

# ASSEMBLY, No. 5879

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED NOVEMBER 14, 2019

**Sponsored by:**

**Assemblyman RYAN E. PETERS**

**District 8 (Atlantic, Burlington and Camden)**

**Co-Sponsored by:**

**Assemblyman Auth**

**SYNOPSIS**

Establishes “Local Governmental Process Activities Disclosure Act;” expands lobbying disclosure requirements to local level.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/26/2019)**

1 AN ACT establishing the “Local Governmental Process Activities  
2 Disclosure Act” and supplementing chapter 13C of Title 52 of  
3 the New Jersey Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. The Legislature affirms that the preservation of responsible  
9 government requires that the fullest opportunity be afforded to the  
10 people of the State to petition their local governments for the  
11 redress of grievances and to express freely to individual members of  
12 the local governing bodies, to governing bodies at all local  
13 government levels, and to their local chief executives their opinion  
14 on local measures and current issues; to local government officers  
15 and agencies their opinion on local rules and regulations developed  
16 and promulgated by those officers and agencies in the exercise of  
17 powers delegated to them by law; and to the local chief executives  
18 and local government officers and agencies their opinion on matters  
19 involving the administration of various local governmental  
20 processes by the chief executives and those officers and agencies in  
21 the exercise of powers delegated to them by law.

22 The Legislature finds, however, that the preservation and  
23 maintenance of the integrity of the process for the adoption of local  
24 measures, of the local regulatory process, and of the local  
25 governmental process, including the development and promulgation  
26 of local rules and regulations, or the administration of various local  
27 governmental processes to effectuate the implementation of law,  
28 requires the identification in certain instances of persons and groups  
29 who seek to influence the content, introduction, passage or defeat of  
30 local measures, the proposal, adoption, amendment, or repeal of  
31 local rules and regulations or the administration of various local  
32 governmental processes, and, where it is not otherwise apparent or  
33 readily ascertainable, the nature of the interest which those persons  
34 and groups seek to advance or protect through such activity.

35 It is in the public interest to closely monitor the activities of  
36 governmental affairs agents and lobbyists with respect to their  
37 involvement in influencing the adoption of local measures and local  
38 regulatory and governmental processes to ensure the integrity of  
39 government.

40 Therefore, it is the purpose of this act, P.L. , c. (C. ) (pending  
41 before the Legislature as this bill), to require adequate disclosure in  
42 certain instances in order to make available to the Legislature, local  
43 governmental officials and the public information relative to the  
44 activities of persons who seek to influence the content, introduction,  
45 passage or defeat of local measures, the proposal, adoption,  
46 amendment or repeal of local rules and regulations or the  
47 administration of various local governmental processes by such  
48 means.

1       2. This act shall be known as the “Local Governmental Process  
2 Activities Disclosure Act.”

3

4       3. For the purposes of this act, P.L.     , c.     (C.     ) (pending  
5 before the Legislature as this bill), unless the context clearly  
6 requires a different meaning:

7       a. The term “person” includes an individual, partnership,  
8 committee, association, corporation, and any other organization or  
9 group of persons.

10       b. The term “local measure” includes all ordinances,  
11 resolutions, amendments, nominations and appointments pending or  
12 proposed in a local governing body, and all ordinances and  
13 resolutions which having been approved by the local governing  
14 body are pending implementation.

15       c. The term “local governing body” means:

16       (1) in the case of a municipality, the commission, council, board  
17 or body, by whatever name it may be known, having charge of the  
18 finances of the municipality;

19       (2) in the case of a county, the board of chosen freeholders, or,  
20 in the case of a county having adopted the provisions of the  
21 “Optional County Charter Law,” P.L.1972, c.154 (C.40:41A-  
22 1 et seq.), as the governing body is defined in the form of  
23 government adopted by the county under that act;

24       (3) in the case of an authority, a body, public and corporate,  
25 created by one or more municipalities or counties pursuant to any  
26 law authorizing that creation, which law provides that the public  
27 body so created has at least the following powers: to adopt and use  
28 a corporate seal; to sue and be sued; to acquire and hold real or  
29 personal property for its purposes; and to provide for and secure the  
30 payment of its bonds or other obligations, or to provide for the  
31 assessment of a tax on real property within its district, or to impose  
32 charges for the use of its facilities or any combination thereof; and

33       (4) in the case of a school district, the board of education of any  
34 local school district, consolidated school district, regional school  
35 district, county vocational school and any other board of education  
36 or other similar local body established and operating under the  
37 provisions of Title 18A of the New Jersey Statutes, and also  
38 including the board of trustees of a charter school established under  
39 P.L.1995, c.426 (C.18A:36A-1 et seq.).

40       d. The term “lobbyist” means any person, partnership,  
41 committee, association, corporation, labor union or any other  
42 organization that employs, engages or otherwise uses the services of  
43 any governmental affairs agent to influence local measures, local  
44 regulations or local governmental processes.

45       e. The term “local chief executive” means:

46       (1) in the case of a municipality, the mayor or chief executive of  
47 the municipality, whatever his official designation may be;

1 (2) in the case of a county, the chief executive of the county,  
2 whatever his official designation may be;

3 (3) in the case of an authority, the chief executive of the  
4 authority, whatever his official designation may be;

5 (4) in the case of a school district, the chief executive of the  
6 school district, whatever his official designation may be; and

7 (5) any person designated to act in the role of the local chief  
8 executive, or elected or appointed to fill a vacancy in that office.

9 f. The term “communication with a member of the local  
10 governing body,” “with staff of the local governing body,” “with  
11 the local chief executive,” “with staff of the local chief executive,”  
12 or “with a local government officer or employee” means any  
13 communication, oral or in writing or any other medium, addressed,  
14 delivered, distributed or disseminated, respectively, to a member of  
15 the local governing body, to staff of the local governing body, to the  
16 local chief executive, to staff of the local chief executive, or to a  
17 local government officer or employee, as distinguished from  
18 communication to the general public including but not limited to a  
19 member of the local governing body, to staff of the local governing  
20 body, to the local chief executive, to staff of the local chief  
21 executive, or to a local government officer or employee. If any  
22 person shall obtain, reproduce, or excerpt any communication or  
23 part thereof which in its original form was not a communication  
24 under this subsection and shall cause such excerpt or reproduction  
25 to be addressed, delivered, distributed, or disseminated to a member  
26 of the local governing body, to staff of the local governing body, to  
27 the local chief executive, to staff of the local chief executive, or to a  
28 local government officer or employee, such communication,  
29 reproduction or excerpt shall be deemed a communication with the  
30 member of the local governing body, with staff of the local  
31 governing body, with the local chief executive, with staff of the  
32 local chief executive, or with a local government officer or  
33 employee by such person.

