



Notice of Adoption

Office of the Secretary of State
Rules Concerning Lobbyist Regulation
8 CCR 1505-8

April 9, 2015

I. Adopted Rule Amendments

As authorized by Colorado laws regarding lobbyist regulation¹ and the State Administrative Procedure Act², the Colorado Secretary of State gives notice that the following amendments to the rules concerning lobbyist regulation³ are adopted on a permanent basis.

The following rules were considered at the March 30, 2015 rulemaking hearing in accordance with the State Administrative Procedure Act.

Please note the following formatting key:

Font effect	Meaning
Sentence case	Retained/modified current rule language
SMALL CAPS	New language
Strikethrough	Deletions
<i>[Italic blue font text]</i>	Annotations and publication notes

[Current 8 CCR 1505-8 is amended as follows:]

Rule 2.2.3 concerning professional lobbyists is repealed:

~~2.2.3 In accordance with section 24-6-302(2.5)(a), C.R.S., the following must file separate registration statements:~~

~~(a) An individual that owns or is employed by a principal organized for lobbying purposes; and~~

~~(b) The principal.~~

¹ Part 3 of Article 6 of Title 24, C.R.S. (2014).

² Section 24-4-103, C.R.S. (2014).

³ 8 CCR 1505-8.

Amendments to Rule 3.2.2 concerning professional lobbyist disclosure:

3.2.2 ~~The following subcontractor-SUBCONTRACTOR requirements apply to a lobbyist or any firm organized for professional lobbying purposes that contracts to perform any lobbying activities for another lobbyist or lobbying firm.~~

- (a) A lobbyist or lobbying firm that subcontracts lobbying activities to another lobbyist or lobbying firm must disclose:
 - (1) The name of each subcontractor;
 - (2) The date and amount of each payment or other compensation ~~for subcontracting work~~ MADE TO EACH SUBCONTRACTOR; and
 - (3) The name of the ~~principal~~-CLIENT for whom the subcontractor is performing the lobbying activities.
- (b) A subcontractor that performs lobbying activities for another lobbyist or lobbyist firm must disclose:
 - (1) The name of the lobbyist or lobbying firm ~~paying~~-THAT ENGAGED the subcontractor to perform lobbying activities;
 - (2) The date and amount of each payment or other compensation received from the lobbyist or lobbying firm for performing lobbying activities; and
 - (3) ~~a~~-A description of the lobbying activity, THE position taken, and the name of the ~~principal~~-CLIENT for whom the subcontractor performs the lobbying activities-LOBBIES.

Amendments to Rule 5.3.1 (Rules 5.3.1(f) and (g) are renumbered as (e) and (f)):

5.3.1 A registered professional lobbyist or lobbyist firm may ask the Secretary of State to excuse or reduce an imposed fine by submitting a written request by mail, email, fax, or hand-delivery within 30 days of the imposition of fine. The request ~~should~~-MUST include:

- (a) The professional lobbyist's name;
- (b) The request date;
- (c) The due date of the delinquently filed disclosure statement;
- (d) The filing date the professional lobbyist actually filed the disclosure statement;
- ~~(f)~~(E) Any measures the professional lobbyist or firm has instituted or ~~plans to~~ WILL institute to avoid future delinquencies, if applicable; and

(g)(F) A brief summary of the reason, circumstance, or other justification of the bona fide personal emergency;

[The remainder of Rule 5.3.1 is retained unaltered]

Amendment to Rule 6.2 concerning collections:

6.2 The Secretary of State will remove a registration statement restriction if a ~~Lobbyist~~ LOBBYIST or firm with penalties in collections is making payments and showing a good faith effort to cure the fine.

II. Basis, Purpose, and Specific Statutory Authority

A Statement of Basis, Purpose, and Specific Statutory Authority follows this notice and is incorporated by reference.

III. Effective Date of Adopted Rules

These new and amended rules will become permanently effective twenty days after publication in the Colorado Register.⁴

Dated this 9th day of April, 2015,



Suzanne Staiert
Deputy Secretary of State

For

Wayne W. Williams
Colorado Secretary of State

⁴ Section 24-4-103(5), C.R.S. (2014).



Statement of Basis, Purpose, and Specific Statutory Authority

Office of the Secretary of State Rules Concerning Lobbyist Regulation 8 CCR 1505-8

April 9, 2015

I. Basis and Purpose

This statement explains amendments to the Colorado Secretary of State Rules Concerning Lobbyist Regulation. The amendments are intended to ensure uniform and proper administration, implementation, and enforcement of Colorado lobbyist regulation law¹ as follows:

- Rule 2.2.3, concerning registration statements, is duplicative of statute and repealed as unnecessary.
- Amendments to Rule 2.2.3 simplify language and update terminology in accordance with Senate Bill 14-217.
- Amendments to Rule 5.3.1 correct numbering.
- Non-substantive revisions to simplify or clarify words and phrases and other technical revisions as is necessary for consistency with Department rulemaking format and style.

II. Statutory Rulemaking Authority

- Section 24-6-305 (2) (b), C.R.S. (2014), which authorizes the Secretary of State to adopt rules and regulations to define, interpret, implement, and enforce the provisions of the Colorado lobbyist regulation law (Part 3, Article 6, Title 24 of the Colorado Revised Statutes).

¹ Part 3 of Article 6 of Title 24, C.R.S. (2014).