

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0859.01 Jed Franklin x5484

SENATE BILL 26-147

SENATE SPONSORSHIP

Cutter and Pelton R., Carson, Catlin, Gonzales J., Jodeh, Kipp, Kolker, Lindstedt, Liston, Marchman, Rich, Sullivan

HOUSE SPONSORSHIP

Johnson and Froelich, Winter T., Bacon, Barron, Bottoms, Bradfield, Caldwell, Clifford, Goldstein, Gonzalez R., Hamrick, Hartsook, Jackson, Keltie, Lindsay, Marshall, Martinez, Richardson, Slaugh, Soper, Stewart R., Story, Taggart, Titone, Velasco, Willford, Woog, Zokaie

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF LOBBYISTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill allows a person to select a day (advocacy day) that individuals may lobby a covered official on the person's behalf (advocacy day participant). A person who will have an advocacy day participant lobby a covered official on their behalf during an advocacy day must register and file specified information with the general assembly for each advocacy day during which an advocacy day participant is expected to participate. An advocacy day may only occur if the person has filed the form and the general assembly is in a regular or special session.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

An advocacy day participant is not a volunteer or professional lobbyist and is not required to annually register with the secretary of state or complete monthly disclosure statements. An advocacy day participant must not accept compensation for lobbying during an advocacy day, lobby on behalf of a person not registered with the general assembly, lobby outside of a one-mile radius of the state capitol, or lobby on a day other than that designated as an advocacy day.

The bill provides that a lobbyist exclusively employed by a single nonprofit entity who engages in lobbying of covered officials on behalf of the nonprofit entity as an incidental duty of the individual's role is a nonprofit advocate (nonprofit advocate). A nonprofit advocate is not a professional lobbyist but must comply with the registration and disclosure requirements of professional lobbyists.

Currently, each principal department must designate one person who is responsible for lobbying a state official or employee on behalf of the department (legislative liaison). The bill provides that the judicial branch must also have one legislative liaison who lobbies on the judicial branch's behalf (judicial lobbyist). A legislative liaison, a judicial lobbyist, or an individual who lobbies on behalf of the offices of the governor or lieutenant governor as a member of the governor's cabinet or as a personal staff employee in the offices of the governor or the lieutenant governor (governor's lobbyist) must register with the secretary of state annually.

In addition to annually registering with the secretary of state, a legislative liaison, judicial lobbyist, or a governor's lobbyist must file a monthly disclosure statement with the secretary of state (disclosure statement). The bill provides that a legislative liaison, judicial lobbyist, or a governor's lobbyist must indicate on the disclosure statement the bill number of any legislation for which they have lobbied or will lobby a covered official and their position regarding the legislation. The legislative liaison, judicial lobbyist, or a governor's lobbyist must update their position on the disclosure statement within 72 hours of a change in position.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Community engagement is the foundation of a democratic
5 legislative body and is critical to ensure a collaborate environment for
6 developing sustainable public policy that impacts the state;

1 (b) Community engagement should be conducted in a transparent
2 manner; and

3 (c) Government transparency is crucial to the democratic process
4 and the general public should have transparent access to state agency
5 engagement.

6 (2) Therefore, the general assembly further finds and declares that
7 it seeks to foster collaboration and policy engagement by the community
8 through strengthening the state's lobbying transparency laws and
9 providing greater clarity to ensure a role for all entities and persons to
10 participate.

11 **SECTION 2.** In Colorado Revised Statutes, 24-6-301, **amend**
12 (3.7) and (6); and add (3.8) and (3.9) as follows:

13 **24-6-301. Definitions - legislative declaration.**

14 As used in this part 3, unless the context otherwise requires:

15

16 (3.7) "Lobbyist" means ~~either~~ a professional LOBBYIST, A
17 NONPROFIT ADVOCATE, or a volunteer lobbyist.

18 (3.8) "NONPROFIT ADVOCATE" MEANS AN INDIVIDUAL
19 EXCLUSIVELY EMPLOYED BY A SINGLE NONPROFIT ENTITY WHO ENGAGES
20 IN LOBBYING OF ONE OR MORE COVERED OFFICIALS ON BEHALF OF THE
21 NONPROFIT ENTITY AS AN INCIDENTAL DUTY OF THE INDIVIDUAL'S ROLE.