34 g. The term “governmental affairs agent” means any person  
35 who receives or agrees to receive, directly or indirectly,  
36 compensation, in money or anything of value including  
37 reimbursement of his expenses where such reimbursement exceeds  
38 \$100 in any three-month period, to influence a local measure, to  
39 influence local regulation or to influence local governmental  
40 processes, or all of the above, for more than one hour in a calendar  
41 year, by direct or indirect communication with, or by making or  
42 authorizing, or causing to be made or authorized, any expenditures  
43 providing a benefit to, a member of the local governing body, staff  
44 of the local governing body, the local chief executive, staff of the  
45 local chief executive, or any local government officer or employee,  
46 or who holds himself out as engaging in the business of influencing  
47 local measures, local regulations or local governmental processes,  
48 by such means, or who incident to his regular employment engages

1 in influencing local measures, local regulations or local  
2 governmental processes, by such means.

3 h. The term “influence a local measure” means to make any  
4 attempt, whether successful or not, to secure or prevent the  
5 initiation of any local measure, or to secure or prevent the passage,  
6 defeat, amendment or modification thereof by the local governing  
7 body, or the approval, amendment, or disapproval thereof by the  
8 local chief executive in accordance with his authority.

9 i. The term “statement” includes a notice of representation or a  
10 report required by this act.

11 j. The term “member of the local governing body” includes  
12 any member or member-elect of, or any person who shall have been  
13 selected to fill a vacancy in, the local governing body, and any other  
14 person who is a member or member-designate of any committee or  
15 commission established by the local governing body.

16 k. The term “staff of the local governing body” includes all  
17 staff, assistants and employees of the local governing body or any  
18 of its members in the member's official capacity, whether or not  
19 they receive compensation from public funds.

20 l. The term “staff of the local chief executive” includes the  
21 heads of principal local government departments and agencies, the  
22 secretary to the local chief executive, the counsel to the local chief  
23 executive, and all professional employees in the office of the  
24 counsel to the local chief executive, and all other employees of the  
25 office of the local chief executive.

26 m. The term “local government officer or employee” means any  
27 assistant or deputy heads of principal local government departments  
28 or agencies, and any officer of a local government department or  
29 agency who is not included among the foregoing or among the staff  
30 of the local chief executive who is empowered by law to issue,  
31 promulgate or adopt local administrative rules and regulations or to  
32 administer local governmental processes, and any person employed  
33 in the office of such an officer who is involved with the  
34 development, issuance, promulgation, or adoption of such local  
35 rules and regulations or administration of local governmental  
36 processes in the regular course of employment.

37 n. The term “local regulation” includes any local administrative  
38 rule or regulation affecting the rights, privileges, benefits, duties,  
39 obligations, or liabilities of any one or more persons subject by law  
40 to regulation as a class, but does not include a local administrative  
41 action (1) to issue, renew or deny, or, in an adjudicative action, to  
42 suspend or revoke, a license, order, permit or waiver under any law  
43 or administrative rule or regulation, (2) to impose a penalty, or (3)  
44 to effectuate an administrative reorganization within a single local  
45 government department or agency.

46 o. The term “influence local regulation” means to make any  
47 attempt, whether successful or not, to secure or prevent the proposal  
48 of any local regulation or to secure or prevent the consideration,

1 amendment, issuance, promulgation, adoption, or rejection thereof  
2 by an officer or any local government department or agency  
3 empowered by law to issue, promulgate, or adopt local  
4 administrative rules and regulations.

5 p. The term “expenditures providing a benefit” or  
6 “expenditures providing benefits” means any expenditures for  
7 entertainment, food and beverage, travel and lodging, honoraria,  
8 loans, gifts or any other thing of value, except for (1) any money or  
9 thing of value paid for past, present, or future services in regular  
10 employment, whether in the form of a fee, expense, allowance,  
11 forbearance, forgiveness, interest, dividend, royalty, rent, capital  
12 gain, or any other form of recompense, or any combination thereof,  
13 or (2) any dividends or other income paid on investments, trusts,  
14 and estates.

15 q. The term “commission” means the Election Law  
16 Enforcement Commission established pursuant to section 5 of  
17 P.L.1973, c.83 (C.19:44A-5).

18 r. The term “communication with the general public” means  
19 any communication:

20 (1) disseminated to the general public through direct mail or in  
21 the form of a paid advertisement in a newspaper, magazine, or other  
22 printed publication of general circulation or aired on radio,  
23 television, or other broadcast medium; and

24 (2) which explicitly supports or opposes a particular item or  
25 items of a local measure or local regulation, or the content of which  
26 can reasonably be understood, irrespective of whether the  
27 communication is addressed to the general public or to persons in  
28 public office or employment, as intended to influence a local  
29 measure or to influence local regulation.

30 s. The terms “influence local governmental processes,”  
31 “influencing local governmental processes” or “influence local  
32 governmental process” means to make any attempt, whether  
33 successful or not, to assist a represented entity or group to engage in  
34 communication with, or to secure information from, a local  
35 government officer or employee, or any local government  
36 department or agency, empowered by law to administer a local  
37 governmental process or perform other functions that relate to such  
38 processes.

39 t. The term “local governmental process” means:

40 (1) promulgation of local administrative orders;

41 (2) rate setting;

42 (3) development, negotiation, award, modification or  
43 cancellation of public contracts;

44 (4) issuance, denial, modification, renewal, revocation or  
45 suspension of permits, licenses or waivers;

46 (5) procedures for bidding;

47 (6) imposition or modification of fines and penalties;

48 (7) procedures for purchasing;

1 (8) rendition of local administrative determinations; and  
2 (9) award, denial, modification, renewal or termination of  
3 financial assistance, grants and loans.

4 u. The term “public contract” means a contract the cost or price  
5 of which is to be paid with or out of public funds or the funds of an  
6 independent local authority.

