

# TEXAS ETHICS COMMISSION

## LOBBY REGISTRATION FOR CALENDAR YEAR 2020

### FORM REG – INSTRUCTION GUIDE



**Revised January 1, 2020**

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711**

[www.ethics.state.tx.us](http://www.ethics.state.tx.us)

**(512) 463-5800 • TDD (800) 735-2989**

*Promoting Public Confidence in Government*

# FORM REG - INSTRUCTION GUIDE

## TABLE OF CONTENTS

<b>GENERAL INSTRUCTIONS .....</b>	<b>1</b>
IMPORTANT UPDATES .....	1
ELECTRONIC FILING .....	2
WHO MUST REGISTER.....	2
INDEPENDENT CONTRACTORS.....	2
STATE AGENCY AS A CLIENT .....	3
FILLING OUT THE FORMS .....	3
PHOTOCOPIES OF FORMS .....	3
SUBSTITUTION OF FORMS .....	4
EFFECTIVE DATE OF REGISTRATION .....	4
CHANGES IN INFORMATION.....	4
CHANGES TO REGISTRATION INFORMATION DURING A REGULAR LEGISLATIVE SESSION.....	4
TERMINATING YOUR LOBBY REGISTRATION .....	4
<b>COMPLETING THE COVER SHEET .....</b>	<b>5</b>
<b>SCHEDULE A: EMPLOYER/CLIENT.....</b>	<b>11</b>
PART 1 - GENERAL INFORMATION.....	11
PART 2 - COMPENSATION.....	11
PART 3 - ORGANIZATIONAL INFORMATION.....	12
PART 3(A) - UNINCORPORATED ENTITY.....	13
PART 3(B) - CORPORATION NOT PUBLICLY TRADED.....	14
PART 4 - LOBBYING SUBJECT MATTER .....	15
PART 5- STATE AGENCY AS A CLIENT .....	15
<b>SCHEDULE B: ASSISTANT .....</b>	<b>17</b>

**LOBBY REGISTRATION  
FORM REG - INSTRUCTION GUIDE  
FOR REGISTERING FOR CALENDAR YEAR 2020**

*These instructions provide general information about lobby registration and detailed instructions for completing the Lobby Registration Form (FORM REG) to be filed with the Texas Ethics Commission (“Commission”). Copies of chapter 305 of the Government Code (the lobby statute), the commission rules, and a guide titled LOBBYING IN TEXAS: A GUIDE TO THE TEXAS LAW are available from the Commission or on the Commission’s website at <http://www.ethics.state.tx.us> on the Internet.*

*If you have specific questions concerning lobby registration or how to complete this form, please call the Commission at (512) 463-5800.*

**GENERAL INSTRUCTIONS**

**IMPORTANT UPDATES**

Starting January 1, 2020, new itemization thresholds apply to all lobby registrations and to the gift itemization requirement in all lobby activities reports. These changes mean that the dollar thresholds for activity requiring registration and for itemizing expenditures for gifts in a report are now higher. For example, the requirement to itemize an expenditure for a gift has increased from \$50 to \$90, and only expenditures for gifts that exceed \$90 must be itemized when made on or after January 1, 2020. The higher itemization thresholds have been updated on the paper forms and in these instructions. For a full list of the changes, please go to new Texas Ethics Commission Rules §18.31 on our website: [https://www.ethics.state.tx.us/rules/adopted/2016-2020/adopted\\_Mar\\_2019.php](https://www.ethics.state.tx.us/rules/adopted/2016-2020/adopted_Mar_2019.php).

These changes only apply to activity that occurs on or after January 1, 2020. For activity occurring before that date, you must use the form applicable to that time period. For example, if you are filing a lobby activities report that is due on January 10, 2020, you must use the lobby activities report form and disclosure thresholds that are applicable to the period ending December 31, 2019.

These instructions are ONLY for completing the lobby registration report (Form REG) to register for lobbying activity during calendar year 2020. If you are completing the amended lobby registration report to register for lobbying activity during calendar year 2019, please use the instructions for that particular calendar year.

