

## **FAQs for Lobbyists before Executive Branch Agencies**

**Lobbyists are urged to read the full text of the law (Section 112.3215, Florida Statutes, as amended by Chapters 2005-359 and 2006-275, Laws of Florida, and Commission on Ethics Rule Chapter 34-12, Florida Administrative Code).**

### **1. Who is required to register in order to lobby?**

Lobbyists must register. A lobbyist is anyone who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby an agency on behalf that other person or governmental entity.

### **2. When do lobbyists register?**

Prior to lobbying for the principal, for each principal represented.

### **3. What is a principal?**

The person, firm, corporation, governmental entity, or other entity which has employed or retained a lobbyist.

### **4. How do lobbyists register?**

Beginning on January 1, 2015, individuals seeking to register to lobby the Executive Branch or who wish to renew existing registrations to lobby the Executive Branch may do so electronically via the Lobbyist Registration and Compensation Reporting system available at [www.floridalobbyist.gov](http://www.floridalobbyist.gov). Alternatively, lobbyists wishing to register to lobby the Executive Branch may do so by filing a completed CE Form 20 – Registration Form, along with the Authorization to Represent Principal, and paying the registration fee. Forms are furnished upon request by the Lobbyist Registration Office (LRO) available at 850/922-4990.

### **5. When are registrations effective?**

When all of the required information, including information required to be provided under oath, and the principal authorization(s) have been received by the LRO, and the fee has been

paid. Do not lobby until the registration is effective.

## **6. How long are registrations effective?**

The registration cycle is a calendar year beginning January 1 and ending December 31.

## **7. What information is required to register as a lobbyist?**

The lobbyist's name, business address, telephone number, and areas of interest; the principal represented and principal's business address; the lobbying firm (if applicable); the lobbying firm's mailing address and telephone number; whether the lobbyist has a business association, partnership, or financial relationship with any employee of an agency that will be lobbied; and those agencies the lobbyist will lobby. Registration information is required to be stated under oath. If the lobbyist elects to register electronically via use of Lobbyist Registration and Compensation Reporting system available at [www.floridalobbyist.gov](http://www.floridalobbyist.gov), the lobbyist's email address as well as the email addresses of the lobbyist's firm(s) and principal(s) will also be required. The telephone number of each principal will also be necessary.

## **8. Must lobbyists have permission in order to register?**

Their principals must authorize them to lobby. The authorization to represent the principal, which includes the principal's six-digit NAICS code, must be signed by the principal or principal's representative and provided to the LRO. If the lobbyist elects to register electronically via use of Lobbyist Registration and Compensation Reporting system available at [www.floridalobbyist.gov](http://www.floridalobbyist.gov), the online system will provide a mechanism to enable the principal(s) to provide authorizations for representation(s) electronically.

## **9. What is the registration fee?**

Lobbyists must pay \$25 per principal, which must be provided in conjunction with their registration. There is no charge if the lobbyist later amends his or her registration to lobby additional agencies.

## **10. Are there any exemptions to the registration fee?**

No. However, the definition of "lobbyist" does not include: an attorney, or other person, who represents a client in a judicial proceeding or in a formal administrative proceeding conducted

pursuant to Ch. 120, F.S. or any other formal hearing before an agency, board commission, or authority of this state; an employee of an agency or of a legislative or judicial branch entity acting in the normal course of his or her duties; a confidential informant who is providing, or wishes to provide, confidential information to be used for law enforcement purposes; or a person who lobbies to procure a contract pursuant to Ch. 287, F.S., which is less than \$20,000.

**11. What should lobbyists do if they no longer represent a principal?**

Cancel their registration immediately either via the Lobbyist Registration and Compensation Reporting system available at [www.floridalobbyist.gov](http://www.floridalobbyist.gov) or on a Cancellation Form furnished by the LRO. Principals may also submit a letter canceling their lobbyists' registrations. Cancellations are effective upon receipt by the LRO.

**12. What should lobbyists do if their registration information changes during the year?**

Notify the LRO within 15 days of any changes either via the Lobbyist Registration and Compensation Reporting system located at [www.floridalobbyist.gov](http://www.floridalobbyist.gov) or through the submission of a completed "Changes in Executive Branch Lobbyist Registration Information Form" furnished by the LRO.

**13. What should a lobbyist do if he or she registered for a principal and the principal subsequently changed its name?**

If a lobbyist registered for a principal, for example Blue Green Dot Consulting, Inc, and the principal subsequently changes its name to Green Dot Consulting, Inc., then the lobbyist must cancel the current registration for the principal under the old name and register and obtain authorization under the new name of the principal, and pay the \$25 registration fee.

**14. Where may lobbyists obtain complimentary copies of the requisite forms?**

Lobbyist may obtain all forms upon request from the LRO located in the Pepper Building at 111 W. Madison Street, Room G-68, Tallahassee, FL 32399-1425 or via telephone at 850/922-4990.

**15. May lobbyists receive contingency fees?**

No. No person may, in whole or in part, pay, give, or receive, or agree to pay, give or receive a

contingency fee. However, this prohibition does not apply to claims bills, or to a salesperson from receiving compensation or a commission as part of a bona fide contractual relationship with the company paying the compensation or commission.

#### **16. What is compensation?**

Payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

#### **17. Who is required to disclose compensation?**

Lobbying firms. Every lobbying firm must submit a Compensation Report for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal.

#### **18. What is a lobbying firm?**

"Lobbying firm" means any business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying, where any partner, owner, officer or employee of the business entity is a lobbyist. An association, a governmental entity, a corporation, or other business entity that does not derive compensation from principals for lobbying is not a "lobbying firm," and neither are its employee-lobbyists.

#### **19. What are the filing requirements for a compensation report?**

Compensation reports must be created and submitted through the Lobbyist Registration and Compensation Reporting system, not later than 11:59 p.m. Eastern on the date of the filing deadline. Proof of filing will be by electronic receipt indicating the date and time that the report was submitted. Lobbying firms may access the Lobbyist Registration and Compensation Reporting system at [www.floridalobbyist.gov](http://www.floridalobbyist.gov).

#### **20. When is the deadline for filing Compensation Reports?**

Reports are filed for each calendar quarter during any portion of which one or more of the lobbying firm's lobbyists were registered to represent a principal. The four quarters are:

January 1- March 31, April 1 – June 30, July 1 – September 30, and October 1- December 31. Reports must be filed no later than 45 days after the end of each quarter.

**21. What information is required on the Compensation Report?**

The lobbying firm's full name, business address, and phone number; the name of each of the firm's registered lobbyists; the total compensation provided or owed to the lobbying firm from all principals for the quarter; the principal's full name, business address and phone number; total compensation provided or owed to the firm for each principal represented.

**22. What if the lobbying firm subcontracts work from another firm and not from the originating principal?**

The lobbying firm providing the work to be subcontracted is treated as the reporting lobbying firm's "principal" for compensation reporting purposes. The reporting lobbying firm must state the name and address of the principal that originated the lobbying work.

**23. Are there fines for filing a Compensation Report after the deadline?**

The fine is \$50 per report for each day late, not to exceed \$5,000 per report. If a lobbying firm fails to pay a fine timely, then all the registrations for lobbyists who are partners, owners, officers, or employees of a lobbying firm are automatically suspended until the fine is paid or waived.

**24. Who do I call if I have questions?**

The Commission on Ethics administers the Executive Branch Lobbyist registration and reporting requirements. It has co-located Commission employees in the LRO maintained in the Pepper Building, and you may contact them directly at 850/922-4990 for further assistance. The Commission's main office can be reached at 850/488-7864.