7  
8 4. a. Any person who is employed, retained or engages himself  
9 as a governmental affairs agent shall, prior to any communication  
10 with, or the making of any expenditures providing a benefit to, a  
11 member of the local governing body, staff of the local governing  
12 body, the local chief executive, staff of the local chief executive, or  
13 a local government officer or employee, and in any event within 30  
14 days of the effective date of this act, P.L. , c. (C. ) (pending  
15 before the Legislature as this bill), or of such employment, retainer  
16 or engagement, whichever occurs later, file a signed notice of  
17 representation with the Election Law Enforcement Commission in  
18 such detail as the commission may prescribe, identifying himself  
19 and persons by whom he is employed or retained, and the persons in  
20 whose interests he is working, and the general nature of his  
21 proposed services as a governmental affairs agent for such persons,  
22 which notice shall contain the following information:

23 (1) his name, business address and regular occupation;

24 (2) the name, business address and occupation or principal  
25 business of the person from whom he receives compensation for  
26 acting as a governmental affairs agent;

27 (3) (a) the name, business address and occupation or principal  
28 business of any person in whose interest he acts as a governmental  
29 affairs agent in consideration of the aforesaid compensation, if such  
30 person is other than the person from whom said compensation is  
31 received; and

32 (b) if a person, identified under paragraph (2) of this subsection  
33 as one from whom the governmental affairs agent receives  
34 compensation, is a membership organization or corporation whose  
35 name or occupation so identified does not, either explicitly or by  
36 virtue of the nature of the principal business in which the  
37 organization or its members, or the corporation or its shareholders,  
38 is commonly known to be engaged, clearly reveal the primary  
39 specific economic, social, political, or other interest which the  
40 organization or corporation may reasonably be understood to seek  
41 to advance or protect through its employment, retainer, or  
42 engagement of the governmental affairs agent, a description of that  
43 primary economic, social, political, or other interest and a list of the  
44 persons having organizational or financial control of the  
45 organization or corporation, including the names, mailing addresses  
46 and occupations, respectively, of those persons. The commission  
47 shall promulgate rules and regulations to govern the content of any  
48 information required to be disclosed under this subparagraph and

1 shall take such steps as are reasonably necessary to ensure that all  
2 such information is, in accordance with those rules and regulations,  
3 both accurate and complete.

4 Any list of governmental affairs agents and their principals  
5 required to be published quarterly under subsection h. of section 16  
6 of P.L. , c. (C. ) (pending before the Legislature as this bill)  
7 shall include, for each such principal for whom it is not otherwise  
8 apparent, the primary specific interest which the principal may  
9 reasonably be understood to seek to advance or protect through its  
10 engagement of the governmental affairs agent and the category of  
11 persons required to file additional information, as that interest and  
12 such category shall have been determined under subparagraph (b) of  
13 this paragraph;

14 (4) whether the person from whom he receives said  
15 compensation employs him solely as a governmental affairs agent,  
16 or whether he is a regular employee performing services for his  
17 employer which include but are not limited to the influencing of  
18 local measures, local regulations or local governmental processes;

19 (5) the length of time for which he will be receiving  
20 compensation from the person aforesaid for acting as a  
21 governmental affairs agent, if said length of time can be ascertained  
22 at the time of filing;

23 (6) the type of local measure, local regulation or local  
24 governmental process or the particular local measure, local  
25 regulation or local governmental process in relation to which he is  
26 to act as governmental affairs agent in consideration of the  
27 aforesaid compensation, and any particular local measure, local  
28 regulation or local governmental process or type of local measure,  
29 local regulation or local governmental process which he is to  
30 promote or oppose; and

31 (7) when a governmental affairs agent is employed or retained  
32 by any State or local government agency, department, board,  
33 bureau, commission, authority, board of education, institution of  
34 higher education, or any other government entity in this State, the  
35 notice of representation shall also indicate the compensation  
36 amount received or to be received by the governmental affairs agent  
37 from the government entity. Each notice of representation  
38 indicating that the governmental affairs agent is employed or  
39 retained by a government entity shall be posted by the commission  
40 on the commission's Internet site within 30 days of filing, and shall  
41 be easily available for public inspection through that Internet site.

42 b. Any governmental affairs agent who receives compensation  
43 from more than one person for his services as a governmental  
44 affairs agent shall file a separate notice of representation with  
45 respect to each such person; except that a governmental affairs  
46 agent whose fee for acting as such in respect to the same local  
47 measure, local regulation or local governmental process or type of  
48 local measure, local regulation or local governmental process is



1 paid or contributed to by more than one person may file a single  
2 statement, in which he shall detail the name, business address and  
3 occupation or principal business of each person so paying or  
4 contributing.

5  
6 5. Any governmental affairs agent or lobbyist not a resident of  
7 this State, or not a corporation of this State or authorized to do  
8 business in this State, shall file with the Election Law Enforcement  
9 Commission, before attempting to influence a local measure, local  
10 regulation or local governmental process, its consent to service of  
11 process at an address within this State, or by regular mail at an  
12 address outside this State.

13  
14 6. a. No lobbyist or governmental affairs agent shall offer or  
15 give or agree to offer or give, directly or indirectly, any  
16 compensation, reward, employment, gift, honorarium, or other thing  
17 of value to a local government officer or employee or member of  
18 the local governing body or staff of the local governing body,  
19 totaling more than \$250 in a calendar year. The \$250 limit on any  
20 compensation, reward, gift, honorarium or other thing of value shall  
21 also apply to each member of the immediate family of a member of  
22 the local governing body, which means a spouse, child, parent, or  
23 sibling of the member residing in the same household as the  
24 member of the local governing body.

25 b. The prohibition in subsection a. of this section on offering or  
26 giving, or agreeing to offer or give, any compensation, reward, gift,  
27 honorarium or other thing of value shall not apply: (1) if it is in the  
28 course of employment, by an employer other than a public  
29 employer, of an individual covered in subsection a. of this section  
30 or a member of the immediate family; or (2) if receipt is from a  
31 member of the immediate family when the family member received  
32 such in the course of his or her employment; or (3) if it is in  
33 accordance with the terms of regulations promulgated by the  
34 commission with regard to coworkers employed by the same public  
35 employer and the governmental affairs agent is a fellow employee  
36 of that public employer not acting as a governmental affairs agent  
37 with respect thereto pursuant to the provisions of section 10 of this  
38 act, P.L. , c. (C. ) (pending before the Legislature as this bill).