These changes are made by a new rule, 18.31, adopted by the Texas Ethics Commission (Commission) on March 22, 2019. As directed by section 571.064 of the Texas Election Code, the Commission is required to annually adjust these thresholds upward to the nearest multiple of \$10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor. Accordingly, one or more thresholds will generally be adjusted each year, depending upon the figures in the index.

## **ELECTRONIC FILING**

Lobbyist registration reports and lobby activities reports are required to be filed electronically unless the lobby registrant is eligible to claim an exemption. Please check the Ethics Commission's website at <http://www.ethics.state.tx.us> for information about the Ethics Commission's electronic filing software and for information about exemptions from the electronic filing requirement.

## **WHO MUST REGISTER**

In the Texas lobby law, "to lobby" means to communicate directly with any officer or employee of the legislative or executive branch of state government to influence legislation or administrative action.

Under Texas law, a person (individual or entity) must register as a lobbyist if that person either:

- receives, or is entitled to receive under an agreement under which the person is retained or employed, compensation or reimbursement of more than of \$1,560 in a calendar quarter, not including reimbursement for the person's own travel, food, lodging, or membership dues, to lobby; **or**
- makes expenditures of the type listed in Government Code section 305.006(b) of more than \$780 in a calendar quarter, not including expenditures for the person's own travel, food, lodging, or membership dues, to lobby.

The expenditures listed in Government Code section 305.006(b) are expenditures for transportation, lodging, food, beverages, entertainment, gifts, awards, mementos, and expenditures for the attendance of officers or employees of the legislative or executive branch of state government at political fundraisers or charity events.

For detailed information about calculating the registration thresholds, refer to the Ethics Commission guide titled "LOBBYING IN TEXAS: A GUIDE TO THE TEXAS LAW."

A person must register no later than five days after the lobby communication that requires the person to register.

## **INDEPENDENT CONTRACTORS**

Beginning January 1, 2016, certain persons who have communications in their capacity as independent contractors, as defined by Ethics Commission Rule § 34.1(5), may be required to register as lobbyists and report information about those communications if either the compensation or expenditure threshold is exceeded.<sup>1</sup>

---

<sup>1</sup> Before January 1, 2016, a person is not required to register solely because the person receives compensation to communicate as an independent contractor to a member of the executive branch concerning state agency purchasing decisions involving a product, service, or service provider or negotiations regarding such decisions if the compensation is not contingent on the outcome of any administrative action.

An “independent contractor” is defined as a person, including a consultant, who communicates with a member of the executive branch concerning state agency purchasing decisions involving a product, service, or service provider or negotiations regarding such decisions. The term does not include an employee, as defined by section 305.022(e) of the Government Code, of a vendor. 1 T.A.C. § 34.1(5). A person who is required to register as an independent contractor is considered a registrant subject to all the requirements and restrictions under the Texas lobby law.

*Note: Effective September 1, 2015, section 305.022 of the Government Code, as amended by House Bill 3517 (HB 3517), adopted by the 84th Legislature, prohibits the payment of a sales commission or other such fee to an independent contractor of a vendor of a product or service that is contingent on the outcome of administrative action, regardless of the amount of the state agency purchasing decision. See PROHIBITIONS AND RESTRICTIONS, OTHER RESTRICTIONS, Contingent Fees, in the Lobbying in Texas Guide.*

## **STATE AGENCY AS A CLIENT**

A person who is paid a sales commission or such fee by a state agency is required to register as a lobbyist and disclose on a lobby registration the state agency as a client and disclose certain information regarding the sales commission or fee.

For detailed information about the law regarding independent contractors and contingent fees, refer to sections 305.005(c), 305.0041, and 305.022 of the Government Code, and sections 34.1(5), 34.46, 34.73, and 34.75 of the Ethics Commission Rules and the Ethics Commission guide titled “LOBBYING IN TEXAS: A GUIDE TO THE TEXAS LAW.”

## **FILLING OUT THE FORMS**

All forms must be either typewritten or handwritten in ink.

When information requested is not applicable to your registration, mark “N/A” in any space or on any page that is inapplicable or check the “**not applicable**” box provided.

The Lobby Registration Form (FORM REG) consists of a cover sheet; a Schedule A for each person who reimburses, retains, or employs the registrant to lobby; and a Schedule B for each person who assists the registrant in lobby activities.

