

Limiting Public Funds for Lobbying

12/17/2019



Lobbyists may represent more than private businesses or non-profit organizations. Sometimes they represent the interests of agencies or local governments to their legislature.

A handful of states have statutes that prohibit agencies from using public funds to retain a lobbyist. This could mean that agencies have no designated representative to communicate with the legislature, but often this means that an agency may only use full-time employees in dealing with the legislative branch.

Some states require agencies have a designated person to act as a liaison, while others provide for a special class of lobbyist. Other states' laws are completely silent on the matter.

The following table describes each state's statutory provisions discussing restrictions on the use of public funds to lobby. Most often this involves agencies, but some laws also relate to local governments' use of public funds to lobby a state's legislature.

This table is intended to provide general information and does not necessarily address all aspects of this topic. Because the facts of each situation may vary, this information may need to be supplemented by consulting legal advisors. All content is up to date through 12/17/2019.

The box allows you to conduct a full text search or type the state name.

| State Legislation Addressing the Use of Public Funds to Lobby | |
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| State | Restrictions on the Use of Public Funds to Lobby |
| Alabama | No statutes forbidding the use of public funds for lobbying were found. In fact, public employees who are lobbyists are exempt from annual registration fees. Ala. Code § 36-25-18. |

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| Alaska | Restricts lobbyists from contracting with the following agencies: (1) Alaska Aerospace Development Corporation; (2) Alaska Commercial Fishing and Agriculture Bank; (3) Alaska Energy Authority; (4) Alaska Housing Finance Corporation; (5) Alaska Industrial Development and Export Authority; (6) Alaska Medical Facility Authority; (7) Alaska Mental Health Trust Authority; (8) Alaska Municipal Bond Authority; (9) Alaska Permanent Fund Corporation; (10) Alaska Railroad Corporation; (11) Alaska Science and Technology Foundation; (12) Alaska Seafood Marketing Institute; (13) Alaska Student Loan Corporation. Alaska Stat. § 44.99.030. |
| Arizona | State agencies, offices, departments, boards or commissions shall not enter into a contract or agreement with a person or entity for lobbying services or spend money to lobby on behalf of the entity unless that lobbyist is a state employee. Ariz. Rev. Stat. Ann. § 41-1234. Restricts individuals acting on behalf of a university from using public funds or equipment for the purposes of influencing the outcome of any election or to advocate for or against pending or proposed legislation. Ariz. Rev. Stat. § 15-1633. The restriction does not apply to registered lobbyists who advocate on behalf of the university or the Arizona board of regents and other employees assisting such lobbyists in their official capacity. |
| Arkansas | No statutes forbidding the use of public funds for lobbying were found. |
| California | No statutes forbidding the use of public funds for lobbying were found. |
| Colorado | Each principal department of state government shall designate one person who shall be responsible for any lobbying by a state official or employee on behalf of said principal department. All persons lobbying on behalf of an institution or governing board of higher education shall register with the Secretary of State. Colo. Rev. Stat. § 24-6-303.5. |
| Connecticut | No quasi-public agency or state agency may retain a lobbyist. Does not prohibit a director, officer or employee of a quasi-public agency or state agency from lobbying on behalf of the quasi-public agency or state agency. Conn. Gen. Stat. Ann. § 1-101bb. |
| Delaware | No statutes forbidding the use of public funds for lobbying were found. |
| District of Columbia | No statutes forbidding the use of public funds for lobbying were found. |
| Florida | No state funds may be used for lobbying purposes. Fla. Stat. § 11.062. A department of the executive branch, a state university, a community college, or a water management district may not use public funds to retain a lobbyist to represent it before the legislative or executive branch. However, full-time employees of may register as lobbyists and represent that employer before the legislative or executive branch. Fla. Stat. § 11.062. |
| Georgia | No statutes forbidding the use of public funds for lobbying were found. In fact, lobbyists who represent a state, county, municipal, or public |