39 c. Subsection a. of this section shall not apply if the local  
40 government officer or employee or member of the local governing  
41 body or staff of the local governing body who accepted any  
42 compensation, reward, gift, honorarium or other thing of value  
43 offered or given by a lobbyist or governmental affairs agent makes  
44 a full reimbursement, within 90 days of acceptance, to the lobbyist  
45 or governmental affairs agent in an amount equal to the money  
46 accepted or the fair market value of that which was accepted if  
47 other than money. As used in this subsection, "fair market value"

1 means the actual cost of the compensation, reward, gift, honorarium  
2 or other thing of value accepted.

3 d. A violation of this section shall not constitute a crime or  
4 offense under the laws of this State.

5  
6 7. Any person who knowingly employs another person to serve  
7 as a governmental affairs agent who is not registered as required by  
8 section 4 of this act, P.L. , c. (C. ) (pending before the  
9 Legislature as this bill), except upon the condition that such person  
10 register as a governmental affairs agent as provided by law or who  
11 continues to employ any such person who has not registered within  
12 the time required by law, shall, upon conviction, be guilty of a  
13 crime of the fourth degree.

14  
15 8. Any governmental affairs agent who knowingly represents  
16 an interest adverse to any of his employer's without first obtaining  
17 such employer's written consent thereto, after full disclosure to such  
18 employer of such adverse interest, shall, upon conviction, be guilty  
19 of a crime of the fourth degree.

20  
21 9. Any governmental affairs agent who knowingly causes,  
22 influences, or otherwise secures the introduction of any local  
23 measure or amendment thereto for the purpose of thereafter being  
24 employed to prevent the passage thereof, shall upon conviction be  
25 guilty of a crime of the fourth degree.

26  
27 10. a. As used in this section, "person" means any member of  
28 the local governing body, the local chief executive, or the head of a  
29 principal local government department or agency.

30 b. No person shall act as a "governmental affairs agent" as  
31 defined in section 3 of P.L. , c. (C. ) (pending before the  
32 Legislature as this bill) with respect to any local measure, local  
33 regulation, or local governmental process of the municipality,  
34 county, authority, or school district with which the person holds  
35 office or is employed and for one year next subsequent to the  
36 termination of the office or employment of the person.

37 c. Any person who knowingly and willfully violates the  
38 provisions of subsection b. of this section shall be subject to a  
39 penalty of not more than \$10,000.

40 d. Upon receiving evidence of any violation of this section, the  
41 Election Law Enforcement Commission shall have the power to  
42 hold, or to cause to be held, hearings about the violation and, upon  
43 finding any person to have committed a violation, to assess such  
44 penalty, within the limits prescribed herein, as it deems proper  
45 under the circumstances, which penalty may be collected in a  
46 summary proceeding pursuant to the "Penalty Enforcement Law of  
47 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

1       11. A governmental affairs agent shall not enter into any  
2 agreement, arrangement, or understanding under which the  
3 governmental affairs agent's compensation, or any portion thereof,  
4 is made contingent upon the success of any attempt to influence a  
5 local measure, local regulation or local governmental process.  
6

7       12. a. Every governmental affairs agent shall file with the  
8 commission a signed quarterly report of his activity in attempting to  
9 influence local measures, local regulations or local governmental  
10 processes during each such quarter.

11       b. The quarterly reports required under this section shall be  
12 made in the form and manner prescribed by the commission and  
13 shall be filed between the first and tenth days of each calendar  
14 quarter for such activity during the preceding calendar quarter. The  
15 commission may, in its discretion, permit joint reports by persons  
16 subject to this act, P.L. , c. (C. ) (pending before the Legislature  
17 as this bill).

18       c. Each such quarterly report shall:

19       (1) describe the particular items of local measure, local  
20 regulation or local governmental process, the particular items in the  
21 annual local budget ordinance or resolution or any measure that is  
22 supplemental to that ordinance or resolution, and any general  
23 category or type of local measure, local regulation or local  
24 governmental process regarding which the governmental affairs  
25 agent acted as a governmental affairs agent during the quarter, and  
26 any particular items or general types of local measures, local  
27 regulations, or local governmental processes which he actively  
28 promoted or opposed during the quarter; and

29       (2) supply any information necessary to make the notice of  
30 representation filed by the governmental affairs agent pursuant to  
31 section 4 of P.L. , c. (C. ) (pending before the Legislature as this  
32 bill), current and accurate as of the final day of the calendar quarter  
33 covered by the report.  
34

35       13. Each governmental affairs agent or lobbyist shall make and  
36 certify the correctness of a full annual report to the Election Law  
37 Enforcement Commission, of those moneys, loans, paid personal  
38 services or other things of value contributed to it and those  
39 expenditures made, incurred or authorized by it for the purpose of  
40 communication with or providing benefits to any member of the  
41 local governing body, staff of the local governing body, the local  
42 chief executive, staff of the local chief executive, or a local  
43 government officer or employee, or a communication with the  
44 general public, during the previous year. The report shall include,  
45 but not be limited to, the following expenditures which relate to  
46 communication with, or providing benefits to, any member of the  
47 local governing body, staff of the local governing body, the local  
48 chief executive, staff of the local chief executive, or a local

1 government officer or employee, or communication with the general  
2 public: media, including advertising; entertainment; food and  
3 beverage; travel and lodging; honoraria; loans; gifts; and salary,  
4 fees, allowances or other compensation paid to an agent. The  
5 expenditures shall be reported whether made to the intended  
6 recipient of the communication or benefit, to a governmental affairs  
7 agent or a lobbyist, or in the case of a communication to the general  
8 public, to the publisher of that communication. The expenditures  
9 shall be reported in the aggregate by category, except that if the  
10 aggregate expenditures on behalf of the member of the local  
11 governing body, staff of the local governing body, the local chief  
12 executive, staff of the local chief executive, or a local government  
13 officer or employee exceed \$25 per day, they shall be detailed  
14 separately as to the name of the member of the local governing  
15 body, member of the staff of the local governing body, the local  
16 chief executive, member of the staff of the local chief executive, or  
17 a local government officer or employee, date and type of  
18 expenditure, amount of expenditure and to whom paid. Where the  
19 aggregate expenditures for the purpose of communication with or  
20 providing benefits to any one member of the local governing body,  
21 member of the staff of the local governing body, the local chief  
22 executive, member of the staff of the local chief executive, or a  
23 local government officer or employee exceed \$200 per year, the  
24 expenditures, together with the name of the intended recipient of  
25 the communication or benefits, shall be stated in detail including  
26 the type of each expenditure, amount of expenditure and to whom  
27 paid. Where those expenditures in the aggregate, or where the  
28 aggregate expenditures for the purpose of communication with the  
29 general public, with respect to any specific occasion are in excess of  
30 \$100, the report shall include the date and type of expenditure,  
31 amount of expenditure and to whom paid. The Election Law  
32 Enforcement Commission may, in its discretion, permit joint reports  
33 by governmental affairs agents. No governmental affairs agent  
34 shall be required to file a report unless all moneys, loans, paid  
35 personal services or other things of value contributed to it for the  
36 purpose of communication with or making expenditures providing a  
37 benefit to a member of the local governing body, staff of the local  
38 governing body, the local chief executive, staff of the local chief  
39 executive, or a local government officer or employee or for the  
40 purpose of communication with the general public exceed \$2,500 in  
41 any year or unless all expenditures made, incurred or authorized by  
42 it for the purpose of communication with or providing benefits to a  
43 member of the local governing body, staff of the local governing  
44 body, the local chief executive, staff of the local chief executive, or  
45 a local government officer or employee or for the purpose of  
46 communication with the general public exceed \$2,500 in any year.

