



Rep. Joyce Mason

**Filed: 5/18/2020**

10100HB0400ham001

LRB101 03013 RJF 70614 a

1 AMENDMENT TO HOUSE BILL 400

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 400 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Lobbyist Registration Act is amended by  
5 changing Section 3 as follows:

6 (25 ILCS 170/3) (from Ch. 63, par. 173)

7 Sec. 3. Persons required to register.

8 (a) Except as provided in Section 9, any natural person  
9 who, for compensation or otherwise, undertakes to lobby, or any  
10 person or entity who employs or compensates another person for  
11 the purposes of lobbying, shall register with the Secretary of  
12 State as provided in this Act, unless that person or entity  
13 qualifies for one or more of the following exemptions.

14 (1) Persons or entities who, for the purpose of  
15 influencing any executive, legislative, or administrative  
16 action and who do not make expenditures that are reportable

1           pursuant to Section 6, appear without compensation or  
2           promise thereof only as witnesses before committees of the  
3           House and Senate for the purpose of explaining or arguing  
4           for or against the passage of or action upon any  
5           legislation then pending before those committees, or who  
6           seek without compensation or promise thereof the approval  
7           or veto of any legislation by the Governor.

8           (1.4) A unit of local government or a school district.

9           (1.5) An elected or appointed official or an employee  
10          of a unit of local government or school district who, in  
11          the scope of his or her public office or employment, seeks  
12          to influence executive, legislative, or administrative  
13          action exclusively on behalf of that unit of local  
14          government or school district.

15          (2) Persons or entities who own, publish, or are  
16          employed by a newspaper or other regularly published  
17          periodical, or who own or are employed by a radio station,  
18          television station, or other bona fide news medium that in  
19          the ordinary course of business disseminates news,  
20          editorial or other comment, or paid advertisements that  
21          directly urge the passage or defeat of legislation. This  
22          exemption is not applicable to such an individual insofar  
23          as he or she receives additional compensation or expenses  
24          from some source other than the bona fide news medium for  
25          the purpose of influencing executive, legislative, or  
26          administrative action. This exemption does not apply to

1 newspapers and periodicals owned by or published by trade  
2 associations and not-for-profit corporations engaged  
3 primarily in endeavors other than dissemination of news.

4 (3) Persons or entities performing professional  
5 services in drafting bills or in advising and rendering  
6 opinions to clients as to the construction and effect of  
7 proposed or pending legislation when those professional  
8 services are not otherwise, directly or indirectly,  
9 connected with executive, legislative, or administrative  
10 action.

11 (4) Persons or entities who are employees of  
12 departments, divisions, or agencies of State government  
13 and who appear before committees of the House and Senate  
14 for the purpose of explaining how the passage of or action  
15 upon any legislation then pending before those committees  
16 will affect those departments, divisions, or agencies of  
17 State government.

18 (5) Employees of the General Assembly, legislators,  
19 legislative agencies, and legislative commissions who, in  
20 the course of their official duties only, engage in  
21 activities that otherwise qualify as lobbying.

22 (6) Persons or entities in possession of technical  
23 skills and knowledge relevant to certain areas of  
24 executive, legislative, or administrative actions, whose  
25 skills and knowledge would be helpful to officials when  
26 considering those actions, whose activities are limited to

1 making occasional appearances for or communicating on  
2 behalf of a registrant, and who do not make expenditures  
3 that are reportable pursuant to Section 6 even though  
4 receiving expense reimbursement for those occasional  
5 appearances.

6 (7) Any full-time employee of a bona fide church or  
7 religious organization who represents that organization  
8 solely for the purpose of protecting the right of the  
9 members thereof to practice the religious doctrines of that  
10 church or religious organization, or any such bona fide  
11 church or religious organization.

12 (8) Persons or entities that receive no compensation  
13 other than reimbursement for expenses of up to \$500 per  
14 year while engaged in lobbying State government, unless  
15 those persons make expenditures that are reportable under  
16 Section 6.

17 (9) Any attorney or group or firm of attorneys in the  
18 course of representing a client in any administrative or  
19 judicial proceeding, or any witness providing testimony in  
20 any administrative or judicial proceeding, in which ex  
21 parte communications are not allowed and who does not make  
22 expenditures that are reportable pursuant to Section 6.

23 (9.5) Any attorney or group or firm of attorneys in the  
24 course of representing a client in an administrative or  
25 executive action involving a contractual or purchasing  
26 arrangement and who does not make expenditures that are

1 reportable pursuant to Section 6.

2 (10) Persons or entities who, in the scope of their  
3 employment as a vendor, offer or solicit an official for  
4 the purchase of any goods or services when (1) the  
5 solicitation is limited to either an oral inquiry or  
6 written advertisements and informative literature; or (2)  
7 the goods and services are subject to competitive bidding  
8 requirements of the Illinois Procurement Code; or (3) the  
9 goods and services are for sale at a cost not to exceed  
10 \$5,000; and (4) the persons or entities do not make  
11 expenditures that are reportable under Section 6.

12 (a-5) Except as provided in Section 9, any natural person  
13 who, for compensation or other pecuniary interest,  
14 communicates with any unit of local government for the ultimate  
15 purpose of influencing official action of the unit of local  
16 government concerning an automated traffic law enforcement  
17 system, or any person or entity who employs or compensates  
18 another person for the purposes of such communications, shall  
19 register with the Secretary of State as provided in this Act.  
20 This subsection (a-5) shall not apply to communications made to  
21 judicial bodies or administrative courts regarding the  
22 prosecution or defense of alleged violations of Section 11-306  
23 of the Illinois Vehicle Code or similar local ordinances  
24 obtained by the unit of local government through automated  
25 traffic law enforcement systems. For the purposes of this  
26 subsection (a-5), "Automated traffic law enforcement system"

1 has the same meaning as provided under Section 11-208.6 of the  
2 Illinois Vehicle Code.

3 (b) It is a violation of this Act to engage in lobbying or  
4 to employ any person for the purpose of lobbying who is not  
5 registered with the Office of the Secretary of State, except  
6 upon condition that the person register and the person does in  
7 fact register within 2 business days after being employed or  
8 retained for lobbying services.

9 (c) The Secretary shall promulgate a rule establishing a  
10 list of the entities required to register under this Act,  
11 including the name of each board, commission, authority, or  
12 task force. The Secretary may require a person or entity  
13 claiming an exemption under this Section to certify the person  
14 or entity is not required to register under this Act. Nothing  
15 prohibits the Secretary from rejecting a certification and  
16 requiring a person or entity to register.

17 (Source: P.A. 96-555, eff. 1-1-10; 96-1358, eff. 7-28-10.)".