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H.686

An act relating to expanding identification of certain lobbying advertisements

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 2 V.S.A. § 261 is amended to read:

§ 261. DEFINITIONS

As used in this chapter:

* * *

(9) “Lobby” or “lobbying” means:

(A) to communicate ~~orally or in writing~~ with any legislator or administrative official for the purpose of influencing legislative or administrative action;

(B) solicitation of others to influence legislative or administrative action;

(C) an attempt to obtain the goodwill of a legislator or administrative official by communications or activities with that legislator or administrative official intended ultimately to influence legislative or administrative action; or

(D) activities sponsored by an employer or lobbyist on behalf of or for the benefit of the members of an interest group, if a principal purpose of the activity is to enable such members to communicate ~~orally~~ with one or more legislators or administrative officials for the purpose of influencing legislative or administrative action or to obtain their goodwill.

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Sec. 2. 2 V.S.A. § 264c is amended to read:

§ 264c. IDENTIFICATION IN AND REPORT OF CERTAIN LOBBYING
ADVERTISEMENTS

(a) Identification.

(1) An advertisement that is intended, designed, or calculated to influence legislative action or to solicit others to influence legislative action and that is made at any time ~~prior to final adjournment of a biennial or adjourned legislative session~~ shall contain the name of any lobbyist, lobbying firm, or lobbyist employer that made an expenditure for the advertisement and language that the advertisement was paid for, or paid in part, by the lobbyist, lobbying firm, or lobbyist employer; provided, however:

* * *

(b) Report.

(1) In addition to any other reports required to be filed under this chapter, a lobbyist, lobbying firm, or lobbyist employer shall file an advertisement report with the Secretary of State if he, she, or it makes an expenditure or expenditures:

(A) for any advertisement that is described in subsection (a) of this section and that has a cost totaling \$1,000.00 or more; or

1 (B) for any advertising campaign that contains advertisements
2 described in subsection (a) of this section and that has a cost totaling \$1,000.00
3 or more.

4 (2) The report shall be made for each advertisement or advertising
5 campaign described in subdivision (1) of this subsection and shall identify:

6 (A) the lobbyist, lobbying firm, or lobbyist employer that made the
7 expenditure;

8 (B) the amount and date of the expenditure and to whom it was paid;
9 and

10 (C) a brief description of the advertisement or advertising campaign,
11 including:

12 (i) any enacted or introduced bill or any issue featured in the
13 advertisement or advertising campaign;

14 (ii) any specific person featured in the advertisement or
15 advertising campaign; and

16 (iii) whether the intent or content in the advertisement or
17 advertising campaign offers an opinion of support, opposition, or neutrality on
18 a bill, issue, or person.

19 (3) Notwithstanding subdivision (1) of this subsection, an advertisement
20 report need not be filed if the lobbyist, lobbying firm, or lobbyist employer has
21 already filed the necessary reports and disclosures required under 17 V.S.A.

1 chapter 61, subchapter 4, for the same advertisement or advertisement
2 campaign.

3 (c) Definitions. As used in this section:

4 (1) “Advertisement” means a notice that appears in any of the following
5 public media: radio, television, newspapers or other periodicals, or internet
6 websites.

7 (2) “Advertising campaign” means advertisements substantially similar
8 in nature, regardless of the media in which they are placed.

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on passage.