47 Any lobbyist who receives contributions or makes expenditures  
48 to influence a local measure or local regulation shall be required to

1 file and certify the correctness of a report of such contributions or  
2 expenditures if the contributions or expenditures made, incurred or  
3 authorized by it for the purpose of communication with or providing  
4 benefits to a member of the local governing body, staff of the local  
5 governing body, the local chief executive, staff of the local chief  
6 executive, or a local government officer or employee exceed, in the  
7 aggregate, \$2,500 in any year. Any lobbyist required to file a report  
8 pursuant to this section may designate a governmental affairs agent  
9 in its employ or otherwise engaged or used by it to file a report on  
10 its behalf; provided such designation is made in writing by the  
11 lobbyist, is acknowledged in writing by the designated  
12 governmental affairs agent and is filed with the Election Law  
13 Enforcement Commission on or before the date on which the report  
14 of the lobbyist is due for filing, and further provided that any  
15 violation of this act shall subject both the lobbyist and the  
16 designated governmental affairs agent to the penalties provided in  
17 this act.

18 Any person other than a governmental affairs agent or lobbyist  
19 who receives contributions or makes expenditures for the purpose  
20 of communication with the general public shall be required to file  
21 and certify the correctness of a report of such contributions or  
22 expenditures in the same manner as governmental affairs agents  
23 under the provisions of this section if the contributions or  
24 expenditures made, incurred, or authorized by the person for the  
25 purpose of communication with the general public exceed in the  
26 aggregate \$2,500 in any year.

27 This section shall not be construed to authorize any person to  
28 make or authorize, or to cause to be made or authorized, any  
29 expenditure providing a benefit, or to provide a benefit, the  
30 provision or receipt of which is prohibited under any current law or  
31 any code of ethics promulgated thereunder, or under any other  
32 order, rule, or regulation.

33

34 14. A person who is registered as a governmental affairs agent  
35 and who serves or shall serve as a member of any independent State  
36 authority, county improvement authority or municipal utilities  
37 authority, or as a member from New Jersey on an inter-state or bi-  
38 state authority, or as a member of any board or commission  
39 established by statute or resolution or by executive order of the  
40 Governor or by the Legislature or by any agency, department or  
41 other instrumentality of the State, or established by a local  
42 governing body or local chief executive, shall disclose such service,  
43 including the name of the authority, board or commission and the  
44 date upon which his term as a member thereof expires, in the annual  
45 report required to be made under section 13 of  
46 P.L. , c. (C. ) (pending before the Legislature as this bill).

1       15. a. Each governmental affairs agent and lobbyist shall  
2 provide to each member of the local governing body, staff of the  
3 local governing body, the local chief executive, staff of the local  
4 chief executive, or a local government officer or employee who  
5 receives a benefit that is required to be reported to the commission  
6 pursuant to section 13 of P.L. , c. (C. ) (pending before the  
7 Legislature as this bill), a full written and certified report describing  
8 the benefit, including a description of the benefit, the amount of the  
9 benefit, the date it was provided and to whom it was paid.

10       b. The reports shall be transmitted to the member of the local  
11 governing body, staff of the local governing body, the local chief  
12 executive, staff of the local chief executive, or the local government  
13 officer or employee by each governmental affairs agent or lobbyist  
14 no later than February 1 of each year and shall cover benefits  
15 provided in the immediately preceding calendar year. In the event  
16 that a governmental affairs agent or lobbyist provides more than  
17 one benefit to a member of the local governing body, staff of the  
18 local governing body, the local chief executive, staff of the local  
19 chief executive, or a local government officer or employee during a  
20 calendar year, the reports describing those benefits required  
21 pursuant to subsection a. of this section may be combined into one  
22 report or filed as separate reports.

23

24       16. The commission shall:

25       a. permit public inspection of all statements filed pursuant to  
26 this act, P.L. , c. (C. ) (pending before the Legislature as this  
27 bill);

28       b. compile and summarize information contained in statements  
29 filed pursuant to this act, and report the same to the Legislature and  
30 the Governor;

31       c. ascertain whether any persons have failed to file statements  
32 as required by this act, or have filed incomplete or inaccurate  
33 statements, and give notice to such persons to file such statements  
34 as will conform to the requirements of this act;

35       d. investigate violations of this act, report to the Legislature  
36 and the Governor thereon, and notify the Attorney General of any  
37 possible criminal violations of this act, that may warrant further  
38 investigation and action;

39       e. make such recommendations to the Legislature and the  
40 Governor as will tend to further the objectives of this act, and take  
41 such other action as shall be necessary and proper to effectuate the  
42 purposes of this act;

43       f. report to the Legislature and the Governor annually on the  
44 administration of this act;

45       g. develop and prescribe methods and forms for statements  
46 required to be filed by this act, and require the use of such forms by  
47 persons subject to this act;

1 h. compile and publish quarterly a list of all governmental  
2 affairs agents then registered, together with the information  
3 contained in their notices of representation and last quarterly report,  
4 which compilation shall be distributed to all members of the  
5 Legislature and the Governor, and published in the New Jersey  
6 Register;

7 i. prepare and publish a summary and explanation of the  
8 registration and reporting requirements of this act, for the use and  
9 guidance of those persons who may be required to file statements  
10 under this act;

11 j. in accordance with a fee schedule adopted by the  
12 commission as a rule or regulation, establish and charge reasonable  
13 fees for the filing of notices of representation and quarterly and  
14 annual reports pursuant to this act, provided that such fees shall not  
15 apply to the organizations which qualify under subsection (b) of  
16 section 9 of chapter 30 of the laws of 1966, as amended (C.54:32B-  
17 9), and provided further that the amount of such fees shall not  
18 exceed the cost to the commission of processing and maintaining  
19 those notices and reports and of compiling, summarizing and  
20 publishing the information contained therein as prescribed by this  
21 act; and

22 k. during periods when the Legislature is in session, report  
23 monthly to the members of the Legislature and the Governor and  
24 his staff all new notices of representation, notices of termination  
25 and other notices filed pursuant to this act, during the preceding  
26 month.