## **PHOTOCOPIES OF FORMS**

You may use photocopies of blank Ethics Commission forms. Any form filed with the Ethics Commission, however, must have an original signature.

**Note:** You must keep an exact copy of each report filed and all records necessary to complete the report for at least four (4) years after the date the report is filed.

## **SUBSTITUTION OF FORMS**

If you are filing with the Commission, and you are eligible to claim an exemption to electronic filing, you may use your own computer-generated form if it provides for disclosure of all the information required on the Commission's form and it is *substantially identical* in paper size, color, layout, and format. A substitute form that is substantially identical to the Commission's prescribed form must be submitted for pre-approval by the Commission's executive director.

## **EFFECTIVE DATE OF REGISTRATION**

A lobby registration takes effect on the filing date. If a registration is sent to the Ethics Commission by first-class United States mail or by common or contract carrier properly addressed and with the postage or handling charges prepaid, the filing date is the date of the post office cancellation mark or receipt mark of the common or contract carrier. The date mark from an office postage meter does not determine the filing date.

The mailing address for the Ethics Commission is P.O. Box 12070, Austin, Texas 78711-2070.

## **CHANGES IN INFORMATION**

If any of the information provided in this registration changes (other than information requested on PART 3(a) or 3(b) of Schedule A), you must file a Lobby Registration Amendment (FORM AREG) showing the changed information by the 10th day of the month following the month the information changed. Subject matter changes can also be made on a timely filed monthly Lobby Activities Report (FORM LA).

## **CHANGES TO REGISTRATION INFORMATION DURING A REGULAR LEGISLATIVE SESSION**

If you are registered as a lobbyist with the Ethics Commission and any of the information you reported on either your original lobby registration or on a previous registration amendment changes during a regular legislative session, the update (Form AREG) must be filed no later than the 5th day after the information changes.

## **TERMINATING YOUR LOBBY REGISTRATION**

A lobby registration automatically expires on December 31 of the year for which you have registered. If you cease to engage in activities requiring lobby registration before December 31, you must file a Termination Notice (FORM TN) and a final Lobby Activities Report (FORM LA). FORM TN and instructions are available from the Ethics Commission or on the Ethics Commission's website at <http://www.ethics.state.tx.us>.

## COMPLETING THE COVER SHEET

- 1. Number of Schedules Filed.** You must file a Schedule A for each person who reimburses, retains, or employs you to lobby. Enter the total number of Schedule A that you are filing with this registration.

You must file a Schedule B for each person who assists you in your lobby activities. Enter the total number of Schedule B forms that you are filing with this registration.

- 2. Registration Fee Enclosed.** Your registration does not take effect until you pay the registration fee. (Make checks payable to the Texas Ethics Commission.)

For most filers, the annual registration fee is \$750.

The registration fee is \$150 if *all* of your clients are exempt from federal income tax under section 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code of 1986, as well as for any registrant who is employed exclusively by such an organization. To register at this level, *all* of your clients must qualify as exempt from federal income tax under Section 501(c)(3), 501(c)(4), or 501(c)(6), Internal Revenue Code of 1986. If you are selecting this level of registration, you must first verify that at the time of the selection, all of your clients are listed on the IRS website at <http://www.irs.gov/Charities-&-Non-Profits/Exempt-Organizations-Business-Master-File-Extract-EO-BMF> (then scroll down the web page to find the excel files for Texas).

If one or more of your clients are not listed on the IRS website, you must provide for each of the clients not listed, qualifying documentation to the Ethics Commission verifying that the client is exempt from federal income tax under Section 501(c)(3), 501(c)(4), or 501(c)(6), Internal Revenue Code of 1986, before you can register at this level.

If you cannot provide such qualifying documentation for clients not listed on the above IRS website, then you are subject to the \$750 registration fee.

- 3. Reporting Schedule.** You must specify the reporting schedule under which you will be filing.

**Modified (Annual).** You may select “**MODIFIED**” reporting *ONLY IF* you do not intend to exceed \$1,790 during the calendar year in lobby expenditures attributable to officers or employees of the legislative or executive branch or to the immediate family of officers or employees of the legislative or executive branch for the following purposes: transportation, lodging, food, beverages, entertainment, gifts, awards, mementos, or the attendance of officers or employees of the legislative or executive branch of state government at political fundraisers or charity events.

