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

A. No state officer or employee shall receive or agree to receive compensation to represent or assist another individual or other entity in any transaction involving the state or to represent another individual or other entity before any state agency, unless authorized by law. The prohibitions in this section shall not apply to the practice of law before any court, nor shall they apply to members of boards, commissions, authorities and similar public bodies of state agencies for representation before state agencies other than the agency the member serves.

B. 1. No individual who previously served as an elected state officer shall serve as a legislative lobbyist or legislative liaison until a period of Two (2) Years has passed since the individual’s term of office ended. Nor shall such individual serve as an executive lobbyist, either at an agency under the elected state officer’s official responsibility, or at an agency where the elected state officer personally participated in any matter during his or her term of office until a period of Two (2) Years has passed since the individual’s term of office ended.
2. No individual who previously served as an elected state officer shall represent another entity for compensation on any matter involving the agency he or she previously served until a period of Two (2) Years has passed since the individual’s term of office ended. Nor shall such individual represent another entity for compensation at an agency that was within the elected state officer’s official responsibility or at an agency where the elected state officer personally participated in any matter until a period of Two (2) Years has passed since the individual’s term of office ended.

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

C. Any individual identified in subsection (B) shall not lobby, or for compensation represent, influence or attempt to...
influence, actions of any agency regarding any matter in which
that individual personally and substantially participated in
during his or her term of office.
D. Provided, however, the Two (2) Year period in subsection (B)
will not begin for any state officer who is elected, retained,
or appointed until the term of office for which he or she was
elected, retained, or appointed has ended.
E. Subsections (B) and (D) of this Rule shall not apply to an
attorney representing a client in a legal, non-lobbying capacity
in a court of law.

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 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, 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. Provided, however, the Commission shall not publicly 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.

E. The Commission may request whatever information it deems appropriate from an applicant, including but not limited to verified statements by the applicant or the person with whom a preexisting relationship is claimed other persons impacted by the restriction.

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

Rule 5.3. Annual Registration for Legislative Liaison and Legislative Lobbyist.

A. Each legislative liaison or legislative lobbyist shall be required to register with the Ethics Commission each year that
the legislative liaison or legislative lobbyist engages in lobbying. Each legislative liaison or legislative lobbyist shall register or renew his or her registration with the Commission and pay any applicable fees no earlier than December 1 of each year nor later than January 15 of the following year for the calendar year beginning January 1 or within five (5) days after engaging in lobbying on behalf of one or more lobbyist principals. Registration by legislative liaisons or legislative lobbyists shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Information on the registration shall include the legislative liaison or legislative lobbyist’s name, business address, including electronic mail address and business telephone numbers, the name and address of each lobbyist principal by whom the liaison or lobbyist is employed or retained and the date of the registration.

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

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

Rule 5.5. Annual Registration and Termination of Registration for Executive Lobbyist.

A. Each executive lobbyist shall be required to register with the Ethics Commission. An executive lobbyist may register and pay any applicable fees no earlier than December 1 of each year nor later than January 15 of the following year for the calendar year beginning January 1 or within five (5) days after engaging in lobbying on behalf of one or more lobbyist principals.

Registration by executive lobbyists shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Information on the registration shall include the executive lobbyist’s name, business address, including electronic mail address and business telephone numbers, the name and address of each lobbyist principal by whom the lobbyist is employed or retained, the agency or agencies before which the lobbyist is lobbying and the date of the registration. The executive lobbyist may terminate his or her registration at any time by electronically filing a notice of termination on a form provided by the Commission and filing a final Executive Lobbyist Report. An executive lobbyist whose registration has not been terminated by November 30 of any
year shall be required to register as provided in this subsection for the calendar year beginning the following January 1. Until terminated, the registration shall remain effective, and the executive lobbyist shall be required to file Executive Lobbyist Reports as provided by these Rules.

B. No individual who previously served as an elected state officer shall serve as an executive lobbyist at the agency previously served, at an agency within the elected state officer’s official responsibility, or at an agency where the elected state officer personally participated in any matter during his or her term of office until a period of Two (2) Years has passed since the individual’s term of office ended.

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

Rule 5.25. 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 legislative liaison, legislative lobbyist or executive lobbyist.
B. Post-Service Waiver. A current or former elected state officer, impacted by the restrictions in Rules 5.3 or 5.5 may request a waiver of the applicable rule(s). Any waiver request by an individual who is at the time of the request an elected state officer, 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. Provided, however, the Commission shall not publicly 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.

E. The Commission may request whatever information it deems appropriate from an applicant, including but not limited to verified statements by the applicant and/or the legislative liaison, legislative lobbyist or executive lobbyist with whom a preexisting relationship is claimed other persons impacted by the restriction.
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1. The restrictions between a state officer or employee and a legislative liaison, legislative lobbyist or executive lobbyist shall not apply when the two are family members.

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