27  
28 17. In addition to any fee collected pursuant to subsection j. of  
29 section 16 of P.L. , c. (C. ) (pending before the Legislature as  
30 this bill), the commission shall establish and collect no later than  
31 January 31 of each year a fee from each governmental affairs agent,  
32 in an amount to be set by the commission through regulation, for  
33 deposit into the General Fund. Such moneys shall be allocated  
34 annually by the Legislature for use by the commission.

35  
36 18. Upon receiving evidence of any violation of P.L. , c. (C. )  
37 (pending before the Legislature as this bill), the commission shall  
38 have power to bring complaint proceedings, to issue subpoenas for  
39 the production of witnesses and documents, and to hold or to cause  
40 to be held by the Office of Administrative Law, hearings upon such  
41 complaint. In addition to any other penalty provided by law, any  
42 person who is found to have committed such a violation shall be  
43 liable for a civil penalty not in excess of \$1,000, which penalty may  
44 be collected in a summary proceeding pursuant to the "Penalty  
45 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

46  
47 19. Any person engaged in activity which makes him subject to  
48 filing a statement under this act, P.L. , c. (C. ) (pending before

1 the Legislature as this bill), shall keep and preserve all records of  
2 his receipts, disbursements, and other financial transactions in the  
3 course of and as a part of his activities as a governmental affairs  
4 agent. Such records shall be preserved for a period of three calendar  
5 years next succeeding the calendar year in which they were made.  
6 The provisions of this section shall not apply to any governmental  
7 affairs agent with respect to any quarterly period within which the  
8 total of his compensation including reimbursement of expenses is  
9 less than \$500.00.

10 The commission shall conduct random audits of records kept and  
11 preserved pursuant to this section.

12

13 20. a. Every governmental affairs agent shall file a notice of  
14 termination report within 30 days after his activity shall cease, on  
15 such form as the commission shall prescribe, and any person who  
16 engages a governmental affairs agent may file a notice of  
17 termination after such agent ceases to represent such person.

18 b. A governmental affairs agent who receives or agrees to  
19 receive compensation for acting as such from any person not named  
20 in the notice of representation filed pursuant to section 4 of  
21 P.L. , c. (C. ) (pending before the Legislature as this bill) shall,  
22 within 15 days of receiving or agreeing to receive such  
23 compensation, file an appropriate notification thereof in writing  
24 with the commission.

25 c. A governmental affairs agent shall notify the commission in  
26 writing of any material change in the information supplied by him  
27 in the notice of representation filed pursuant to section 4 of  
28 P.L. , c. (C. ) (pending before the Legislature as this bill) within  
29 15 days of the effective date of such change.

30

31 21. The statements required by this act,  
32 P.L. , c. (C. ) (pending before the Legislature as this bill), to be  
33 filed with the commission shall constitute part of the public records  
34 of the office of the commission and shall be available for public  
35 inspection; and shall be preserved by the commission for a period of  
36 five years from the date of filing.

37

38 22. This act shall not apply to the following activities:

39 a. the publication or dissemination, in the ordinary course of  
40 business, of news items, advertising which does not constitute  
41 communication with the general public, editorials or other  
42 comments by a newspaper, book publisher, regularly published  
43 periodical, or radio or television station, including an owner, editor  
44 or employee thereof;

45 b. acts of an officer or employee of the Government of this  
46 State or any of its political subdivisions, or of the Government of  
47 the United States or of any state or territory thereof or any of their  
48 political subdivisions, in carrying out the duties of their public



- 1 office or employment, except as provided in section 10 of P.L.2009,  
2 c.308 (C.18A:3B-55);
- 3 c. acts of bona fide religious groups acting solely for the  
4 purpose of protecting the public right to practice the doctrines of  
5 such religious groups;
- 6 d. acts of a duly organized national, State or local committee of  
7 a political party;
- 8 e. acts of a person in testifying before a local governing body,  
9 at a public hearing duly called by the local chief executive on a  
10 local measure, or before any officer or body empowered by law to  
11 issue, promulgate, or adopt administrative rules and regulations in  
12 behalf of a nonprofit organization incorporated as such in this State  
13 who receives no compensation therefor beyond the reimbursement  
14 of necessary and actual expenses, and who makes no other  
15 communication with a member of the local governing body, staff of  
16 the local governing body, the local chief executive, staff of the local  
17 chief executive, or a local government officer or employee in  
18 connection with the subject of his testimony;
- 19 f. acts of a person in communicating with or providing benefits  
20 to a member of the local governing body, staff of the local  
21 governing body, the local chief executive, staff of the local chief  
22 executive, or a local government officer or employee if such  
23 communication or provision of benefits is undertaken by him as a  
24 personal expression and not incident to his employment, even if it is  
25 upon a matter relevant to the interests of a person by whom or  
26 which he is employed, and if he receives no additional  
27 compensation or reward, in money or otherwise, for or as a result of  
28 such communication or provision of benefits;
- 29 g. with regard to influencing local governmental processes as  
30 defined in subsections s. and t. of section 3 of P.L. , c. (C. )  
31 (pending before the Legislature as this bill), any communications,  
32 matters or acts of an attorney falling within the attorney-client  
33 privilege while engaging in the practice of law to the extent that  
34 confidentiality is required in order for the attorney to exercise his  
35 ethical duties as a lawyer; and
- 36 h. with regard to influencing governmental processes as  
37 defined in subsections s. and t. of section 3 of P.L. , c. (C. )  
38 (pending before the Legislature as this bill), any communications,  
39 matters or acts involving collective negotiations, or the  
40 interpretation or violation of collective negotiation agreements, of a  
41 labor organization of any kind which exists or is constituted for the  
42 purpose, in whole or in part, of collective bargaining, or of dealing  
43 with employers concerning the grievances, terms or conditions of  
44 employment, or of other mutual aid or protection in connection with  
45 employment.
- 46
- 47 23. Every governmental affairs agent who, for the purpose of  
48 influencing a local measure, is in a public building or other location