If you select “**MODIFIED**” reporting and remain eligible for modified reporting, you will file only one Lobby Activities Report (FORM LA), which will cover the entire calendar year for which the registration is effective. This annual report is due January 10th of the next year. If you do not check the box for modified reporting, you will be required to file monthly reports, regardless of the amount of reportable lobby expenditures you make.

**Note:** If you register for modified (annual) filing but exceed the \$1,790 threshold during the calendar year, you must begin filing monthly activities reports. Your first monthly report will be due by the 10th day of the month following the month in which you exceeded the \$1,790 threshold and must cover activities occurring during the period from January 1 through the last day of the month in which you exceeded \$1,790 in lobby expenditures.

**Regular (Monthly).** If you are not eligible to file under the modified reporting schedule, you must file on a monthly basis. Even if you are eligible for the annual filing option, you may choose to file Lobby Activities Reports (FORM LA) on a monthly basis. Monthly activities reports are due by the 10th day of each month and cover the activities of the preceding month. (If you register anytime after the month of January, your first activities report must cover the period beginning January 1 and ending the last day of the month during which you registered.)

**Note:** If you register for monthly filing but later determine that you will not exceed the threshold during the calendar year, you may change your filing status from “**REGULAR**” to “**MODIFIED**” by filing a Lobby Registration Amendment (FORM AREG). An annual activities report will then be due by January 10 of the next year. You must file any monthly reports due during the period you are registered as a monthly filer.

4. **Registrant Name.** Provide your complete name. If the registrant is an entity, provide its usual business name.
5. **Is the Registrant an Entity?** Check “**YES**” if the registrant is an entity. Although the registration requirements apply to both individuals and entities, an entity that crosses one of the lobby registration thresholds may avoid registration if all activities that would be reportable by the entity are reported by one or more individual registrants. 1 T.A.C. §§ 34.45, .65, .85. An entity that avoids registration by having one or more individual registrants report activity on its behalf becomes subject to the restrictions under section 305.024 of the Government Code on the earlier of the date the entity makes the expenditure that would have required the entity to register as a lobbyist or the date the entity receives, or is entitled to receive, compensation or reimbursement that would have required the entity to register as a lobbyist. 1 T.A.C. § 34.45(b).

The individual registrant shall report the compensation by the date on which the entity, if registered, would have been required to report it. The individual registrant shall indicate on a registration or amended registration, as applicable, that he has reported compensation and/or reimbursement paid to an entity for lobby activity by one or more persons other than the registrant. 1 T.A.C. § 34.65(c). For details of the rules applicable to an entity avoiding registration *see* 1 T.A.C. §§ 34.45, .65, .85.

**Note:** An individual employee of an entity must register if the individual crosses one of the registration thresholds, regardless of whether the entity is registered.

- 6. Registrant's Normal Business.** State your normal business.
- 7. Registrant's Business Address.** Provide your business address.
- 8. Registrant's Mailing Address.** Provide the mailing address that you would like the commission to use for correspondence relating to this registration, if it is different from the address listed above.

If your mailing address is the same as the business address listed above, check the box provided.

- 9. Business Phone.** Provide a phone number where you may be reached during normal business hours (8 a.m. to 5 p.m.) Monday through Friday.
- 10. Is the Registrant a Lobby Firm Employee?** If you are an employee of a business entity engaged in the representation of clients for the purpose of influencing legislation or administrative action, give the name, address, and phone number of the firm. You must complete a Schedule A for each client of the firm on whose behalf you communicated directly with an officer or employee of the legislative or executive branch of state government. You must file a Schedule A for the firm itself if the firm reimburses, retains, or employs you to lobby on behalf of the firm itself.

**11. Person(s) Providing Compensation and/or Reimbursement from Political Funds.**

Provide the full name and address of each person who compensates or reimburses you (or a person acting as your agent) for your services, including political consulting services, from a political contribution, from interest received from a political contribution, or from an asset purchased with a political contribution. Note that this disclosure requirement applies to "any service" for which you are compensated or reimbursed with political funds, regardless of whether the service is related to your activity as a lobbyist. This information must be disclosed for compensation or reimbursement received on or after September 1, 2013. Skip this section if you do not receive compensation or reimbursement from political funds.

