period of Two (2) Years has  
8 passed since the individual left the service of the agency where  
9 he or she served as a chief administrative officer.

10 Nor shall such individual serve as an executive lobbyist at any  
11 agency where he or she personally participated in a matter until  
12 a period of Two (2) Years has passed since the individual served  
13 in such position.

14 D. The Two (2) Year period in subsections (B) and (C) will not  
15 begin for any state officer who is elected, retained, or  
16 appointed until the term of office for which he or she was  
17 elected, retained, or appointed has ended.

18 **Rule 5.25. Waiver for Preexisting Relationship.**

19 A. Pre-existing Relationship. A state officer or employee may  
20 apply to the Commission for a waiver of a Rule based on a  
21 preexisting relationship between the state officer or employee  
22 and a legislative liaison, legislative lobbyist or executive  
23 lobbyist.

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1 B. Post-Service Waiver. A current or former ~~elected~~ state  
2 officer or employee, impacted by the restrictions in Rules 5.3  
3 or 5.5 may request a waiver of the applicable rule(s). Any  
4 waiver request by an individual who is at the time of the  
5 request an ~~elected~~ state officer or employee, and the  
6 Commission's decision on the request, will remain confidential  
7 until a waiver is granted by the Commission, or until the  
8 individual is no longer an ~~elected~~ state officer or employee.  
9 Provided, however, the Commission shall not publicly release  
10 either a waiver request or decision on the request until the  
11 Commission has taken reasonable steps to notify the requestor of  
12 the release of information.

13 C. The Commission shall have exclusive authority and discretion  
14 to grant a waiver on a case-by-case basis, based upon the  
15 totality of circumstances and a finding that the purposes of  
16 these Rules will not be impeded or hindered by the waiver.

17 D. A waiver shall have only prospective application.

18 E. The Commission may request whatever information it deems  
19 appropriate from an applicant, including but not limited to  
20 verified statements by the applicant and/or other persons  
21 impacted by the restriction.

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1 F. The restrictions between a state officer or employee and a  
2 legislative liaison, legislative lobbyist or executive lobbyist  
3 shall not apply when the two are family members.  
4

5 EFFECTIVE DATES: The changes in this amendment will become  
6 effective upon Sine Die Adjournment of the 2018 regular  
7 legislative session and will not retroactively impact any  
8 individual who left state service prior to the effective date.