

**Adopted
AMENDMENT NO 2 PROPOSED TO**

Senate Bill No. 2829

BY: Senator(s) Doxey

1 **Amend by inserting the following after line 324 and by**
2 **renumbering subsequent sections accordingly:**

3 **SECTION *.** Section 5-8-7, Mississippi Code of 1972, is
4 amended as follows:

5 5-8-7. Notwithstanding any other provisions of this chapter,
6 the following person shall not be included within the definition
7 of "lobbyist" or "lobbyist's client" under this chapter, and
8 accordingly the registration and reporting provisions, including
9 the payment of related fees, of this chapter do not apply to:

10 (a) A legislative or public official acting in an
11 official capacity.

12 (b) An individual who:

13 (i) Represents or purports to represent only the
14 individual;

15 (ii) Receives no compensation or anything of value
16 for lobbying; and

17 (iii) Has no pecuniary interest in the legislative
18 or executive action.

19 (c) An individual lobbying in his or her own interest,
20 his or her own business interest, who pays, or promises to pay,
21 offers to pay or causes to be paid to public officials,
22 legislative officials or public employees any thing or things of

23 value aggregating in value to less than Two Hundred Dollars
24 (\$200.00) in any calendar year.

25 (d) An individual lobbying on behalf of his or her
26 employer's business interest where such lobbying is not a primary
27 or regular function of his employment position if such individual
28 pays, promises to pay, offers to pay, or causes to be paid
29 individually or on the employer's behalf to public officials,
30 legislative officials, or public employees any thing or things of
31 value aggregating in value to less than Two Hundred Dollars
32 (\$200.00) in any calendar year.

33 (e) An individual lobbying on behalf of an association
34 of which he or she is a member, where such lobbying is not a
35 primary or regular function of his or her position in the
36 association, if such individual pays, promises to pay, offers to
37 pay, or causes to be paid individually or on the association's
38 behalf to public officials, legislative officials or public
39 employees any thing or things of value aggregating in value to
40 less than Two Hundred Dollars (\$200.00) in any calendar year.

41 (f) An individual who is a shareholder, owner or part
42 owner of a business who lobbies on behalf of such business, where
43 such individual is not an employee of the business, if such
44 individual pays, promises to pay, offers to pay, or causes to be
45 paid individually or on behalf of the business to public
46 officials, legislative officials or public employees any thing or
47 things of value aggregating in value to less than Two Hundred
48 Dollars (\$200.00) in any calendar year.

49 (g) An individual who:

50 (i) Limits lobbying solely to formal testimony
51 before a public meeting of a legislative body or an executive
52 agency, or a committee, division or department thereof; and

53 (ii) Registers the appearance in the records of
54 the public body, if such records are kept.

55 (h) An individual who is a licensed attorney
56 representing a client by:

57 (i) Drafting bills, preparing arguments thereon,
58 and advising the client or rendering opinions as to the
59 construction and effect of proposed or pending legislation, where
60 such services are usual and customary professional legal services
61 which are not otherwise connected with legislative action; or

62 (ii) Providing information, on behalf of the
63 client, to an executive or public official, a public employee, or
64 an agency, board, commission, governing authority or other body of
65 state or local government where such services are usual and
66 customary professional legal services including or related to a
67 particular nonlegislative matter, case or controversy.

68 (i) News media and employees of the news media whose
69 activity is limited solely to the publication or broadcast of
70 news, editorial comments, or paid advertisements that attempt to
71 influence legislative or executive action. For the purposes of
72 this section, "news media" shall be construed to be bona fide
73 radio and television stations, newspapers, journals or magazines,
74 or bona fide news bureaus or associations which in turn furnish
75 information solely to bona fide radio or television stations,
76 newspapers, journals or magazines.

77 (j) An individual who engages in lobbying activities
78 exclusively on behalf of a religious organization which qualifies
79 as a tax-exempt organization under the Internal Revenue Code.

80 (k) An individual who is a nonattorney professional and
81 who receives professional fees and expenses to represent clients
82 on executive agency matters, except that if anything of value
83 shall be paid or promised to be paid directly or indirectly on
84 behalf of a client for the personal use or benefit of an executive
85 or public official or public employee, then expenditures and

86 actions of the individual are reportable under this chapter, and
87 the individual must register as a lobbyist.

88 (1) A person who is engaged in the sale of products or
89 services.

90 **SECTION *.** Section 18, Chapter 305, Laws of 2004, which
91 provides for a task force to study voting systems that comply with
92 the Help America Vote Act of 2002 and their suitability for use in
93 elections in Mississippi, is repealed.

94 **Further, amend line 26 of the title by inserting the**
95 **following after the semicolon:**

96 TO AMEND SECTION 5-8-7, MISSISSIPPI CODER OF 1972, TO PROVIDE THAT
97 PERSONS ENGAGED IN THE SALE OF PRODUCTS OR SERVICES SHALL NOT BE
98 INCLUDED WITHIN THE DEFINITION OF "LOBBYIST" OR "LOBBYIST'S
99 CLIENT"; TO REPEAL SECTION 18, CHAPTER 305, LAWS OF 2004, WHICH
100 PROVIDES FOR A TASK FORCE TO STUDY VOTING SYSTEMS THAT COMPLY WITH
101 THE HELP AMERICA VOTE ACT OF 2002 AND THEIR SUITABILITY FOR USE IN
102 ELECTIONS IN MISSISSIPPI;