

Amendment to HB 1479-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT requiring lobbying entities to offer independent lobbying and non-lobbying services,
4 secure fund segregation disclosures from certain clients and affirm those disclosures,
5 and report different statement information where a contract provides for only non-
6 lobbying services.
7

8 Amend the bill by replacing all after the enacting clause with the following:

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10 1 New Section; Independent Services; Entities Offering Lobbying and Non-Lobbying Services.

11 Amend RSA 15 by inserting after section 15:1 the following new section:

12 15:1-a Independent Lobbying and Non-Lobbying Services.

13 I. Any entity required to register under RSA 15:1 that offers both lobbying services and non-
14 lobbying services, including legislation-related research, market analysis, strategy coaching, and
15 tracking, and other legislation-related services that do not include the activities of lobbying services,
16 shall establish an independent services fee schedule for each non-lobbying and lobbying service, and
17 draft a full description of each service. For the purposes of this section, "lobbying services" shall
18 constitute lobbying as described in RSA 15:1, II(a) and (b), attempting to influence legislation,
19 participating in political activity, or contributing funds to any entity for the purpose of engaging in
20 the same.

21 II. An entity offering any non-lobbying services shall offer to a potential or actual client an
22 independent services contract. No entity shall require a potential or actual client to purchase a
23 services bundle or require payment under a tiered payment arrangement in order to purchase any
24 non-lobbying service. Additionally, no entity shall predicate the purchase of any non-lobbying
25 service on the purchase of another lobbying or non-lobbying services. A fee for any service shall be
26 based on an hourly or flat fee in line with the market value of that particular, independent service.
27 No entity may charge or attempt to collect fair share fees or agency fees from any client, or the
28 clients' members or residents, regardless of the services contracted for.

29 III. An entity that at the same time contracts to provide both lobbying and non-lobbying
30 services to a client shall execute a single contract for both types of services. When any contract is
31 not for activities specified in RSA 15:5, the entity is specifically exempt from RSA 15:5 fund
32 segregation requirements with regard to that contract.

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1 IV. Where a contract provides for either lobbying services only, or lobbying and non-lobbying
2 services, the entity providing the services shall disclose to the client in writing, to be signed by the
3 client, that no state funds may be used to purchase services to lobby or attempt to influence
4 legislation, participate in political activity, or contribute funds to any entity engaged in these
5 activities. Additionally, the entity shall report the disclosure as required by RSA 15:6, V(i).

6 2 Segregation of Funds; Written Notice and Exemption. Amend RSA 15:5 to read as follows:
7 15:5 Prohibited Activities.

8 I. No recipient of a grant or appropriation of state funds may use the state funds to lobby or
9 attempt to influence legislation, participate in political activity, or contribute funds to any entity
10 engaged in these activities. ***As part of any contract that includes the aforementioned***
11 ***activities, the contracting entity shall disclose the prohibitions in paragraphs I and II to***
12 ***the client, in writing, and the client shall sign the disclosure and shall report the***
13 ***disclosure as required by RSA 15:6.***

14 II. Any recipient of a grant or appropriation of state funds that wishes to engage in any of
15 the activities prohibited in paragraph I, or contribute funds to any entity engaged in these activities,
16 shall segregate the state funds in such a manner that such funds are physically and financially
17 separate from any non-state funds that may be used for any of these purposes. Mere bookkeeping
18 separation of the state funds from other moneys shall not be sufficient. ***A recipient that contracts***
19 ***solely for non-lobbying services under RSA 15:1-a is exempt from this section's fund***
20 ***segregation requirements with regard to that contract.***

21 3 New Paragraph; Statements; Exemption. Amend RSA 15:6, V by inserting after paragraph V
22 the following new paragraph:

23 V-a. An entity that contracts with a client to provide only non-lobbying services under RSA
24 15:1-a is exempt from all reporting requirements of RSA 15:6, V(d) except the full name and business
25 address of the client and the scope of the non-lobbying services being paid for.

26 4 New Subparagraph; Statements; Disclosure of Segregation Requirement. Amend RSA 15:6, V
27 by inserting after subparagraph (h) the following new subparagraph:

28 (i) An affirmation that a reporting entity hired for activities specified in RSA 15:5, I has
29 received the required disclosure.

30 5 Effective Date. This act shall take effect January 1, 2025.

2024-0982h

AMENDED ANALYSIS

This bill:

- I. Requires lobbying entities to offer independent lobbying and non-lobbying services.
- II. Requires lobbying entities to secure fund segregation disclosures from certain clients and affirm those disclosures.
- III. Allows lobbying entities to report different statement information where a contract provides for only non-lobbying services.
- IV. Specifically exempts clients with non-lobbying service contracts from having to segregate funds.

UNAPPROVED