

INSTRUCTIONS FOR THE NOTICE OF TERMINATION

GENERAL INFORMATION

Notice of Termination: A principal, lobbying firm or lobbyist may terminate its registration by filing form DSBE-1304-A(e) with the Department.

Purpose of Termination: The purpose of a Notice of Termination is to notify the Department and the public that the filer will no longer be subject to the registration and reporting requirements of the Act as it pertains to the registration statement being terminated.

Because lobbying firms and lobbyists file one registration statement for all principals represented, lobbying firms and lobbyists who cease lobbying for a particular principal should NOT file a Notice of Termination where the goal is to simply remove a principal as a client from a previously filed registration statement. Likewise, a principal would typically have only one registration statement on file with the Department. Thus, as noted in the footnote on the Notice of Termination, a lobbyist, lobbying firm or principal would not file a Notice of Termination where the goal would simply be to change a relationship with an entity previously disclosed on a registration statement. In this latter scenario, a lobbyist would simply file an **amended registration statement** using DSBE-1304-A(c) and would indicate that this is an amended registration statement and is a deletion, and then list the principal in Section 4 that it is deleting from its registration statement. Likewise, a lobbying firm would simply file an amended registration statement using DSBE-1304-A(b)(2) and would indicate that this is an amended registration statement and that this is a deletion, and then list the principal in Section 7 that it is deleting from its registration statement. In similar fashion, a principal would simply file an amended registration statement using DSBE-1304-A(b)(1) and would indicate that this is a deletion, and then list the names of any lobbyists in Section 6 or any lobbying firms in Section 7 of the registration statement that it is deleting from its registration statement.

Effect of Termination: A Notice of Termination has the legal effect of terminating a specific registration statement previously filed with the Department. Section 1304-A(e)(3) of the Act provides that “[n]o lobbying may occur after the filing of the notice unless the lobbying is pursuant to a separate registration statement already on file with the department, and which at the time of the lobbying, has not been terminated.” (Emphasis added.) Furthermore, section 1304-A(e)(4) of the Act provides that “[n]othing in this subsection shall be construed to exempt a lobbyist, lobbying firm or principal from any of the requirements in Section 1305-A (relating to reporting).” Therefore, **a registrant filing a Notice of Termination must still disclose its expenses** on the quarterly expense reporting form DSBE-1305-A for the calendar quarter in which the registrant files its Notice of Termination. Finally, section 1304-A(e)(2) provides that the filing of the Notice of Termination shall not affect the Ethics Commission’s authority to

conduct investigations and hearings under section 1308-A(g) of the Act (relating to administration).

Who May Terminate: A notice of termination may only be filed by the principal, lobbying firm or lobbyist that filed the registration statement. A lobbyist may not terminate a principal's or a lobbying firm's registration, nor may a principal or lobbying firm terminate a lobbyist's registration statement.

Termination Confirmation: Section 1304-A(e)(2) of the Act provides that after a review of the notice of termination, but no later than 15 days after receipt of the notice, the Department shall issue to the lobbyist, lobbying firm or principal a letter stating that the registrant has terminated registration.

INSTRUCTIONS FOR COMPLETING THE NOTICE OF TERMINATION

Principals, lobbying firms and lobbyists must use form DSBE-1304-A(e) to file a Notice of Termination. Please read all instructions prior to the completion of the form and please type or print in blue or black ink. Do not use pencil to complete this form.

At the top of the form, indicate whether the filer is a lobbyist, lobbying firm or principal; the registration number of the filer (which may be obtained from the Department) and the date the Notice of Termination is filed. Answer the question whether the filer has already terminated its lobbying activities, and if so, the date of termination of its lobbying activities. If the filer has not terminated its lobbying activities, the termination of lobbying activities is effective on the date of filing of the Notice of Termination, in accordance with section 1304-A(e)(3) of the Act.

- 01. Lobbyist Identification:** If the filer is a lobbyist, complete the lobbyist identification by inserting the lobbyist's name in the appropriate section.
- 02. Lobbying Firm or Principal Identification:** If the filer is a principal or a lobbying firm, identify the principal's or lobbying firm's name.
- 03. Permanent Business Address:** Identify the permanent business address of the filer.
- 04. Contact Information of Terminating Lobbyist, Lobbying Firm or Principal:** Indicate the daytime telephone number, fax number and email address for the filer.

Finally, read and complete the affirmation statement at the bottom of the Notice of Termination, indicating whether the filer is the lobbyist, lobbying firm or principal submitting the form or whether the filer prepared the Notice of Termination on behalf of the lobbyist, lobbying firm or principal.