

By: Senator(s) Williamson, Dawkins

To: Judiciary, Division A

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2913

1 AN ACT TO AMEND SECTION 5-8-7, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE DEFINITION OF LOBBYING IN ONE'S OWN INTEREST AND THE  
3 EXEMPTIONS FROM THE DEFINITION OF "LOBBYIST"; AND FOR RELATED  
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 5-8-7, Mississippi Code of 1972, is  
7 amended as follows:

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

13 (a) A legislative or public official acting in an  
14 official capacity.

15 (b) An individual who:

16 (i) Represents or purports to represent only the  
17 individual;

18 (ii) Receives no compensation or anything of value  
19 for lobbying; and

20 (iii) Has no pecuniary interest in the legislative  
21 or executive action.

22 (c) An individual lobbying in his or her own interest,  
23 his or her own business interest, who pays, or promises to pay,  
24 offers to pay or causes to be paid to public officials,  
25 legislative officials or public employees any thing or things of  
26 value aggregating in value to less than One Thousand Dollars  
27 (\$1,000.00) in any calendar year.

28           (d) An individual lobbying on behalf of his or her  
29 employer's business interest where such lobbying is not a primary  
30 or regular function of his employment position if such individual  
31 pays, promises to pay, offers to pay, or causes to be paid  
32 individually or on the employer's behalf to public officials,  
33 legislative officials, or public employees anything or things of  
34 value aggregating in value to less than One Thousand Dollars  
35 (\$1,000.00) in any calendar year.

36           (e) An individual lobbying on behalf of an association  
37 of which he or she is a member, where such lobbying is not a  
38 primary or regular function of his or her position in the  
39 association, if such individual pays, promises to pay, offers to  
40 pay, or causes to be paid individually or on the association's  
41 behalf to public officials, legislative officials or public  
42 employees any thing or things of value aggregating in value to  
43 less than One Thousand Dollars (\$1,000.00) in any calendar year.

44           (f) An individual who is a shareholder, owner or part  
45 owner of a business who lobbies on behalf of such business, where  
46 such individual is not an employee of the business, if such  
47 individual pays, promises to pay, offers to pay, or causes to be  
48 paid individually or on behalf of the business to public  
49 officials, legislative officials or public employees any thing or  
50 things of value aggregating in value to less than One Thousand  
51 Dollars (\$1,000.00) in any calendar year.

52           (g) An individual who:

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

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

58           (h) An individual who is a licensed attorney  
59 representing a client by:

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

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

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

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

83 (k) An individual who is a nonattorney professional and  
84 who receives professional fees and expenses to represent clients  
85 on executive agency matters, except that if anything of value  
86 shall be paid or promised to be paid directly or indirectly on  
87 behalf of a client for the personal use or benefit of an executive  
88 or public official or public employee, then expenditures and  
89 actions of the individual are reportable under this chapter, and  
90 the individual must register as a lobbyist.

91 (l) An individual involved in the sale or solicitation  
92 for sale of products or services. This exemption shall apply only

93 to activities involving the sale or solicitation for sale of  
94 products or services.

95           **SECTION 2.** This act shall take effect and be in force from  
96 and after July 1, 2007.