

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

INTRODUCED

LLS NO. 25-0044.05 Jed Franklin x5484

HOUSE BILL 25-1170

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A BILL FOR AN ACT

101 **CONCERNING LOBBYING ON BEHALF OF A CHARITABLE TAX-EXEMPT**
102 **NONPROFIT ENTITY.**

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>.)

Currently, a lobbyist may be either a professional lobbyist or a volunteer lobbyist. A professional lobbyist must register with the secretary of state before conducting lobbying activities with one or more covered officials. For each month in which a professional lobbyist lobbies one or more covered officials, a professional lobbyist must complete and submit a disclosure statement to the secretary of state.

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.*

The bill creates a new category of lobbyist for nonprofit lobbyists and exempts nonprofit lobbyists from the registration and disclosure statement requirements for professional lobbyists. A nonprofit lobbyist is a lobbyist who is exclusively employed by a single nonprofit entity and who lobbies as an incidental part of the lobbyist's duties with the nonprofit entity. A nonprofit entity may use a nonprofit lobbyist to lobby a maximum of 30 days during a state fiscal year, with a maximum of 20 of those days occurring when the general assembly is in session. A nonprofit entity that employs a nonprofit lobbyist must report to the secretary of state the following information within 72 hours of engaging in lobbying of one or more covered officials:

- The name of the nonprofit lobbyist;
- The full legal name of the nonprofit entity on whose behalf the nonprofit lobbyist lobbied;
- The date on which the nonprofit lobbyist engaged in lobbying;
- Any matter about which the nonprofit lobbyist lobbied for the reported day; and
- The bill number of the legislation about which each nonprofit lobbyist lobbied for the reported day and whether the nonprofit entity is supporting, opposing, requesting amendments, or monitoring the legislation.

A nonprofit entity may submit a single form for more than one nonprofit lobbyist if more than one nonprofit lobbyist lobbied for the nonprofit entity on the same day.

A lobbyist who was a nonprofit lobbyist but no longer qualifies as a nonprofit lobbyist or who is employed by a nonprofit entity that does not comply with the timing limitations, and who meets the requirements of a professional lobbyist, must register and file disclosure statements with the secretary of state beginning in the month in which the lobbyist first lobbied as a professional lobbyist and must comply with the regulations imposed on a professional lobbyist.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-6-301, **amend**
3 (3.7) and (6); and **add** (3.8) and (3.9) as follows:

4 **24-6-301. Definitions - legislative declaration.** As used in this
5 part 3, unless the context otherwise requires:

6 (3.7) "Lobbyist" means ~~either~~ a professional LOBBYIST, A
7 NONPROFIT LOBBYIST, or a volunteer lobbyist.

1 (3.8) "NONPROFIT ENTITY" MEANS A PERSON THAT IS REGISTERED
2 AS AN EXEMPT CHARITABLE ORGANIZATION PURSUANT TO 26 U.S.C. SEC.
3 501 (c)(3) AND THAT IS EXEMPT FROM TAXATION PURSUANT TO 26 U.S.C.
4 SEC. 501 (a) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986".

5 (3.9) "NONPROFIT LOBBYIST" MEANS AN INDIVIDUAL EXCLUSIVELY
6 EMPLOYED BY A SINGLE NONPROFIT ENTITY WHO ENGAGES IN LOBBYING
7 OF ONE OR MORE COVERED OFFICIALS ON BEHALF OF THE NONPROFIT
8 ENTITY AS AN INCIDENTAL DUTY OF THE INDIVIDUAL'S ROLE. A NONPROFIT
9 LOBBYIST IS NOT A PROFESSIONAL LOBBYIST.

10 (6) "Professional lobbyist" means a person, business entity,
11 including a sole proprietorship, or an employee of a client, who is
12 compensated by a client or another professional lobbyist for lobbying.
13 "Professional lobbyist" does not include any volunteer lobbyist,
14 NONPROFIT LOBBYIST, any state official or employee acting in ~~his~~ THE
15 STATE OFFICIAL OR EMPLOYEE'S official capacity, except as provided in
16 section 24-6-303.5, any elected public official acting in ~~his~~ THE ELECTED
17 PUBLIC OFFICIAL'S official capacity, or any individual who appears as
18 counsel or advisor in an adjudicatory proceeding.

19 **SECTION 2.** In Colorado Revised Statutes, 24-6-303, **amend** (6)
20 as follows:

21 **24-6-303. Registration as professional lobbyist - filing of**
22 **disclosure statements - certificate of registration - legislative**
23 **declaration.** (6) This section ~~shall~~ DOES not apply to any political
24 committee, volunteer lobbyist, citizen who lobbies on ~~his or her~~ THE
25 CITIZEN'S own behalf, NONPROFIT LOBBYIST, state official or employee
26 acting in ~~his or her~~ THE STATE OFFICIAL'S OR EMPLOYEE'S official capacity,
27 except as provided in section 24-6-303.5, or elected public official acting

1 in ~~his or her~~ THE ELECTED PUBLIC OFFICIAL'S official capacity.

2 **SECTION 3.** In Colorado Revised Statutes, **amend** 24-6-307 as
3 follows:

4 **24-6-307. Employment of unregistered persons.** It is unlawful
5 for any person to employ for pay or any consideration, or pay or agree to
6 pay any consideration to, an individual WHO IS NOT A NONPROFIT
7 LOBBYIST, AS DEFINED IN SECTION 24-6-301 (3.9), to engage in lobbying
8 who is not registered except upon condition that such individual register
9 forthwith.

10 **SECTION 4.** In Colorado Revised Statutes, **add** 24-6-310 as
11 follows:

12 **24-6-310. Nonprofit lobbyist - reporting - definition.** (1) A
13 NONPROFIT LOBBYIST IS NOT REQUIRED TO REGISTER WITH THE SECRETARY
14 OF STATE AS REQUIRED FOR PROFESSIONAL LOBBYISTS BY SECTION
15 24-6-303.