You may attach more pages as necessary to complete this section. If you do so, check the "additional pages" box.

- 12. FARA Registration.** Check the box if you are or are required to be registered as a foreign agent under the Foreign Agents Registration Act of 1938 (22 U.S.C. Section 661 et seq.).
- 13. Subject Matter Categories.** Check all boxes that describe the subject matter of your lobby communications.
- 14. Docket Numbers or Other Designation.** If applicable, list the docket numbers or other administrative designations of the matters that are the subject of your communications with officers or employees of the executive branch.

You may attach more pages as necessary to complete this section. If you do so, check the “**additional pages**” box.

**15. Signature.** The Lobby Registration Form must be signed and verified. If the registrant is an entity, the person who signs the registration must be a person whose actions legally bind the entity (such as the owner, an officer, or a director). The person who signs the report must also affirm that, to the best of the person’s knowledge, the person has complied with section 305.028 of the Government Code, by reporting conflicts of interest to the Ethics Commission.

Section 305.028 provides as follows:

(a) In this section:

(1) “Client” means a person or entity for which the registrant is registered or is required to be registered.

(2) “Matter” means the subject matters for which a registrant has been reimbursed, retained, or employed by a client to communicate directly with a member of the legislative or executive branch.

(3) “Person associated with the registrant” or “other associated person” means a partner or other person professionally associated with the registrant through a common business entity, other than a client, that reimburses, retains, or employs the registrant.

(b) Except as permitted by Subsection (c) or (c-1), a registrant may not represent a client in communicating directly with a member of the legislative or executive branch to influence a legislative subject matter or an administrative action if the representation of that client:

(1) involves a substantially related matter in which that client’s interests are materially and directly adverse to the interests of:

(A) another client of the registrant;

(B) an employer or concern employing the registrant; or

(C) another client of a person associated with the registrant; or

(2) reasonably appears to be adversely limited by:

(A) the registrant’s, the employer’s or concern’s, or the other associated person’s responsibilities to another client; or

(B) the registrant’s, employer’s or concern’s own interests, or other associated person’s own business interests

(c) A registrant may represent a client in the circumstances described in Subsection (b) if:

(1) the registrant reasonably believes the representation of each client will not be materially affected;

(2) not later than the second business day after the date the registrant becomes aware of a conflict described by Subsection (b), the registrant provides written notice, in the manner required by the commission, to each affected client; and

(3) not later than the 10th day after the date the registrant becomes aware of a conflict described by Subsection (b), the registrant files with the commission a statement that:

(A) indicates that there is a conflict;

(B) states that the registrant has notified each affected client as required by Subdivision (2); and

(C) states the name and address of each affected client.

(c-1) A registrant may represent a client in the circumstances described in Subsection (b) without regard to whether the registrant reasonably believes the representation of each client will be materially affected if:

(1) the registrant provides the written notice to each affected client as described by Subsection (c)(2) and files the statement described by Subsection (c)(3); and

(2) after the registrant has provided the written notice described by Subsection (c)(2), each affected client of the registrant consents to the conflict and grants the registrant permission to continue the representation.

(d) If a registrant has accepted representation in conflict with the restrictions of this section, or if multiple representation properly accepted becomes improper under this section, the registrant shall promptly withdraw from one or more representations to the extent necessary for any remaining representation not to be in conflict with this section.

(e) If a registrant would be prohibited by this section from engaging in particular conduct, an employer or concern employing the registrant or a partner or other person associated with the registrant may not engage in that conduct.

(f) In each report filed with the commission, a registrant shall, under oath, affirm that the registrant has, to the best of the registrant's knowledge, complied with this section.

(g) The commission may receive complaints regarding a violation of this section. If the commission determines a violation of this section has occurred, the commission, after notice and hearing:

(1) shall impose a civil penalty in an amount not to exceed \$2,000; and

(2) may rescind the person's registration and may prohibit the person from registering with the commission for a period not to exceed two years from the date of the rescission of the person's registration.

