



# Compliance Notes - Vol. 1, Issue 34

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## RECENT LOBBYING, ETHICS & CAMPAIGN FINANCE UPDATES

**We read the news, cut through the noise and provide you the notes.**

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Welcome to *Compliance Notes* from Nossaman's **Government Relations & Regulation Group** – a periodic digest of the headlines, statutory and regulatory changes and court cases involving campaign finance, lobbying compliance, election law and government ethics issues at the federal, state and local level.

Our attorneys, policy advisors and compliance consultants are available to discuss any questions or how specific issues may impact your business.

If there is a particular subject or jurisdiction you'd like to see covered, please let us know.

Until then, please enjoy this installment of **Compliance Notes**. If you would like to have these updates delivered directly to your in-box, please click below to subscribe to our Government Relations & Regulation mailing list.

### Campaign Finance & Lobbying Compliance

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**California:** Gov. Gavin Newsom introduced a lobbying ban for his paid political advisers after weeks of criticism over his close ties to consultants who also work for corporate clients and other influential interests at the State Capitol. (Alexei Koseff, *Laredo Morning Times*)

**Hawaii:** The Hawaii State Ethics Commission's amended regulations, including new rules governing gifts to public officials and registration of and reporting by lobbyists, are now in effect. (Daniel Gluck, Lobbyist Memorandum)

**Michigan:** The Michigan Attorney General's Office is reviewing whether legislators serving in the state can legally be registered lobbyists outside its borders. A current state law bars legislators and other state officials from accepting pay for "personally engaging in lobbying." However, it's unclear whether that prohibition refers specifically to only lobbying in Michigan. (Craig Mauger, *The Detroit News*)

**Montana:** Effective January 1, 2021, the lobbyist registration threshold will be \$2,650 per year, an increase of \$50 from 2020. Meaning: lobbyists who are paid more than \$2,650 per year to lobby and principals who spend more than \$2,650 per year on lobbying will be required to register with the Montana Commissioner of Political Practices. (Montana Commissioner of Political Practices, Lobbying FAQ)

## Elections

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All 538 of the United States' Presidential Electors gathered on Monday, casting 306 votes for Joe Biden and 232 for President Trump. On January 6, 2021, the House and Senate will convene to count the electoral votes and officially declare the winner of the election. The joint session of Congress is required by law to ratify the results, but also allows members to object to the returns from any individual state as they are announced. (Mark Sherman, AP News; Ethan Cohen and Marshall Cohen, CNN; Audrey McNamara, CBS News)

The U.S. Supreme Court rejected the lawsuit filed by Texas that sought to nullify election results from Georgia, Michigan, Pennsylvania and Wisconsin. One hundred and twenty-six of the 196 Republicans in the House urged the court to take it; however, in an unsigned opinion, the Court said, "Texas has not demonstrated a judicially cognizable interest in the manner in which another state conducts its elections." (Pete Williams and Dartunorro Clark, NBC News)

**New York:** Six New York City Council members and several community groups have filed a lawsuit meant to delay the implementation of ranked-choice voting. The complaint aims to prevent ranked-choice voting from being used in an upcoming special election for Council District 24 in Queens, but could also lead to a delay that affects the June primaries as well. Voters approved ranked-choice, or instant-runoff, voting in a ballot referendum last year, but some are concerned that the city won't be ready to implement the new system next year. (Rebecca C. Lewis, *City & State New York*)

## Government Ethics

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**Alaska:** The FBI has interviewed, or sought to interview, at least 11 Alaska state legislators this year, asking in at least some of the interviews whether any lawmakers received a financial benefit in exchange for their vote on the Permanent Fund dividend. (James Brooks, *Anchorage Daily News*)

**California:** Los Angeles Mayor Eric Garcetti's appointees on the Los Angeles City Ethics Commission appointed David Tristan to a 10-year term, replacing Executive Director Heather Holt, who faces term limits. Tristan has worked at the Commission for 29 years. (Dakota Smith, *Los Angeles Times*)

**Texas:** Plano City Council passed an ordinance requiring council members to recuse themselves from votes that could benefit donors who contributed more than \$1,000 to their political campaigns. The automatic recusal is designed to eliminate conflicts of interest and avoid the appearance of pay-to-play politics in the city. (Erin Anderson, *Texas Scorecard*)

## Nonprofits

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Reminder: The Coronavirus Aid, Relief and Economic Security (CARES) Act includes several temporary tax revisions to help charities in 2020, including: (1) a special deduction for cash donations of up to \$300 to **qualifying** tax-exempt organizations for taxpayers who take the standard deduction; and (2) higher charitable contribution limits for corporations. (Edward T. Killen, IRS)

**California:** The California Attorney General's Office updated forms for Charitable Registration, Renewals, Raffles and Professional Fundraisers for use beginning February 1, 2021.

## Political Speech & Campaign Advertisements

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Google lifted its ban on political ads last week after a blackout of more than a month because of concerns over misinformation. (Sara Fischer, *Business Insider*)

YouTube will now remove videos making false claims that widespread fraud or error cost President Trump the election. Since September it has purged 8,000 channels for spreading "harmful and misleading" content. (Taylor Telford, *The Washington Post*)