22 (3.9) "NONPROFIT ENTITY" MEANS A PERSON THAT IS REGISTERED
23 AS AN EXEMPT CHARITABLE ORGANIZATION PURSUANT TO 26 U.S.C. SEC.
24 501 (c)(3) AND THAT IS EXEMPT FROM TAXATION PURSUANT TO 26 U.S.C.
25 SEC. 501 (a) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986".

26 (6) "Professional lobbyist" means a person, business entity,
27 including a sole proprietorship, or an employee of a client, who is

1 compensated by a client or another professional lobbyist for lobbying.
2 "Professional lobbyist" does not include any volunteer lobbyist, any state
3 official or employee acting in ~~his~~ THEIR official capacity, except as
4 provided in section 24-6-303.5, any elected public official acting in ~~his~~
5 THEIR official capacity, A NONPROFIT ADVOCATE, AN EMPLOYEE OF A
6 CLIENT WHO IS ASSISTING A PROFESSIONAL LOBBYIST, UNLESS THE
7 EMPLOYEE'S DUTIES FOR THE CLIENT INCLUDE LOBBYING ON BEHALF OF
8 THE CLIENT, or any individual who appears as counsel or advisor in an
9 adjudicatory proceeding.

10 **SECTION 3.** In Colorado Revised Statutes, 24-6-302, **amend** (5)
11 as follows:

12 **24-6-302. Disclosure statements - required - definition.**

13 (5) (a) This section ~~shall~~ DOES not apply to any political
14 committee, volunteer lobbyist, citizen who lobbies on ~~his or her~~ THEIR
15 own behalf, state official or employee acting in ~~his or her~~ THEIR official
16 capacity, except as provided in section 24-6-303.5, ~~or~~ elected public
17 official acting in ~~his or her~~ THEIR official capacity, OR AN EMPLOYEE OF
18 A CLIENT WHO IS ASSISTING A PROFESSIONAL LOBBYIST IF THE
19 PROFESSIONAL LOBBYIST IS IN COMPLIANCE WITH THE DISCLOSURE
20 REQUIREMENTS MANDATED BY THIS SECTION, UNLESS THE EMPLOYEE'S
21 DUTIES FOR THE CLIENT INCLUDE LOBBYING ON BEHALF OF THE CLIENT.

22 (b) THIS SECTION APPLIES TO A NONPROFIT ADVOCATE.

23 **SECTION 4.** In Colorado Revised Statutes, 24-6-303, **amend**
24 (1.3)(a) and (6); and **add** (1.2) as follows:

25 **24-6-303. Registration as professional lobbyist - filing of**
26 **disclosure statements - certificate of registration - legislative**
27 **declaration.**

1 (1.2) BEFORE LOBBYING, A VOLUNTEER LOBBYIST SHALL REGISTER
2 AND FILE WITH THE GENERAL ASSEMBLY IN ACCORDANCE WITH JOINT
3 RULES ADOPTED BY THE GENERAL ASSEMBLY A REGISTRATION STATEMENT
4 THAT CONTAINS AN ATTESTATION BY THE VOLUNTEER LOBBYIST THAT THE
5 VOLUNTEER LOBBYIST IS NOT BEING PAID OR OTHERWISE COMPENSATED
6 FOR THE LOBBYING.