(h) A penalty under this section is in addition to any other enforcement, criminal, or civil action that the commission or another person may take under this chapter or other law.

Subsection (i) repealed by Acts 2005, 79th Leg., R.S., H.B. 2202, § 3, eff. Sept. 1, 2005.

(j) A statement filed under Subsection (c) is not public information.

(k) The commission may adopt rules to implement this section consistent with this chapter, the Texas Disciplinary Rules of Professional Conduct, and the common law of agency.

If the \$150 registration fee was selected, the person who signs this report must also affirm that, to the best of the person's knowledge, the person has listed only employers/clients that qualify as exempt from federal income tax under Section 501(c)(3), 501(c)(4), or 501(c)(6), Internal Revenue Code of 1986, and, for any employer/client not listed on the IRS website at <http://www.irs.gov/Charities-&-Non-Profits/Exempt-Organizations-Business-Master-File-Extract-EO-BMF>, the person has provided for each client not listed, qualifying documentation to the Ethics Commission verifying that the client is exempt from federal income tax under Section 501(c)(3), 501(c)(4), or 501(c)(6), Internal Revenue Code of 1986.

***Changes in Information.*** *If any of the information provided in this registration changes (other than information requested on PART 3(a) or 3(b) of Schedule A), you must file a Lobby Registration Amendment (FORM AREG) showing the changed information by the 10th day of the month following the month the information changed. If you are a monthly filer, you may report subject matter changes on your next monthly activity report instead of on Form AREG. If the change occurs during a regular legislative session, you must file Form AREG showing the changed information by the 5th day after the information changed.*

## SCHEDULE A: EMPLOYER/CLIENT

*You must complete a separate Schedule A for each person that reimburses, retains, or employs you to influence legislation or administrative action and on whose behalf you have engaged in lobby communications.*

*If you are employed by a business entity engaged in the representation of clients for the purpose of influencing legislation or administrative action, you must complete a Schedule A for each of the entity's clients for which you lobby. You must also complete a Schedule A for the entity itself if the entity reimburses, retains, or employs you to lobby on behalf of the entity itself.*

### PART 1 - GENERAL INFORMATION

- 1. Total pages this Schedule A.** Once you complete a Schedule A in regard to a particular employer/client, count the total number of pages of that Schedule A and write the total in this box. (Each side you complete counts as a page.)
- 2. Registrant Name.** Print your name as listed on your registration.
- 3. Employer/Client Name.** Print the name of the person covered by this Schedule A. Remember that you must complete a separate Schedule A for each person that employs you to lobby. If you are employed by a business entity engaged in the representation of clients for the purpose of influencing legislation or administrative action, you must complete a Schedule A for each of the entity's clients for which you lobby. You must also complete a Schedule A for the entity itself if the entity reimburses, retains, or employs you to lobby on behalf of the entity itself.
- 4. Employer/Client Mailing Address.** Provide the mailing address of the person covered by this Schedule A.

### PART 2 - COMPENSATION

- 1. Level of Compensation for Lobbying.** You may report compensation and reimbursement **either** in one of the stated categories **or** as an exact amount. If the compensation and reimbursement amount exceeds \$500,000 you must enter the exact amount.

You must report compensation and/or reimbursement that you receive or are entitled to receive under an agreement under which you are retained or employed.

If you are compensated and/or reimbursed for both lobbying and non-lobbying services, you must make a reasonable allocation of your compensation and/or reimbursement and report only the amount received for lobbying.

If you are employed, reimbursed, or retained by a business entity that receives compensation and/or reimbursement for lobby activities, you are required to report all compensation and/or reimbursement paid to the entity for your lobby activities. (See “**Individual Reporting for Entity**” below if you are reporting compensation and/or reimbursement paid to the entity for lobby activities by persons other than yourself.)

- 2. Type of Compensation Being Reported.** Indicate whether the compensation and/or reimbursement being reported is “**PAID,**” “**EARNED,**” or “**PROSPECTIVE.**” Check only one box.

**Paid.** Check this box if you are reporting only compensation that has actually been received at the time of registration.

