

LOBBYING AND MONTANA'S 2023 LEGISLATIVE SESSION



WHAT IS LOBBYING?

- Lobbying is defined as “the practice of promoting or opposing the introduction or enactment of legislation before the legislature or legislators” and “the practice of promoting or opposing official action of any legislator or the legislature”, [5-7-102\(11\)\(a\), MCA](#).
 - Examples of lobbying would include testifying in support of Senate Bill 123 in a state Senate committee hearing, or speaking with individual legislators encouraging them to oppose House Bill 456.
- Lobbying does not include actions performed “by a public official, an elected local official, an elected federal official, or an elected tribal official while acting in an official governmental capacity”, [5-7-102\(11\)\(b\), MCA](#).

WHAT IS A LOBBYIST?

- A *lobbyist* is “a person who engages in the practice of lobbying”, [5-7-102\(12\)\(a\), MCA](#).
- Any lobbyist paid \$2,900 or more to lobby must register with COPP by filing form L-1, the lobbyist license application

DO I NEED TO REGISTER AS A LOBBYIST?

Yes, if:

You are a lobbyist paid \$2,900 or more to lobby

No, if:

1. You are an individual lobbying solely on your own behalf, or
2. You are a lobbyist but total compensation is less than \$2,900

WHAT IS A PRINCIPAL?

- A *principal* is a person/entity who employs a lobbyist, [5-7-102\(15\), MCA](#)
- This includes businesses, associations, government agencies and others who pay lobbyists to work on their behalf
- Any principal who pays \$2,900 or more for lobbying must register with COPP by filing form L-2 (the Principal Authorization Statement) or L-3 (the Principal Registration Application)

DO I NEED TO REGISTER WITH COPP AS A PRINCIPAL?

Yes, if:

You are a principal who provides payment of \$2,900 or more to lobbyist/s

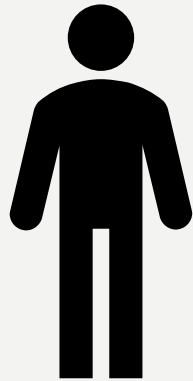
No, if:

You are a principal making payment/s to lobbyist/s, but at a total less than \$2,900

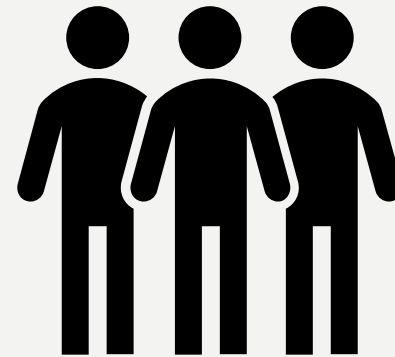
HOW DO I DECIDE WHAT FORM I NEED TO REGISTER AS A PRINCIPAL?

To decide what **Principal Authorization Statement** to fill out, ask:

Have you paid or intend to pay **more than \$2,900** to an individual lobbyist to lobby on your behalf? If so, you would file a Principal Authorization Statement, form L-2



Have you paid or intend to pay more than \$2,900 to lobbyists to lobby on your behalf, but no individual lobbyist will receive \$2,900 or more? If so, you would file a Principal Registration Application, form L-3.



HOW DO I REGISTER WITH COPP?

Step 1

- **The lobbyist submits form L-1, the lobbyist license application**
- A lobbyist must register within five business days after entering into an oral or written agreement to receive payment of \$2,900 or more or after receiving payment of \$2,6900 or more for the purposes of lobbying the legislature

Step 2

- **The lobbyist or principal pays the \$150.00 lobbyist registration fee**
- This can be paid by either the principal on behalf of the lobbyist or the lobbyist personally

Step 3

- **The principal submits form L-2, the Principal Authorization Statement, or form L-3, the Principal Registration Application**
- Form L-2 authorizes a lobbyist to lobby on behalf of the principal, and must be filed to authorize each individual lobbyist paid \$2,900 or more
- Form L-3 registers a principal and discloses that total spending by the principal will meet or exceed \$2,900, but no individual lobbyist will be paid that amount

QUICK LOBBYING FORM REVIEW

- **L1: Lobbyist License Application**
 - **Filed by the lobbyist if paid \$2,650* or more to lobby**
- **L2: Principal Authorization Statement**
 - **Filed by the principal if providing payment of \$2,900 or more to a single lobbyist**
- **L3: Principal Registration Application**
 - **Filed by the principal if payment/s made to lobbyist/s total \$2,900 or more, but no individual lobbyist is paid that amount**

PRINCIPALS TO FILE FINANCE REPORTS WITH COPP!

All registered Principals are required to periodically report lobbying payments made to support or assist lobbying activity via form L-5!

The L-5 report tracks:

- Payments or other monetary compensation provided to the lobbyist/s authorized to lobby on the Principal's behalf. This includes lobbyists who are paid but will not meet the threshold amount and are not required to register with the COPP;
- The cost of support staff, administrative fees (office rent, internet, etc.), or travel expenses paid to support or assist lobbying activity;
- Equipment, advertising, or supplies or social expenditures used to support or assist lobbying activity; and
- Expenditures associated with entertainment events (dinners, banquets, socials, etc.) meant to lobby individual members of the legislature.

PRINCIPALS TO FILE FINANCE REPORTS WITH COPP!

- Report Due Dates:
 - February 15, 2023- **MANDATORY** Initial Report (covers January 2023)
 - March 15, 2023- February monthly report (covers February of 2023)- required only if monthly spending in February totals \$5,000.00 or more
 - April 15, 2023- March monthly report (covers March of 2023)- required only if monthly spending in March totals \$5,000.00 or more
 - 30 days after session- **MANDATORY** Post-session report, due 30 days after the session adjourns (covers the end date of last report filed through the end of the session)
 - Complete calendar is available on the COPP's website

PRINCIPALS TO FILE FINANCE REPORTS WITH COPP!

- Reports must be received by 5:00 p.m. on the due date. Reports can be filed:
 - Electronically, using the [Principal and Lobbyist Online Reporting System](#)
 - Hard copy (paper)- via mail (P.O. Box 202401, Helena, MT 59620-2401), fax (406-444-1643), or hand-delivery (1209 8th Avenue, Helena, MT)
- *There is a \$50/day penalty for late reports!*

QUESTIONS?

1. Call us! 444-2942
2. Email us at cppcompliance@mt.gov or cpphelp@mt.gov
3. Check out our website, specifically the Legislative Session and Lobbying page: <https://politicalpractices.mt.gov/Home/Legislative-Session-and-Lobbying/>

