



# WV LOBBYIST REPORTING INFORMATION

(General Information and Instructions for completing WV Lobbyist Reports)

## WHO MUST FILE REPORTS

All lobbyists who are currently registered with the WV Ethics Commission must file Lobbyist Activity Reports. You must file a signed report even though you made no expenditures.

## REPORTING PERIODS

**WARNING!** Due dates are strictly enforced. As required by statute, late reporting will generate late filing fees of \$10 for each day the report is late (\$250 maximum). There are three reporting periods each year.

### **DUE DATES for LOBBYIST ACTIVITY REPORTS\***

**May 15** – covers period January 1 – April 30

**September 15** – covers period May 1 – August 31

**January 15** – covers period September 1 – December 31

\* A report is considered timely filed if postmarked on or before the due date. Faxed reports are **not** accepted as timely filed.

## GENERAL INFORMATION

- Complete all sections of the reporting form. If no expenditures were made, indicate with \$0.
- Report all expenditures made by you and/or your employer on government officials and governmental employees in furtherance of lobbying activities. **DO NOT REPORT** your personal compensation and reimbursement for your own meal, lodging, travel or office support expenses.
- Lobbyists are responsible for keeping records of all expenditures, regardless of the amount, made for or on behalf of public officials and employees in furtherance of lobbying activities. Records must be kept for a period of two years from the date reports are filed. Lobbyists may be subject to random compliance audits for reports filed after July 1, 2005. Procedures for audits are detailed in proposed legislative rule Title 158, Series 15. Audits may not be conducted until the Legislature has approved the Legislative rule.
- Lobbyists with more than one employer must show the amount of the reported expenditures incurred on behalf of each employer by category. If you lobby for more than six employers, please obtain additional forms for reporting.
- All expenditures must be included on the Lobbyist Activity Report, regardless of amount. If you made an expenditure on a public official or employee, and the expenditure is not attributable to any of your employers, then indicate the amount of the expenditure in Section 5 under the column entitled "Total Expended"
- The reporting form, plus schedules A & B, if applicable, must be completed, signed by the lobbyist, and returned to the WV Ethics Commission by the due date on the form. Notarization is no longer required. **REMEMBER** – late fees will be assessed for late reports. However, reports will be considered filed "on time" if postmarked by the due date.
- If you have any questions about completing the reports, please call the Commission at (304) 558-0664.

## COMPLETING SCHEDULES A & B

**When to use Schedule A:** Changes made to the Ethics Act in Special Session, 2005 make it necessary for lobbyists to report "dollar one" spent on lobbying. The \$25 dollar spending exemption for reporting names no longer applies. As of July 1, 2005, the **NAME OF THE RECIPIENT** of Meals & Beverages, Lodging, Travel, Gifts or Other Expenses, along with all amounts spent must be reported on Schedule A, Section 1.

Ordinarily gifts to individuals must not exceed \$25. Trivial or inexpensive gifts given to all members of the House or Senate, the entire Legislature or to a standing or joint committee should be listed in Group Gifts, Section 1a. You need not list each legislator who received the gift, only the name of the group.

Any expenses relating to a recipient's participation in a Panel or Speaking Engagement are reported on Schedule A Section 2. Subjects of lobbying are to be listed in Section 3. Totals of all spending are then to be listed on the Lobbyist Activity Report in the appropriate categories attributable to employers represented.

**When to use Schedule B:** Schedule B is used when money is spent either by individual lobbyist(s) or by the lobbyist's employer(s) for hosting specific group entertainment events or functions.

If all members of the Legislature, either the Senate or House, or standing or joint committees are invited specific names of attendees need not be listed.

However, if a dinner, reception or other event is hosted by a lobbyist or several lobbyists and the group attending is not one of the specific groups described on Schedule B, names of all attendees must be listed and reportable expenses calculated.

All reportable amounts must then be transferred to the Lobbyist Activity Report.

## **REPORTING INSTRUCTIONS**

**Report all expenses by category for each employer or organization that you represent.**

**Report only money spent on others.**

**Do not include your own personal expenses.**

- A. Meals & Beverages: DO NOT include expenditures for specific Group Entertainment which is recorded in "5.H"
- B. Lodging: Do include lodging provided to someone else in furtherance of your lobbying. DO NOT include lodging expenses for yourself.
- C. Advertising: DO include all expenditures for or on behalf of government officers and employees advertising your employer. DO NOT include expenditures incurred in presenting a program or campaign addressed to the public, e.g., newspaper ads, T.V. commercials, etc. Expenditures on advertising directed to the public and intended primarily to influence legislation trigger registration and reporting under the "Grass roots lobbying campaigns" provision of the Act. See §6B-3-5 WV Code. Forms for Grass Roots reporting are on the Ethics Commission's website ([www.wvethicscommission.org](http://www.wvethicscommission.org)) or may be obtained by contacting the Ethics Commission at (304) 558-0664.
- D. Travel: Include airfare, ground transportation (taxi, limo, shuttle etc.) or mileage reimbursement expenses.
- E. Contributions: Include political contributions to incumbent state elected officials only. List personal contributions that are not attributable to your employers, in the "Total Expenditures" column. Contributions to PAC's are not reported here.
- F. Gifts: Ordinarily gifts given to individuals are subject to a \$25.00 limitation as per WV Code 6B-2-5c. Include the value of all gifts to government officials or employees or to members of their immediate families. See schedule A to report nominal gifts given to the legislature.
- G. Other Expenditures: List here any lobbying expenditures listed on Schedule A which are not appropriate to report under other specific categories
- H. Group Entertainment: Report totals you have calculated on Schedule B. Group Entertainment includes functions which fall under the following groups. Report expenditures for a dinner party, reception or other similar function where you invited ALL of the members of any of the following: 1. the Legislature, 2. either house of the Legislature, 3. a standing or select committee of either house, 4. a joint committee of both houses. See the Schedule B for detailed instructions on how to calculate and report your expenditures for these functions.
- I. Totals: Total all expenses. If no expenditures were made, indicate this with \$0.