**Earned (but not received).** Check this box if you are reporting compensation that has been received and also compensation that has been earned but not yet received.

**Prospective.** Check this box if you are reporting compensation that has been paid, compensation earned (but not received), and also compensation that you anticipate will be received or earned by terms of a contract or written agreement.

**Note:** You must always report compensation that has been paid to you. The “**EARNED (but not received)**” and “**PROSPECTIVE**” options permit you to also include compensation that you expect to receive by terms of a contract or other agreement and thereby avoid the necessity of filing an amended registration when you actually receive such compensation.

- 3. Individual Reporting Compensation and/or Reimbursement for Entity.** Check “**YES**” if you are reporting compensation and/or reimbursement on this Schedule A at the request of an entity that has chosen not to register pursuant to Ethics Commission Rule 34.45. If you check “**YES,**” provide the name, address, and phone number of the entity. Checking “**YES**” indicates that you are reporting not only compensation and/or reimbursement paid to the entity for your lobby activities but also compensation and/or reimbursement for activities by one or more other persons who are not registered as lobbyists.

### **PART 3 - ORGANIZATIONAL INFORMATION**

- 1. Is the Employer/Client an Entity or an Individual?**

**Entity.** If your employer/client is any type of entity other than an individual, check the “**ENTITY**” box and continue on to the next question.

**Individual.** If your employer/client is an individual, check the “**INDIVIDUAL**” box, and go directly to PART 4 of this Schedule A.

**2. Is the Employer/Client a Corporation?**

*A corporation is an entity organized as a corporation, including a for-profit corporation, nonprofit corporation, or professional corporation, under title 2 or 7 of the Texas Business Organizations Code, federal law, or law of another state or nation.*

**Yes.** If your employer/client is a corporation, check “YES” and continue on to the next question.

**No.** If your employer/client is not a corporation, check “NO” and go to PART 3(a) of this Schedule A.

**3. Are the Shares of the Corporation Publicly Traded?**

**Yes.** If your employer/client is a corporation the shares of which are publicly traded, check “YES” and go to PART 4 of this Schedule A.

**No.** If your employer/client is a corporation the shares of which are not publicly traded, check “NO” and go to PART 3(b) of this Schedule A.

**4. Is the Client a State Agency that Pays You a Sales Commission or such Fee?**

**Yes.** If this client is a state agency that pays you a sales commission or such fee, check “YES” and go to Part 5 of this Schedule A.

**No.** Check “NO” if this client is not a state agency that pays you a sales commission or such fee.

**PART 3(a) - UNINCORPORATED ENTITY**

*If the employer/client covered by this Schedule A is an unincorporated entity, you must fill out PART 3(a). An unincorporated entity is any type of entity other than a corporation, including a limited liability company (LLC), limited partnership (LP), limited liability partnership (LLP), or general partnership (GP). Include your name and the entity’s name in the spaces provided.*

- 1. Entity Membership.** State the number of members in the entity. If the membership varies, provide the most current membership number available. You do not need to include the names of members.
- 2. Name(s) of Person(s) who Determine Lobby Policy.** Provide the name of each person in the entity who determines the policy of the entity relating to influencing legislation or administrative action.

You may attach more pages as necessary to complete this section. If you do so, check the “additional pages” box.

- 3. Description of Policy-Making Methods.** Describe the methods by which the entity develops and makes decisions about positions on policy.

You may attach more pages as necessary to complete this section. If you do so, check the “**additional pages**” box.

- 4. Contributors.** Provide the name of each person making a grant or contribution, in addition to or instead of dues or fees, that exceeds \$250 a year.

If no one has made a grant or contribution in addition to or instead of dues or fees exceeding \$250 a year, check the “**not applicable**” box.

You may attach more pages as necessary to complete this section. If you do so, check the “**additional pages**” box.

### **PART 3(b) - CORPORATION NOT PUBLICLY TRADED**

*If the employer/client covered by this Schedule A is any type of corporation other than a corporation with shares that are publicly traded, fill out Part 3(b) of this Schedule A. Include your name and the corporation’s name in the spaces provided.*

- 1. Corporate Shareholders.** Provide the number of shareholders in the corporation. If the number of shareholders varies, provide the most current number available. If the corporation does not have shares, mark “**N/A.**” You do not need to include the names of shareholders.
- 2. Corporate Officers and Board Members.** Provide the name and mailing address for each officer and each board member of the corporation.