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1 when and where an authorized meeting of a local governing body is  
2 being held shall at all times wear a descriptive name tag of a type  
3 prescribed by the commission.  
4

5 24. All staff, assistants and employees of the local governing  
6 body who receive for their services a stated salary or similar  
7 compensation from public funds are forbidden to act as  
8 governmental affairs agents, or to seek, receive or agree to receive,  
9 directly or indirectly, compensation, in money or any thing of  
10 value, for influencing or purporting to influence a local measure,  
11 local regulation, or local governmental process of the municipality,  
12 county, authority, or school district in which the office or  
13 employment is held. Whoever violates this section is guilty of a  
14 crime of the fourth degree.  
15

16 25. Any person who knowingly and willfully falsifies all or any  
17 part of any statement, notice or report under this act,  
18 P.L. , c. (C. ) (pending before the Legislature as this bill), shall,  
19 upon conviction, be guilty of a crime of the fourth degree.  
20

21 26. Any person who shall transmit, utter or publish to the local  
22 governing body or the local chief executive or his staff any  
23 communication relating to any local measure or be a party to the  
24 preparation thereof, knowing such communication or any signature  
25 thereto is false, forged, counterfeit, or fictitious, shall upon  
26 conviction, be guilty of a crime of the fourth degree.  
27

28 27. Upon the failure to comply with any provisions of this act,  
29 P.L. , c. (C. ) (pending before the Legislature as this bill), by  
30 any person subject thereto the commission may institute a civil  
31 action to enjoin such person from engaging in activity covered by  
32 this act until such time as he shall perform any duty imposed  
33 thereby and to require him to file any statement required by this act,  
34 as amended and supplemented, for the period he acted in violation  
35 thereof. The court may proceed in a summary manner for such civil  
36 action.  
37

38 28. Any governmental affairs agent required to file a notice of  
39 representation or report or maintain any record under this act,  
40 P.L. , c. (C. ) (pending before the Legislature as this bill), who  
41 fails to file such a notice or report or maintain such record shall,  
42 upon conviction, be guilty of a crime of the fourth degree.  
43

44 29. Every officer, or person performing the functions of an  
45 officer, of any person required by this act to file any statement shall  
46 be under obligation to cause such person to file such statement  
47 within the time prescribed by this act, P.L. , c. (C. ) (pending  
48 before the Legislature as this bill).

1 The obligation of any person to file any statement required by  
2 this act shall continue from day to day, and discontinuance of the  
3 activity out of which the obligation arises shall not relieve any  
4 person from the obligation to file any statement required for any  
5 period of time prior to such discontinuance.  
6

7 30. The commission shall make provision to accept statements  
8 similar to statements required by this act, P.L. , c. (C. )  
9 (pending before the Legislature as this bill), from persons who are  
10 not required by law to file such statements but who choose to make  
11 reports upon their activities in influencing local measures. The  
12 commission shall have full discretion in prescribing the form and  
13 detail of such voluntary statements and may by general rules delimit  
14 classes of voluntary filings which it will or will not accept in order  
15 to further the purposes of this act, and the efficient administration  
16 thereof. The information contained in such voluntary statements as  
17 are accepted by the commission shall be included in the periodic  
18 reports and summaries which it is required to make.  
19

20 31. a. When it shall appear to the commission that a person  
21 required to file any statement under this act,  
22 P.L. , c. (C. ) (pending before the Legislature as this bill), has  
23 failed to file such required statement, or has filed a statement false,  
24 inaccurate or incomplete in any material matter, or has otherwise  
25 violated the provisions of this act, or when the commission believes  
26 it to be in the public interest that an investigation should be made to  
27 ascertain whether a person has in fact violated any of the provisions  
28 of this act, it may apply to the Superior Court for an order or orders  
29 directing:

30 (1) that any such person or persons make available to the  
31 commission's inspection, or to the inspection of any of its  
32 authorized deputies or agents, such records as are required to be  
33 kept by that person pursuant to section 19 of P.L. , c. (C. )  
34 (pending before the Legislature as this bill); or

35 (2) that any such person file a statement or report in writing  
36 under oath concerning the facts and circumstances upon which the  
37 commission's belief in the necessity of an investigation is based; or

38 (3) that any person submit to examination under oath by the  
39 commission in connection with said circumstances, and produce any  
40 and all records, books and other documents which may be specified  
41 by order of the court; or

42 (4) that the commission may impound any record, book or other  
43 documents specified by order of the court.

44 b. Such application by the commission shall set forth all the  
45 facts and circumstances upon which its belief in the necessity of an  
46 investigation is based. The court may proceed on such application  
47 in a summary manner; and if the court determines that from the  
48 evidence submitted it appears that a person required to file any

1 statement under this act, has failed to file such statement, or has  
2 filed a statement false, inaccurate or incomplete in any material  
3 respect, or has otherwise violated any of the provisions of this act,  
4 or that it is in the public interest that an investigation be held to  
5 determine whether such violation has occurred, the court shall issue  
6 such order pursuant to subsection a. of this section as it may deem  
7 necessary and proper.

8 c. The commission shall hold as confidential all statements,  
9 books, records, testimony and other information or sources of  
10 information coming into its possession or knowledge as a result of  
11 an investigation pursuant to this section and shall not disclose or  
12 divulge any such materials or information to anyone except the  
13 court under whose order such material or information comes into its  
14 knowledge or possession, unless the court shall order its disclosure  
15 to a grand jury of this State or other appropriate authorities for the  
16 purposes of enforcing the provisions of this act, or any other law.

17 d. If any person shall refuse to testify or produce any book,  
18 paper or other document in any proceeding under this section as  
19 ordered by the court on the grounds that the testimony or evidence,  
20 documentary or otherwise, which is required of him may tend to  
21 incriminate him, convict him of a crime, or subject him to a penalty  
22 or forfeiture, and shall, notwithstanding, be directed to testify or to  
23 produce such book, paper or document, he shall comply with such  
24 direction. A person who is entitled by law to assert such privilege,  
25 and does so assert, and thereafter complies with such direction,  
26 shall not thereafter be prosecuted or subjected to any penalty or  
27 forfeiture in any criminal proceeding which arises out of and relates  
28 to the subject matter of the proceeding. No person so testifying  
29 shall be exempt from prosecution or punishment for perjury on false  
30 swearing committed by him in giving such testimony.

