

Kansas Administrative Regulations

Kansas Public Disclosure Commission

Article 62.—Lobbyist Registration

19-62-1. Who must register.

(a) Employed lobbyists. Each person whose employment is, to a considerable degree, for the purpose of lobbying shall register as a lobbyist. A person is employed if the person receives compensation for or in direct relation to lobbying regardless of the technical legal definition of the relationship between the principal and the lobbyist. An executive of an organization who as part of the executive's duties only incidentally lobbies shall not be required to register under this subsection. However, where a person is employed to a considerable degree for the purpose of lobbying, it is irrelevant that the lobbying employment is not a substantial amount of the person's overall business. In determining whether an individual is employed to a considerable degree to lobby, that portion of the employment which relates to preparation for lobbying shall be taken into consideration.

(b) Appointed lobbyists. Any person formally appointed as the primary representative of an organization or of another person to lobby on state-owned or leased property shall register as a lobbyist regardless of whether the person receives compensation for lobbying. Formal appointment as a primary representative may be indicated by election to a specific office or designation, including a specific post where the members of the organization or appointing person recognize such election or designation to include the right or duty to lobby as its primary representative on state-owned or leased property. Generally, where an organization or other person has an employed lobbyist, members lobbying on behalf of the organization shall not be deemed the primary representative of the organization or other person for the purposes of this registration provision. Where an appointment is made in conjunction with an employment status as set out in subsection (a) of this section, the provisions of that subsection shall control as to whether the employed person must register as a lobbyist.

(c) Persons making lobbying expenditures. Any person who makes "expenditures" for lobbying, as defined in K.A.R. 19-60-3(c), in an aggregate amount of \$100 or more in any calendar year shall register as a lobbyist.

(d) Exceptions to the rules governing who must register.

(1) Those persons covered by K.S.A. 1991 Supp. 46-222(b) shall not be required to register as lobbyists.

(2) When an individual accepts a limited number of bona fide invitations from a state agency or subdivision thereof to appear before it for the purpose of providing information to such agency, the individual shall not be required to register as a lobbyist under subsections (a) and (b) of this section solely on account of such appearances. However, subsection (c) of this regulation applies to such situations.

(Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-265; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended June 22, 1992.)

***** Authenticated Kansas Administrative Regulation *****