You may attach more pages as necessary to complete this section. If you do so, check the “**additional pages**” box.

- 3. Corporate Ownership/Holdings.** List the name of each person who owns 10% or more of the shares of the corporation.

If the corporation does not have shares or if no shareholder owns 10% or more of the shares, check the “**not applicable**” box.

You may attach more pages as necessary to complete this section. If you do so, check the “**additional pages**” box.

## **PART 4 - LOBBYING SUBJECT MATTER**

*You must report the subject matter of your lobby activities on behalf of the employer/client covered by this Schedule A. Include your name and the employer/client name in the spaces provided.*

- 1. Subject Matter.** Check all boxes that describe the subject matter of your lobby communications on behalf of the employer/client covered by this Schedule A.

Check “**ALL MATTERS MARKED ON COVER SHEET**” if the subject matter of your lobby communications on behalf of the employer/client covered by this Schedule A is the same as the subject matter marked in box thirteen (13) of the cover sheet. Otherwise, check all the boxes that describe the subject matter of your lobby communications on behalf of the employer/client covered by this Schedule A.

- 2. Docket Nos. or Other Designation.** If applicable, list the docket numbers or other administrative designations of the matters that are the subject of your communications with officers or employees of the executive branch on behalf of the employer/client covered by this Schedule A.

You may attach more pages as necessary to complete this section. If you do so, check the “**additional pages**” box.

## **PART 5– STATE AGENCY AS A CLIENT**

*Complete Part 5 only if this client is a state agency that pays you a sales commission or such fee. A person who is paid a sales commission or such fee by a state agency must report the state agency as a client and report information about the amount of the sales commission or fee paid by the state agency.*

- 1. Page Number.** Once you complete a Schedule A, Part 5, in regard to a particular client, count the total number of pages of that Schedule A, Part 5, and write the total in this box.
- 2. Registrant Name.** Enter your name in the space provided.
- 3. Employer/Client Name.** Enter the name of the state agency that you are disclosing as a client. You must complete a separate entry for each subject matter for which this state agency paid you a sales commission or such fee.
- 4. Subject Matter Description.** Enter a description of the subject matter for which you were paid a sales commission or such fee by the state agency/client.
- 5. Amount of Sales Commission/Fee.** Enter the dollar amount of the sales commission or such fee, if known. If you do not know the amount of the sales commission or fee at this time, complete numbers 6 and 7 of this Schedule A, Part 5.

- 6. Estimate of Maximum Amount of Sales Commission (if exact amount not known).** If you do not know the amount of the sales commission or such fee at this time, you must enter a reasonable estimate of the maximum amount of the sales commission or fee.
- 7. Method Under Which Sales Commission is Computed (if exact amount not known).** Enter a brief description of the method you used to compute the estimated maximum amount of the sales commission or fee disclosed in number 6 of this Schedule A, Part 5.

## SCHEDULE B: ASSISTANT

*You must complete Schedule B for each person you employ or retain for the purpose of assisting in lobby activity. You are not required to file Schedule B for a person who provides only clerical or secretarial help.*

*A person listed as an assistant is required to register as a lobbyist if the person crosses one of the registration thresholds.*

- 1. Registrant Name.** Enter your name here.
- 2. Assistant Name.** Provide the name of the assistant covered by this Schedule B.
- 3. Assistant's Business Address.** Provide the business mailing address of the assistant.
- 4. Assistant's Occupation.** State the occupation of the assistant.
- 5. Subject Matter.** Check “**ALL MATTERS MARKED ON COVER SHEET**” if the person covered by this Schedule B assists you in all matters marked in box thirteen (13) of the cover sheet.

Otherwise, check all boxes that describe the subject matter of the lobby activity in which the person assists you.

- 6. Docket Nos. or Other Designation.** If applicable, list the docket numbers or other administrative designation of the matters in which the person covered by this Schedule B assists you.

You may attach more pages as necessary to complete this section. If you do so, check the “**additional pages**” box.