

## **Who IS and IS NOT a Lobbyist?**

As Defined in Section 36-25-1(21)(a)(1-4) a **Lobbyist** is:

**“a.** The term lobbyist includes any of the following:

- 1.** A person who receives compensation or reimbursement from another person, group, or entity to lobby.
- 2.** A person who lobbies as a regular and usual part of employment, whether or not any compensation in addition to regular salary and benefits is received.
- 3.** A consultant to the state, county, or municipal levels of government or their instrumentalities, in any manner employed to influence legislation or regulation, regardless whether the consultant is paid in whole or part from state, county, municipal, or private funds.
- 4.** An employee, a paid consultant, or a member of the staff of a lobbyist, whether or not he or she is paid, who regularly communicates with members of a legislative body regarding pending legislation and other matters while the legislative body is in session.”

As Defined in Section 36-25-1(21)(b)(1-8) a **Lobbyist** is NOT:

**“b.** The term lobbyist does not include any of the following:

- 1.** An elected official on a matter which involves that person’s official duties.
- 2.** A person or attorney rendering professional services in drafting bills or in advising clients and in rendering opinions as to the construction and effect of proposed or pending legislation, executive action, or rules or regulations, where those professional services are not otherwise connected with legislative, executive, or regulatory action.

**Section 36-25-1(21)(b)(1-8), cont.**

- 3.** Reporters and editors while pursuing normal reportorial and editorial duties.
- 4.** Any citizen not expending funds as set out above in paragraph a.3. or not lobbying for compensation who contacts a member of a legislative body, or gives public testimony on a particular issue or on particular legislation, or for the purpose of influencing legislation and who is merely exercising his or her constitutional right to communicate with members of a legislative body.
- 5.** A person who appears before a legislative body, a regulatory body, or an executive agency to either sell or purchase goods or services.
- 6.** A person whose primary duties or responsibilities do not include lobbying, but who may, from time to time, organize social events for members of a legislative body to meet and confer with members of professional organizations and who may have only irregular contacts with members of a legislative body when the body is not in session or when the body is in recess.
- 7.** A person who is a member of a business, professional, or membership organization by virtue of the person's contribution to or payment of dues to the organization even though the organization engages in lobbying activities.
- 8.** A state governmental agency head or his or her designee who provides and/or communicates information relating to policy and/or positions affecting said governmental agencies which they represent.