Restrictions on Political Contributions from Lobbyists

You and your government affairs department may have plans to contribute to political candidates. Prior to making these contributions, it is important to know what restrictions are placed on lobbyists. Tennessee, for example, prohibits lobbyists from making political contributions as an individual. Other jurisdictions restrict when, how, or how much a lobbyist may contribute.

Sessional Restrictions are Most Common

The most common approach to regulating political contributions from lobbyists is to limit when contributions may be made. Typically, this means a lobbyist will be prohibited from contributing while the Legislature is in session. However, in some jurisdictions the restricted period may start prior to the convening of the session and extend through a period after adjournment. Sessional restrictions may also reach entities affiliated with lobbyists. For example, in North Carolina lobbyist principals, agents of lobbyists, PACs employing or contracting with a lobbyist, and PACs whose parent entity employs or contracts with a registered lobbyist are prohibited from contributing to members or candidates for the Council of the State or the General Assembly while the lawmakers are in regular session.

TIP: Know if your jurisdiction’s Legislature is in session. If so, you may be prohibited from making a political contribution. Be aware the restricted period may start prior to the legislative session convening and extend through a period after adjournment.

Restrictions on Activities Beyond Making Direct Contributions

Activities beyond making direct contributions may be restricted. Some jurisdictions with sessional restrictions also prohibit a lobbyist from soliciting or promising to solicit political contributions during the restricted period. In Kentucky, legislative lobbyists are prohibited from exercising control over a campaign contribution from a PAC to a specific legislator, candidate, or committee. Thus, a lobbyist may not sign-off on or even hand-deliver a contribution. In Alaska, lobbyists are prohibited from delivering contributions, directly or indirectly collecting contributions, or participating in fundraising activities for a statewide legislative candidate campaign or gubernatorial candidate campaign.

TIP: Restrictions on political contributions from lobbyists may extend to activity beyond making a direct contribution. See if your jurisdiction has restrictions on soliciting, exercising control over, or delivering contributions to candidates or their committees.

Lobbyist Contribution Limits

Some jurisdictions specifically limit how much a lobbyist may contribute or limit how much a candidate may accept from lobbyists in the aggregate. In Massachusetts, a registered lobbyist’s contribution limit is $200, while other individuals can contribute up to $1,000 depending on the office the candidate is seeking. In Minnesota, candidates receiving a public subsidy for their campaign cannot accept contributions from lobbyists in the aggregate exceeding 20 percent of the election cycle expenditure limits.

TIP: There are penalties for violating political contribution restrictions. A violation could result in the revocation of a lobbyist’s registration, a fine, a misdemeanor, or even a felony conviction.

Before putting your message out there, know the registration and reporting implications to avoid fines and other penalties. State and Federal Communications has the online publications and resources that provide this information, and more, so you can confidently state, “I Comply!”