

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS**

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Board of Elections and Ethics pursuant to the authority set forth in D.C. Official Code § 1-1103.01 (b-1) (1) (2011 Repl.), hereby gives notice of its intent to adopt the following amendments to chapter 31, Lobbying, of title 3 of the District of Columbia Municipal Regulations no less than thirty (30) days from the date of the publication of this notice in the *D.C. Register*.

The proposed amendments represent updates to the rules of the Board's Office of Campaign Finance (OCF). Specifically, the rules will require each person who registers as a lobbyist pursuant to D.C. Official Code § 1-1105.02 (2011 Repl.), to pay a registration fee of two hundred fifty dollars (\$250); if the lobbyist lobbies solely for non-profit organizations, the fee is fifty dollars (\$50). This change was mandated by section 1271 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-1105.02).

Section 3100, Registration Requirements, of Chapter 31, Lobbying, of 3 DCMR, is amended to read as follows:

3100 REGISTRATION REQUIREMENTS

- 3100.1 A person shall register as a lobbyist with the Director by filing the Lobbyist Registration Form and paying the registration fee of two hundred fifty dollars (\$250) or, in the case of lobbyists who lobby solely for nonprofit organizations, fifty dollars (\$50), if that person:
- (a) Receives compensation of two hundred fifty dollars (\$250) or more in any three (3) consecutive calendar month period for lobbying;
 - (b) Receives compensation from more than one (1) source which totals two hundred fifty dollars (\$250) or more in any three (3) consecutive month period for lobbying; and
 - (c) Expends funds of two hundred fifty dollars (\$250) or more in any three (3) consecutive calendar month period for lobbying.
- 3100.2 Each law firm, association, or business entity employed to lobby on behalf of any person, shall register as a lobbyist; provided, that the partner, member, or employee assigned to perform lobbying duties on behalf of the registered entity, shall be listed as a lobbyist on the Lobbyist Registration Form under § 3100.6.
- 3100.3 Each individual, association, or business entity which directly employs a person in-house or retains a law firm, association, or business entity to lobby on its behalf shall register in the name of the respective entity; provided, that the person in-house, law firm, association, or business entity retained to lobby for the registrant shall be listed as a lobbyist working for the registrant on the Lobbyist Registration Form under § 3100.6.

- 3100.4 Each law firm, association, or business entity employed to lobby on behalf of any person shall file a separate Lobbyist Registration Form for each person from whom compensation is received. For example, registration forms shall not be consolidated if the law firm, association, or business entity is compensated from more than one (1) source.
- 3100.5 Each person who pays another person to lobby on their behalf is the compensating registrant, and shall register as a lobbyist and file a separate Lobbyist Registration Form, independent of any registration filed under § 3100.6.
- 3100.6 The Lobbyist Registration Form shall include the following information:
- (a) Registrant's name, permanent address, and temporary address, if any, while lobbying;
 - (b) Name and address of each person designated to lobby on behalf of the registrant;
 - (c) Name, address, and nature of the business of any person who compensates the registrant and the terms of the compensation;
 - (d) Identification, by formal designation if known, of matters on which the registrant expects to lobby; and
 - (e) Registrant's verification under oath of the required information; provided, that if the registrant is not an individual, an authorized officer or agent of the registrant (other than the lobbyist retained by contract to provide lobbying services) shall sign the form."

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Office of the General Counsel, Board of Elections and Ethics, 441 4th Street, N.W., Suite 270N, Washington, D.C. 20001. Copies of the proposed rules may be obtained at cost from the above address, Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m.