7 (1.3) (a) At the time a professional lobbyist files a registration
8 statement in accordance with subsection (1) of this section prior to
9 engaging in lobbying, and each time such lobbyist files an updated
10 registration statement in accordance with subsection (1.5) of this section,
11 ~~such~~ THE individual shall pay a registration fee in an amount ~~that shall be~~
12 set by the secretary of state by rule ~~promulgated~~ ADOPTED in accordance
13 with article 4 of this title and ~~shall be~~ set at a level that offsets the costs
14 to the secretary of state of providing electronic access to information
15 pursuant to section 24-6-304 (2), and in processing and maintaining the
16 disclosure information required by this part 3. The secretary of state shall
17 charge a reduced fee to a professional lobbyist that files ~~his or her~~ THEIR
18 registration statement pursuant to ~~paragraph (b)~~ of subsection (6.3)(b) of
19 this section. The secretary of state may waive the fee of a NONPROFIT
20 ADVOCATE or a professional lobbyist for a ~~not-for-profit organization~~
21 NONPROFIT ENTITY who derives ~~his or her~~ THEIR compensation solely
22 from the organization. A volunteer lobbyist ~~shall be~~ IS exempt from the
23 requirement to pay the registration fee mandated by this ~~paragraph (a)~~
24 SUBSECTION (1.3)(a).

25 (6) (a) This section ~~shall~~ DOES not apply to any political
26 committee, volunteer lobbyist, citizen who lobbies on ~~his or her~~ THEIR
27 own behalf, state official or employee acting in ~~his or her~~ THEIR official

1 capacity, except as provided in section 24-6-303.5, ~~or~~ elected public
2 official acting in ~~his or her~~ THEIR official capacity, OR AN EMPLOYEE OF
3 A CLIENT WHO IS ASSISTING A PROFESSIONAL LOBBYIST IF THE
4 PROFESSIONAL LOBBYIST IS IN COMPLIANCE WITH THE REGISTRATION
5 REQUIREMENTS MANDATED BY THIS SECTION, UNLESS THE EMPLOYEE'S
6 DUTIES FOR THE CLIENT INCLUDE LOBBYING ON BEHALF OF THE CLIENT.

7 (b) THIS SECTION APPLIES TO A NONPROFIT ADVOCATE.

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9 **SECTION 5.** In Colorado Revised Statutes, 24-6-303.5, **amend**
10 (1)(a), (2)(a) introductory portion, (2)(a)(III), (4) introductory portion,
11 (4)(g), and (5); **repeal** (4)(c); and **add** (2)(a)(IV) and (6) as follows:

12 **24-6-303.5. Lobbying by state officials and employees.**

13 (1) (a) Each principal department of state government, as defined
14 in section 24-1-110, AND THE JUDICIAL BRANCH shall designate one
15 ~~person~~ INDIVIDUAL who ~~shall be~~ IS responsible for any lobbying of the
16 type defined in section 24-6-301 (3.5)(a)(I) or (3.5)(a)(III) by a state
17 official or employee on behalf of ~~said~~ THE principal department OR THE
18 JUDICIAL BRANCH. All designated ~~persons~~ INDIVIDUALS from the principal
19 departments, ~~as well as any person~~ JUDICIAL BRANCH, OR AN INDIVIDUAL
20 lobbying, as defined in section 24-6-301 (3.5)(a)(I) or (3.5)(a)(III), on
21 behalf of an institution or governing board of higher education OR ON
22 BEHALF OF THE OFFICES OF THE GOVERNOR OR LIEUTENANT GOVERNOR AS
23 A MEMBER OF THE GOVERNOR'S CABINET OR AS A PERSONAL STAFF
24 EMPLOYEE IN THE OFFICES OF THE GOVERNOR OR THE LIEUTENANT
25 GOVERNOR shall register with the secretary of state by filing a written
26 statement on or before January 15 of each year. ~~Such~~ THE registration
27 statement ~~shall~~ MUST be on a form prescribed by the secretary of state and

1 ~~shall~~ MUST include the following:

2 (I) The ~~designated person's~~ INDIVIDUAL'S full legal name, ~~principal~~
3 ~~department~~ BUSINESS address, and business telephone number;

4 (II) The name of any state official or employee who is lobbying
5 on behalf of the principal department, JUDICIAL BRANCH, OFFICES OF THE
6 GOVERNOR OR LIEUTENANT GOVERNOR, OR AN INSTITUTION OR
7 GOVERNING BOARD OF HIGHER EDUCATION;

8 (III) The name of ~~such person's~~ THE INDIVIDUAL'S division or unit
9 within the principal department, ~~his~~ JUDICIAL BRANCH, OFFICES OF THE
10 GOVERNOR OR LIEUTENANT GOVERNOR, OR AN INSTITUTION OR
11 GOVERNING BOARD OF HIGHER EDUCATION;

12 (IV) The individual's classification or job title; and

13 (V) The address and telephone number of ~~his~~ THE INDIVIDUAL'S
14 division or unit.