31 e. In any action brought under this section, the court may  
32 award to the State all costs of investigation and trial, including a  
33 reasonable attorney's fee to be fixed by the court. If costs are  
34 awarded in such an action brought against a governmental affairs  
35 agent, the judgment may be awarded against the governmental  
36 affairs agent, and the governmental affairs agent's employer or  
37 employers joined as defendants, jointly, severally, or both. If the  
38 defendant prevails, he shall be awarded all costs of trial, and may be  
39 awarded a reasonable attorney's fee to be fixed by the court and  
40 paid by the State of New Jersey.

41  
42 32. The commission shall adopt such rules and regulations as  
43 may be necessary to effectuate the purposes of this act,  
44 P.L. , c. (C. ) (pending before the Legislature as this bill).

45  
46 33. This act shall take effect immediately.

STATEMENT

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This bill extends the same disclosure, reporting, and other requirements that govern the activities of governmental affairs agents to their activities with respect to all local government levels, and applies the reporting requirements to governmental affairs agents who engage in their activities at the local level for more than one hour in a calendar year.

Under the bill, a governmental affairs agent acting on behalf of a lobbyist who seeks to influence a local measure, local regulations, the local governmental process, or to provide a benefit to certain local officials, and undertakes activities for more than one hour in a calendar year, would be required to file a statement of representation with the Election Law Enforcement Commission (ELEC) prior to attempting to exercise such influence or provide such benefit. These activities would include communications with: (1) the local governing body of a municipality, a county, a local authority, or a school district, including a charter school; (2) the local chief executive of the municipality, county, authority, or school district; (3) their respective staffs, as defined in the bill, which includes the heads of principal local government departments and agencies; and (4) local government officers and employees, which includes the deputy heads of principal local government departments and agencies.

The bill defines a “local measure” as including all ordinances, resolutions, amendments, nominations and appointments pending or proposed in a local governing body, and all ordinances and resolutions which having been approved by the local governing body are pending implementation. A “local regulation” includes any local administrative rule or regulation affecting the rights, privileges, benefits, duties, obligations, or liabilities of any one or more persons subject by law to regulation as a class, but does not include a local administrative action (1) to issue, renew or deny, or, in an adjudicative action, to suspend or revoke, a license, order, permit or waiver under any law or administrative rule or regulation, (2) to impose a penalty, or (3) to effectuate an administrative reorganization within a single local government department or agency. The “local governmental process” includes the promulgation of local administrative orders; rate setting; the development, negotiation, award, modification or cancellation of public contracts; issuance, denial, modification, renewal, revocation or suspension of permits, licenses or waivers; procedures for bidding; imposition or modification of fines and penalties; procedures for purchasing; rendition of local administrative determinations; and the award, denial, modification, renewal or termination of financial assistance, grants and loans.

1       Among other provisions, the bill:

2       (1) requires a governmental affairs agent to file with ELEC a  
3 statement or signed notice of representation prior to any  
4 communication with, or providing a benefit to, a member of the  
5 local governing body, staff of the local governing body, the local  
6 chief executive, staff of the local chief executive, or a local  
7 government officer or employee. The statement must disclose,  
8 among other information, the name and address of the governmental  
9 affairs agent, the lobbyist retaining the services of that agent, and  
10 the specific or general types of local measures, local regulations, or  
11 local governmental processes that the agent is employed to  
12 influence (section 4);

13       (2) prohibits a lobbyist or a governmental affairs agent from  
14 offering or giving or agreeing to offer or give, directly or indirectly,  
15 any compensation, reward, employment, gift, honorarium or other  
16 thing of value to a local government officer or employee or a  
17 member of the local governing body or staff of the local governing  
18 body, totaling more than \$250 in a calendar year. This prohibition  
19 also applies with respect to each member of the immediate family  
20 of a member of the local governing body, which means a spouse,  
21 child, parent, or sibling of the member residing in the same  
22 household as the member of the local governing body. The bill also  
23 provides for certain exemptions (section 6);

24       (3) prohibits a member of the local governing body, the local  
25 chief executive, or the head of a principal local government  
26 department or agency from acting as a governmental affairs agent  
27 with respect to any local measure, local regulation, or local  
28 governmental process of the municipality, county, authority, or  
29 school district with which the person holds office or is employed  
30 and for one year next subsequent to the termination of the office or  
31 employment of the person (section 10);

32       (4) requires the governmental affairs agent to file with ELEC  
33 quarterly reports of his or her activities (section 12); and requires  
34 the governmental affairs agent or lobbyist to file a full annual report  
35 of the moneys or other things of value received for, and of those  
36 amounts expended in, communications with or the awarding of  
37 benefits to intended recipients, governmental affairs agents or  
38 lobbyists, and the general public or publisher of the communication,  
39 when the annual amounts either received or expended exceed  
40 \$2,500 in any year (section 13);

41       (5) requires each governmental affairs agent or lobbyist to  
42 provide each recipient of benefits a full written and certified report  
43 describing the benefit, including a description of the benefit, the  
44 amount of the benefit, the date it was provided and to whom it was  
45 paid by February 1 of each year (section 15);

46       (6) empowers ELEC with specific powers and duties for its  
47 implementation of the various requirements in the bill, including the  
48 ability to establish and collect reasonable fees for the filing of

1 statements of representation and quarterly and annual reports, and  
2 an annual fee to be paid by each governmental affairs agent for  
3 allocation to ELEC; and

4 (7) establishes the due process to be followed to prosecute  
5 violations of this bill, including the penalties for violations.

6 This bill is modeled upon the “Legislative and Governmental  
7 Process Activities Disclosure Act,” P.L.1971, c.183 (C.52:13C-  
8 18 et seq.), which governs the activities and disclosures of  
9 governmental affairs agents and lobbyists who seek to influence  
10 legislation, regulations, and governmental processes at the State  
11 government level. The intent of this bill is to impose the same or  
12 substantially the same provisions of current law on governmental  
13 affairs agents and lobbyists who seek to influence local measures,  
14 regulations, and governmental processes at the county,  
15 municipality, local authority, and school district level. In addition,  
16 this bill seeks to enhance transparency by requiring disclosure of  
17 governmental affairs agent activities at the local level undertaken  
18 for more than one hour in a calendar year (ELEC regulations  
19 require reporting of activities at the State level if undertaken for  
20 more than 20 hours in a calendar year).