

351—8.1(68B) Definitions.**8.1(1) Definitions.**

“*Executive branch lobbying*” means acting directly to encourage the passage, defeat, approval, veto, or modification of legislation, a rule, or an executive order by a state agency or any statewide elected official. For purposes of this chapter, “state agency” does not include the legislative branch of state government.

“*Executive branch lobbyist*” means an individual who by acting directly does at least one of the following:

1. Receives compensation for engaging in executive branch lobbying.
2. Is a designated representative of an organization that has as one of its purposes engaging in executive branch lobbying.
3. Represents the position of a federal, state, or local agency in which the person serves or is employed as the representative designated to engage in executive branch lobbying.
4. Makes expenditures of more than \$1,000 in a calendar year to communicate in person for the purpose of engaging in executive branch lobbying.

“*Executive branch lobbyist client*” means a private person or a federal, state, or local governmental entity that pays compensation to or designates an individual to be a lobbyist before the executive branch.

“*Lobbyist compensation*” means any money, thing of value, or financial benefit conferred in return for engaging in executive branch lobbying.

8.1(2) Exemptions. The following individuals are not considered to be executive branch lobbyists:

- a. Officials and employees of a political party that is organized in the state of Iowa and that meets the requirements of Iowa Code section 43.2, when the officials and employees represent the political party in an official capacity.
- b. Representatives of the news media only when engaged in the reporting and dissemination of news and editorials.
- c. All federal, state, and local elected officials, while performing the duties and responsibilities of office.
- d. Individuals whose activities are limited to appearances to give testimony or provide information or assistance at public hearings of state agencies or who are giving testimony or providing information or assistance at the request of public officials or employees.
- e. Members of the staff of the United States Congress or the Iowa general assembly.
- f. Agency officials and employees while they are engaged in activities within the agency in which they serve or are employed or with another agency within which an official’s or employee’s agency is involved in a collaborative project.
- g. An individual who is a member, director, trustee, officer, or committee member of a business, trade, labor, farm, professional, religious, education, or charitable association, foundation, or organization who is not paid compensation and is not specifically designated as an executive branch lobbyist.
- h. Individuals whose activities are limited to submitting data, views, or arguments in writing, or requesting an opportunity to make an oral presentation under Iowa Code section 17A.4(1).
- i. Individuals whose activities are limited to monitoring or following the progress of legislation, a rule, or an executive order, but who do not engage in executive branch lobbying.
- j. Individuals who represent a client in responding to a request for proposal or otherwise receiving a contract or grant from a state agency.
- k. Individuals who represent a client involved in a legal dispute with the state, including a contested case proceeding.
- l. Individuals advocating for or against the appointment of a particular individual to a board or commission of the state.

This rule is intended to implement Iowa Code section 68B.2.

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