16 (2) A NONPROFIT LOBBYIST IS NOT REQUIRED TO PROVIDE A
17 DISCLOSURE STATEMENT AS REQUIRED FOR PROFESSIONAL LOBBYISTS BY
18 SECTION 24-6-302.

19 (3) A NONPROFIT ENTITY MAY USE A NONPROFIT LOBBYIST TO
20 LOBBY ONE OR MORE COVERED OFFICIALS NO MORE THAN THIRTY DAYS
21 PER STATE FISCAL YEAR, WITH A MAXIMUM OF TWENTY OF THOSE DAYS
22 OCCURRING WHEN THE GENERAL ASSEMBLY IS IN SESSION. FOR PURPOSES
23 OF THIS SUBSECTION (3), IF MULTIPLE NONPROFIT LOBBYISTS LOBBY FOR
24 THE SAME NONPROFIT ENTITY DURING THE SAME DAY, THE LOBBYING
25 OCCURS DURING A SINGLE DAY.

26 (4) WITHIN SEVENTY-TWO HOURS OF ONE OR MORE NONPROFIT
27 LOBBYISTS LOBBYING ONE OR MORE COVERED OFFICIALS, THE NONPROFIT

1 ENTITY EMPLOYING THE NONPROFIT LOBBYIST OR NONPROFIT LOBBYISTS
2 SHALL REPORT THE INFORMATION SPECIFIED IN THIS SUBSECTION (4) TO
3 THE SECRETARY OF STATE REGARDING EACH NONPROFIT LOBBYIST WHO
4 LOBBIED ON BEHALF OF THE NONPROFIT ENTITY. A SINGLE REPORT MAY
5 CONTAIN THE ACTIVITIES OF MULTIPLE NONPROFIT LOBBYISTS IF MORE
6 THAN ONE NONPROFIT LOBBYIST LOBBIED FOR THE SAME NONPROFIT
7 ENTITY DURING THE SAME DAY. THE NONPROFIT ENTITY SHALL SUBMIT
8 THE REPORT TO THE SECRETARY OF STATE ON A FORM PRESCRIBED BY THE
9 SECRETARY OF STATE, WHICH FORM MUST NOT REQUIRE ANY INFORMATION
10 OTHER THAN THE FOLLOWING:

11 (a) THE NAME OF EACH NONPROFIT LOBBYIST;

12 (b) THE FULL LEGAL NAME OF THE NONPROFIT ENTITY ON WHOSE
13 BEHALF EACH NONPROFIT LOBBYIST LOBBIED;

14 (c) THE DATE ON WHICH EACH NONPROFIT LOBBYIST ENGAGED IN
15 LOBBYING;

16 (d) ANY MATTER ABOUT WHICH EACH NONPROFIT LOBBYIST
17 LOBBIED FOR ON THE REPORTED DAY; AND

18 (e) THE BILL NUMBER OF THE LEGISLATION ABOUT WHICH EACH
19 NONPROFIT LOBBYIST LOBBIED FOR ON THE REPORTED DAY AND WHETHER
20 THE NONPROFIT ENTITY IS SUPPORTING, OPPOSING, REQUESTING
21 AMENDMENTS, OR MONITORING THE LEGISLATION. AS USED IN THIS
22 SUBSECTION (4)(e), "LEGISLATION" MEANS THE PROCESS OF MAKING OR
23 ENACTING LAW IN WRITTEN FORM IN THE FORM OF CODES, STATUTES, OR
24 RULES.

25 (5) (a) A LOBBYIST WHO DOES NOT MEET THE DEFINITION OF
26 "NONPROFIT LOBBYIST" OR A LOBBYIST EMPLOYED BY A NONPROFIT
27 ENTITY THAT EXCEEDS THE TIMING LIMITATIONS IN SUBSECTION (3) OF

1 THIS SECTION IS NOT A "NONPROFIT LOBBYIST" AND IS EITHER A
2 "PROFESSIONAL LOBBYIST" OR A "VOLUNTEER LOBBYIST", AS APPLICABLE.

3 (b) IF A LOBBYIST WHO WAS PREVIOUSLY A NONPROFIT LOBBYIST
4 NO LONGER SATISFIES THE REQUIREMENTS TO BE A NONPROFIT LOBBYIST,
5 OR IS EMPLOYED BY A NONPROFIT ENTITY THAT EXCEEDS THE TIMING
6 LIMITATIONS IN SUBSECTION (3) OF THIS SECTION AND THE LOBBYIST
7 INSTEAD SATISFIES THE REQUIREMENTS TO BE A PROFESSIONAL LOBBYIST,
8 THE REGISTRATION REQUIRED OF A PROFESSIONAL LOBBYIST BY SECTION
9 24-6-303, THE DISCLOSURE STATEMENT REQUIRED OF A PROFESSIONAL
10 LOBBYIST BY SECTION 24-6-302, AND ANY OTHER REQUIREMENTS OF THIS
11 PART 3 THAT APPLY TO A PROFESSIONAL LOBBYIST APPLY TO THE
12 LOBBYIST BEGINNING IN THE FIRST MONTH IN WHICH THE LOBBYIST DOES
13 NOT QUALIFY AS A NONPROFIT LOBBYIST AND INSTEAD QUALIFIES AS A
14 PROFESSIONAL LOBBYIST.

15 **SECTION 5. Effective date.** This act takes effect January 1,
16 2026.

17 **SECTION 6. Safety clause.** The general assembly finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety or for appropriations for
20 the support and maintenance of the departments of the state and state
21 institutions.