

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.

13 B. 1. No individual who previously served as an elected state
14 officer shall serve as a legislative lobbyist or legislative
15 liaison until a period of Two (2) Years has passed since the
16 individual's term of office ended. Nor shall such individual
17 serve as an executive lobbyist, either at an agency under the
18 elected state officer's official responsibility, or at an agency
19 where the elected state officer personally participated in any
20 matter during his or her term of office until a period of Two
21 (2) Years has passed since the individual's term of office
22 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. Any individual identified in subsection (B) shall not lobby,
23 or for compensation represent, influence or attempt to

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1 influence, actions of any agency regarding any matter in which
2 that individual personally and substantially participated in
3 during his or her term of office.

4 D. Provided, however, the Two (2) Year period in subsection (B)
5 will not begin for any state officer who is elected, retained,
6 or appointed until the term of office for which he or she was
7 elected, retained, or appointed has ended.

8 E. Subsections (B) and (D) of this Rule shall not apply to an
9 attorney representing a client in a legal, non-lobbying capacity
10 in a court of law.

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

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

17 B. Post-Service. A current or former elected state officer who
18 is impacted by the prohibitions in Rule 4.18 may request a
19 waiver of the applicable provisions of Rule 4.18. Any waiver
20 request pursuant to this provision by an individual who is at
21 the time of the request an elected state officer, and the
22 Commission's decision on the request, will remain confidential
23 until a waiver is granted by the Commission, or until the

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1 individual is no longer an elected state officer. Provided,
2 however, the Commission shall not publicly release either a
3 waiver request or decision on the request until the Commission
4 has taken reasonable steps to notify the requestor of the
5 release of information.

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

10 D. A waiver shall have only prospective application.

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

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

20 **Rule 5.3. Annual Registration for Legislative Liaison and**
21 **Legislative Lobbyist.**

22 A. Each legislative liaison or legislative lobbyist shall be
23 required to register with the Ethics Commission each year that

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

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

21 C. The Two (2) Year period in subsection (B) will not begin for
22 any state officer who is elected, retained, or appointed until

1 the term of office for which he or she was elected, retained, or
2 appointed has ended.

3 **Rule 5.5. Annual Registration and Termination of Registration**
4 **for Executive Lobbyist.**

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

11 Registration by executive lobbyists shall be filed
12 electronically, unless otherwise ordered by the Commission or
13 the Executive Director of the Commission. Information on the
14 registration shall include the executive lobbyist's name,
15 business address, including electronic mail address and business
16 telephone numbers, the name and address of each lobbyist
17 principal by whom the lobbyist is employed or retained, the
18 agency or agencies before which the lobbyist is lobbying and the
19 date of the registration. The executive lobbyist may terminate
20 his or her registration at any time by electronically filing a
21 notice of termination on a form provided by the Commission and
22 filing a final Executive Lobbyist Report. An executive lobbyist
23 whose registration has not been terminated by November 30 of any

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1 year shall be required to register as provided in this
2 subsection for the calendar year beginning the following January

3 1. Until terminated, the registration shall remain effective,
4 and the executive lobbyist shall be required to file Executive
5 Lobbyist Reports as provided by these Rules.

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

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

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

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

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

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

16 D. A waiver shall have only prospective application.

17 E. The Commission may request whatever information it deems
18 appropriate from an applicant, including but not limited to
19 verified statements by the applicant and/or ~~the legislative~~
20 ~~liaison, legislative lobbyist or executive lobbyist with whom a~~
21 ~~preexisting relationship is claimed~~ other persons impacted by
22 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.