15 (2) (a) In addition to the registration statement filed pursuant to
16 subsection (1) of this section, the designated ~~person, and any person~~
17 INDIVIDUAL, AN INDIVIDUAL lobbying on behalf of an institution or
18 governing board of higher education, AN INDIVIDUAL LOBBYING ON
19 BEHALF OF THE JUDICIAL BRANCH, OR AN INDIVIDUAL LOBBYING ON
20 BEHALF OF THE OFFICES OF THE GOVERNOR OR LIEUTENANT GOVERNOR AS
21 A MEMBER OF THE GOVERNOR'S CABINET OR AS A PERSONAL STAFF
22 EMPLOYEE IN THE OFFICES OF THE GOVERNOR OR THE LIEUTENANT
23 GOVERNOR shall file, monthly, a disclosure statement with the secretary
24 of state in accordance with this subsection (2). The secretary of state shall
25 prescribe the form for such disclosure statement, which ~~shall~~ MUST
26 include:

27 (III) An estimate of the time spent on lobbying or ~~preparation~~

1 ~~thereof~~ PREPARING TO ENGAGE IN LOBBYING by ~~any state official or~~
2 ~~employee~~ THE INDIVIDUAL named in the registration statement or BY any
3 ~~other~~ employee of the principal department, ~~or~~ JUDICIAL BRANCH, offices
4 of the governor or lieutenant governor, OR AN INSTITUTION OR GOVERNING
5 BOARD OF HIGHER EDUCATION; and

6 (IV) THE BILL OR RESOLUTION NUMBER OF THE LEGISLATION AT
7 ISSUE AND THE LEGISLATIVE POSITION OF THE PERSON ON WHOSE BEHALF
8 THE INDIVIDUAL IS LOBBYING. THE POSITION MUST BE INDICATED ON THE
9 INDIVIDUAL'S DISCLOSURE STATEMENT AND MUST INCLUDE WHETHER THE
10 PERSON IS SUPPORTING, OPPOSING, AMENDING, OR MONITORING THE
11 LEGISLATION. IF THE PERSON'S POSITION CHANGES, THE INDIVIDUAL SHALL
12 UPDATE THE POSITION INDICATED ON THE DISCLOSURE STATEMENT WITHIN
13 SEVENTY-TWO HOURS OF THE CHANGE.

14 (4) This section ~~shall~~ DOES not apply to the following ~~persons~~
15 INDIVIDUALS:

16 (c) ~~Members of the governor's cabinet and personal staff~~
17 ~~employees in the offices of the governor and the lieutenant governor~~
18 ~~whose functions are confined to such offices and who report directly to~~
19 ~~the governor or lieutenant governor;~~

20 (g) ~~Members, officers, and employees of the judicial branch;~~
21 ~~specifically, Municipal, state, and federal judges, and the state court~~
22 ~~administrator, and his THEIR designee; and~~

23 (5) ~~Any person~~ AN INDIVIDUAL who engages in lobbying for a
24 principal department, THE JUDICIAL BRANCH, THE OFFICES OF THE
25 GOVERNOR OR LIEUTENANT GOVERNOR, OR AN INSTITUTION OR
26 GOVERNING BOARD OF HIGHER EDUCATION but who is not a state official
27 or employee shall comply with the requirements of sections 24-6-302 and

1 24-6-303.

2 (6) NO STATEWIDE ELECTED OFFICEHOLDER OR MEMBER OF THE
3 GENERAL ASSEMBLY IS ALLOWED TO BE THE PERSON DESIGNATED TO
4 LOBBY PURSUANT TO SECTION (1)(a) OF THIS SECTION FOR A PERIOD OF
5 TWO YEARS FOLLOWING VACATION OF OFFICE.

6 **SECTION 6. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2026 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.