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1. Who must register as a lobbyist or an employer of a lobbyist?

A lobbyist is a person who communicates, directly or indirectly, with state government officials for the purpose of influencing action by the official for compensation. (T.C.A. § 3-6-301(16) and (18)) The term lobbyist does not include an employee of a governmental entity. However, a third party contracted to lobby for governmental entity is included in the definition of lobbyist. (T.C.A. § 3-6-301(16))

Employer of a lobbyist or employer is any person or entity that employs, retains, or otherwise arranges for a lobbyist to engage in lobbying on behalf of the person or entity for compensation. T.C.A. § 3-6-301(8). Entities **not** included in the definition of “employer” for registration purposes include:

- Governmental entities. (T.C.A. §3-6-301(16))
- A person or entity that utilizes the services of a volunteer lobbyist whose reimbursement for out-of-pocket expenditures does not exceed ten (10) days. See [Manual for Lobbyists and Employers of Lobbyists](#) for definition of volunteer lobbyist.

2. Where does a lobbyist or an employer of a lobbyist register?

Registrations are filed electronically through the Commission’s website (<https://apps.tn.gov/ilobby/>).

3. When must a lobbyist or an employer of a lobbyist register?

Lobbyists and employers of lobbyists are required to register, each calendar year, not later than seven (7) days after becoming a lobbyist or an employer of a lobbyist. Note that it is not an act of lobbying which triggers the requirement to register, but the act of accepting employment/retainer of employment. (See [Advisory Opinion 06-01](#).) For the purpose of employer registration requirements, the lobbyist has been employed whether the engagement is formal or informal, written or oral. A separate registration is required for each lobbyist employed.

As part of the registration process, a lobbyist must submit a current photographic portrait to the Commission within thirty (30) calendar days after registration. This portrait should be submitted in jpeg or gif format, be smaller than 5 megabytes in size, and for best appearance, be 180 by 255 pixels. Portraits should be e-mailed to the Commission at ethics.pics@tn.gov.

4. Is there a registration fee?

A lobbyist must pay \$150 for each registration submitted. An employer of a lobbyist must pay \$150 for each registration submitted. Payment may be submitted online by credit card or by check within 30 days of registration.

5. Are lobbyists and employers of lobbyists required to complete an ethics course and how often?

A lobbyist is required to take an annual ethics training course. T.C.A. § 3-6-114(b) The course is offered electronically (<http://www.tn.gov/sos/tec/trainingLobbyist/index.html>). Beginning with 2012, a lobbyist may also attend one of the annual ethics courses provided for members of the general assembly. The cost of the training course is \$40 and is due at the time of the first registration. Employers of lobbyists may, but are not required, to complete an ethics course.

6. What reports must be filed by a lobbyist and an employer of a lobbyist?

An employer of a lobbyist is required to file a semi-annual Lobbying Expenditure Report. This report is filed electronically through the Commission's website (<https://apps.tn.gov/ilobby/>). For the current year only, the next report will cover the period April 1, 2011 through December 31, 2011 and will be due by February 14, 2012. Beginning with 2012, the reports will cover the periods January 1 through June 30 (due by August 14) and July 1 through December 31 (due by February 14).

A lobbyist who is a member of a commission established by and responsible to the general assembly or is a member of a state regulatory commission must file a Sworn Disclosure of Consulting Services form (<http://www.tn.gov/sos/tec/forms/ss-8006.pdf>). The employer of a lobbyist who has employed such lobbyist must also file the form.

A lobbyist or an employer of a lobbyist who pays for an in-state event must submit a copy of the invitation within seven (7) days before the event. Within thirty (30) days after the event, an in-state event disclosure form (<http://www.tn.gov/sos/tec/forms/ss-8007.pdf>), reporting the costs of the event must be filed with the Commission.

A lobbyist must report any gifts that are made to an official in the legislative or executive branch or to his or her family member who attends an event and accepts a gift that is provided by a person or entity not subject to the prohibition set forth in T.C.A. § 3-6-305(a). See T.C.A. § 3-6-305(c) (<http://state.tn.us/sos/tec/forms/ss-8008.pdf>)

7. How does the Commission notify a lobbyist or employer of lobbyist that a registration, fee, report, etc. is due?

The Commission sends email notifications to lobbyists and employers. Therefore, it is important that email contact information in the lobby system be kept up to date.

8. Are there restrictions on what a lobbyist or employer of lobbyist can do?

Yes, T.C.A. § 3-6-304 provides specific prohibitions on lobbyists and employers of lobbyists, including prohibitions on campaign contributions. Gift prohibitions and exceptions to the prohibitions are covered under T.C.A. § 3-6-305. See [Manual for Lobbyists and Employers of Lobbyists](#) for details on these prohibitions and exceptions, including the exceptions for in-state events.

9. What happens if a lobbyist or employer of a lobbyist does not pay registration fees on time or file reports on time?

T.C.A. § 3-6-306 provides that the Commission may assess a civil penalty of \$25.00 per day up to a maximum of \$750.00 if a lobbyist or employer of lobbyist:

- fails to timely register or timely update a registration;
- fails to timely pay registration fees;
- fails to timely file the lobbying expenditure report.

Further, the statute provides that the Commission may assess a civil penalty, not to exceed \$10,000.00, if a lobbyist or employer of lobbyist:

- files information knowing or having reason to know that the information is inaccurate or incomplete;
- utilizes the services of a lobbyist or engages in lobbying for an employer knowing or having reason to know that the lobbyist or employer is not registered
- knowingly violates any provision of § 3-6-304 or § 3-6-305. However, the Commission may only assess a civil penalty up to two hundred percent (200%) of the value of any gift or \$25.00, whichever is greater. See [Manual for Lobbyists and Employers of Lobbyists](#).

10. When does a lobbyist or employer of lobbyist registration expire?

Registrations are based on a calendar year and expire on December 31 if not withdrawn earlier.

11. How does a lobbyist or employer of lobbyist withdraw a registration?

Log in to your ilobby account (<https://apps.tn.gov/ilobby/>) and click on the date of the registration. Click on the “withdraw” button at the bottom of the registration and submit.

12. Where can I find a list of registered lobbyists and employers of lobbyists?

Go to <https://apps.tn.gov/ilobbysearch-app/search.htm>. For a list of all lobbyists or all employers of lobbyists, click on the appropriate search button without entering a name. To download a list, click on the “Excel” link at the bottom of the page.