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| | agency, department, commission, or authority are exempt from annual registration fees. Ga. Code Ann. § 21-5-71. |
| Guam | No government of public funds of any nature shall be expended in support of any lobbyist, unless specifically authorized by law. Applies to all line agencies, autonomous agencies, and public corporations. No government officer or employee may accept the services of a lobbyist on a volunteer basis. 5 G.C.A. § 7119. Some exceptions are provided in 5 G.C.A. § 7118. |
| Hawaii | State grants shall not be awarded for lobbying activities. Haw. Rev. Stat. § 42F-103. |
| Idaho | No statutes forbidding the use of public funds for lobbying were found. |
| Illinois | Lobbyists may not accept or agree to accept compensation from a State agency for the purpose of lobbying legislative action. This does not apply to salary compensation that is part of a full-time employee of an agency whose responsibility or authority includes, but is not limited to, lobbying executive, legislative. 25 Ill. Comp. Stat. § 170/11.3. |
| Indiana | No statutes forbidding the use of public funds for lobbying were found. However, public employees and public officials are not considered lobbyists. Ind. Code Ann. § 2-7-1-10. |
| Iowa | <p>A statewide elected official, executive or administrative head of an agency of state government, etc. shall not act as a lobbyist unless the person is designated, by the agency in which the person serves or is employed, to represent the official position of the agency. Iowa Code § 68B.5A.</p> <p>State agency of the executive branch shall not employ a person through the use of public funds whose position with the agency is primarily representing the agency relative to the passage, defeat, approval, or modification of legislation that is being considered by the general assembly. Shall also not use or permit the use of public funds for paid advertisement of public service announcement 30 days prior to or during a legislative session for the purposes of encouraging the passage, defeat, approval, or modification of a bill that is being considered, or was considered during the previous legislative session by the general assembly. Iowa Code § 68B.8.</p> |
| Kansas | Every person registered as a lobbyist shall file a detailed report listing the amount of public funds paid to hire or contract for the lobbying services on behalf of a governmental entity or any association of governmental entities that receive public funds. Kan. Stat. Ann. § 46-295. |
| Kentucky | No statutes forbidding the use of public funds for lobbying were found. |
| Louisiana | No state employee in his official capacity or on behalf of his agency shall lobby for or against any matter intended to have the effect of law pending before the legislature or any committee thereof. Exception for dissemination of factual information relative to any such matter or the use of public meeting rooms or meeting facilities available to all citizens |

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| | to lobby for or against any such matter. No state employee in his official capacity or on behalf of his agency shall enter into a contract with a lobbyist or a contract for lobbying services to lobby for or against any matter intended to have the effect of law pending before the legislature or any committee thereof. La. Stat. Ann. § 24:56. |
| Maine | Within 15 days of convening a regular legislative session, a department or agency shall register with the commission officers or employees who will serve as the department's or agency's legislative designees for the session. Me. Stat. tit. 3 § 313-A. |
| Maryland | No statutes forbidding the use of public funds for lobbying were found. |
| Massachusetts | Absent any law to the contrary, a state agency or state authority shall not use state funds to pay for an executive or legislative agent unless the agent is a full-time employee of the state agency or state authority. Mass. Gen. Laws Ann. ch. 29, § 29J. Exceptions: employees or agents of the commonwealth or of a city, town, district or regional school district who are acting in their capacity as such employees or agents or any person requested to appear before any committee or commission of the general court by a majority of the members of such committee or commission; provided that person performs no other act to influence legislation and the name of that person is recorded in the official records of such committee or commission. Mass. Gen. Laws Ann. ch. 3, § 50. |
| Michigan | No statutes forbidding the use of public funds for lobbying were found. |
| Minnesota | No statutes forbidding the use of public funds for lobbying were found. |
| Mississippi | No statutes forbidding the use of public funds for lobbying were found. |
| Missouri | No statutes forbidding the use of public funds for lobbying were found. |
| Montana | No statutes forbidding the use of public funds for lobbying were found. |
| Nebraska | No statutes forbidding the use of public funds for lobbying were found. However, public employees and public officials, other than the University of Nebraska, or an elected official of a political subdivision who is acting in the scope of his or her office or employment, are not considered lobbyists. Neb. Rev. Stat. Ann. § 49-1434. |
| Nevada | No statutes forbidding the use of public funds for lobbying were found. |
| New Hampshire | No recipient of a grant or appropriation of state funds may use the state funds to lobby or attempt to influence legislation, participate in political activity, or contribute funds to any engaged in these activities. Any recipient of a grant or appropriation of state funds that wishes to engage in any of these prohibited activities shall segregate state funds in such a manner that such funds are physically and financially separate from any non-state funds that may be used for any of these purposes. Mere bookkeeping separation shall not be sufficient. N.H. Rev. Stat. Ann. § 15:5. |
| New Jersey | No statutes forbidding the use of public funds for lobbying were found. |
| New Mexico | No statutes forbidding the use of public funds for lobbying were found. |
| New York | No statutes forbidding the use of public funds for lobbying were found. |
| North Carolina | No State agency or constitutional officer may contract with individuals who are not employed by the State to lobby legislators and legislative |

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| | employees. No more than 2 individuals may be designated liaison personnel for each agency and constitutional officers of the State. N.C. Gen. Stat. Ann. § 163A-345. Other information about the rules that apply to "liaison personnel" is at N.C. Gen. Stat. Ann. § 163A-346. |
| North Dakota | No statutes forbidding the use of public funds for lobbying were found. |
| Ohio | No statutes forbidding the use of public funds for lobbying were found. |
| Oklahoma | No state officer or state employee shall receive any additional compensation or reimbursement from any person for personally engaging in lobbying other than compensation or reimbursements provided by law for that member's job position. Okla. Stat. tit 74, § 4254. |
| Oregon | No statutes forbidding the use of public funds for lobbying were found. |
| Pennsylvania | No statutes forbidding the use of public funds for lobbying were found. |
| Puerto Rico | No statutes forbidding the use of public funds for intra-jurisdictional lobbying were found. However, Puerto Rico does allow for the use of public funds for lobbying the federal government, subject to the restriction that any public funds used shall be limited to lobbying services used exclusively for the attainment of federal funds in a greater amount of federal funds than is spent on lobbying. 3 L.P.R.A. § 8767. |
| Rhode Island | No statutes forbidding the use of public funds for lobbying were found. |
| South Carolina | No statutory restrictions forbidding the use of public funds for lobbying were found. Executive Order 2003-09 directs executive agencies to refrain from hiring independent contractor lobbyists. |
| South Dakota | Any person employed in the executive branch of state government, a constitutional office, or the judicial system, who is not an elected official or who is not subject to confirmation by the senate, who is authorized to officially represent any department of the executive branch, constitutional office, Public Utilities Commission, or judicial system in any capacity before the Legislature or any of its several committees shall register as an executive or judicial agency representative for such department or office in the same manner and under the same provisions of this chapter as apply to all lobbyists, but need pay no fee. S.D. Codified Laws § 2-12-7.1. |
| Tennessee | No statutes forbidding the use of public funds for lobbying were found. |
| Texas | A state agency may not use appropriated money to employ a lobbyist. Also may not pay membership dues to an organization that pays part or all of the salary of a lobbyist. Tex. Gov. Code § 556.005. A political subdivision or private entity that receives state funds may not use those funds to pay lobbying state funds. Tex. Gov. Code § 556.0055. Public funds available to a political subdivision (municipality, county, or special district) may not be used to compensate or reimburse |

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| | expenses over \$50 for the purposes of communicating directly with a member of the legislative branch to influence legislation, unless the person resides in the district of the member or files a written statement with the commission. Tex. Gov. Code § 305.026. |
| Utah | An agency to which money is appropriated by the Legislature may not expend any money to pay a contracted lobbyist. Utah Code § 63J-1-210. |
| Vermont | No statutes forbidding the use of public funds for lobbying were found. |
| Virginia | Employment of a lobbyist for compensation by an officer, board, institution or agency of the commonwealth is expressly prohibited; however, this section shall not apply to any individual who is a full-time or part-time employee of such office, board, department, institution or agency of the commonwealth. Va. Code Ann. § 2.2-434. |
| Virgin Islands | No statutes forbidding the use of public funds for lobbying were found. |
| Washington | <p>Subject to exceptions, no public funds may be used directly or indirectly for lobbying. Exceptions: officers or employees of an agency communicating with a member of the legislature upon request of that member; communicating to the legislature through proper official channels requests for legislative action or appropriations necessary for the efficient conduct of the public business or actually made in the performance of official duties; lobbying activity limited to a) providing information or communicating on matters pertaining to official agency business, b) advocating the official position or interests of the agency. Wash. Rev. Code § 42.17A.635.</p> <p>May not use any of the facilities of a public office or agency in any effort to support or oppose an initiative to the legislature. Wash. Rev. Code § 42.17A.635.</p> <p>Each state agency, county, city, town, municipal corporation, etc. that expends public funds for lobbying shall file quarterly statements detailing lobbying expenses and related information. Wash. Rev. Code § 42.17A.635.</p> |
| West Virginia | No statutes forbidding the use of public funds for lobbying were found. |
| Wisconsin | No statutes forbidding the use of public funds for lobbying were found. |
| Wyoming | No statutes forbidding the use of public funds for lobbying were found. |