# Table of Contents

- Introduction ........................................................................................................... 2
- Summary of Act 134 of 2006 ............................................................................. 3
- Registration ........................................................................................................... 4
- New Lobbying Activity for 2019 ....................................................................... 5
- Registration Renewals ......................................................................................... 6
- Terminations ......................................................................................................... 8
- Expense Reporting .............................................................................................. 9
- Top Ten General Subjects of Lobbying .............................................................. 10
- Allocated Lobbying Cost Categories ................................................................. 11
- Principal Registrations by State ......................................................................... 12
- Principal Registration by County ....................................................................... 14
- Lobbying Disclosure Audit ............................................................................... 16
- Online Services .................................................................................................. 17
- Administration .................................................................................................... 19
- Contact Information ............................................................................................ 20
2021 started the year with registration renewals for the 2021-2022 Registration Period. The Department of State (Department) continued to work with Pennsylvania State Ethics Commission on the Quarterly Expense Reporting. The Department continued with outreach to registrations with Quarterly Newsletters of upcoming deadlines and helpful information. Along with Quarterly Newsletter, autodials and emails reminder notices were sent to all principal registration prior to the Quarterly Expense Report Deadlines.

Act 70 of 2021 introduced the Equity Reports. Each lobbyist and lobbying firm registered with the Department was required to complete an Equity Report by October 7, 2021. The reporting period was July 1, 2020 through June 30, 2021. The Equity Reports disclosed how much equity a lobbyist or lobbying firm holds or has held in an affiliated principal or for whom that lobbyist or lobbying firm lobbied during the reporting period. Equity means any interest or ownership. The term “interest or ownership” includes, but is not limited to: any interest in any shares (however designated, whether voting or nonvoting); membership interests (however designated, whether voting or nonvoting); partnership interests (whether general or limited); and, any other interest that confers the right to receive a share of the profits and losses of, or distributions of property of, any partnership or business. The Equity Reports are published on the Department’s website at the following url www.dos.pa.gov/OtherServices/LobbyingDisclosure/Pages/Equity-Reports

The Department of State looks forward to continuing our service to the people of the Commonwealth and Pennsylvania’s lobbying community.
This Act amends Title 65 (relating to public officers) providing for regulation and disclosure of lobbying activity.

The Act establishes the authority of the legislature to regulate persons employed to influence the actions of the General Assembly and the Executive Department in a "fair and equitable manner." It expressly states that membership in a regulated profession shall not excuse a lobbyist from compliance. The Act defines lobbying as "an effort to influence legislative action or administrative action" and includes direct or indirect communication, office expenses, and providing any gift, hospitality, transportation or lodging to a state official or employee for the purpose of advancing the interest of a lobbyist or principal.

The Act defines "administrative action" to include:
An agency’s:
- proposal, consideration, promulgation or rescission of a regulation; development or modification of a statement of policy;
- approval or rejection of a regulation; or
- procurement of supplies, services and construction under 62 Pa C.S.(relating procurement).
- the review, revision, approval or disapproval or a regulation under the Regulatory Review Act.
- the Governor’s approval or veto of legislation.
- the nomination or appointment of an individual as an officer or employee of the Commonwealth.
- the proposal, consideration, promulgation or rescission of an executive order.

The Act defines "legislative action" to include an action taken by a state official or employee involving the preparation, research, drafting, introduction, consideration, modification, amendment, approval, passage, enactment, tabling, postponement, defeat or rejection of:
- legislation;
- legislative motions;
- a veto by the Governor; or
- confirmation of appointments by the Governor; or appointments to public boards; or commissions by a member of the General Assembly.
Unless exempt under 65 Pa.C.S. §13A06, lobbyists, lobbying firms, and principals must register biennially with the Department. The most common exemptions from registration include:

- §13A06(4): “an individual whose economic consideration for lobbying, from all principals presented, does not exceed ‘$2,500’ [Effective January 1, 2017, the threshold increased to $3,000] in the aggregate during any reporting period” and
- §13A06(5): an individual who engages in lobbying on behalf of the individual’s employer if the lobbying represents less than 20 hours during any reporting period.”

With the enactment of Act 2 of 2018, registration must be done electronically using the Department’s computerized filing system. The fee to register is $300, and must be received within five days of filing the registration statement. This registration statement must be filed within 10 days of acting in any capacity as a lobbyist, lobbying firm or principal. See the definition of “engaging in lobbying” in the regulations at 51 Pa. Code §51.1. A full list of registration exemptions can be found at 65 Pa.C.S. §13A06.

The registration portal may be found at www.palobbyingservices.pa.gov. Lobbyists who register must also supply a photo within five days of filing a registration statement.

Registrants may pay the registration fee online with a credit card via the website or may pay by check. To pay by check, registrant must print a remittance form that has been pre-populated with their specific information and mail it along with the registration fee.
New Lobbying Activity for 2021

Reported 2021

196 Lobbyists
13 Lobbying Firms
330 Principals
539 Total

Lobbyists 36.4%
Lobbying Firms 2.4%
Principals 61.2%

Figure 1: Percentage of newly registered lobbyists, lobbying firms, and principals in 2021
Registration Renewals

A lobbyist, lobbying firm or principal must renew their registration with the Department at the beginning of each new biennial registration period, unless exempt under §13A06 of Act 134 of 2006.

Lobbying registrations expire 10 business days after the beginning of the new registration period. A registration renewal must be filed within 10 days of acting in any capacity as a lobbyist, lobbying firm or principal. See the definition of engaging in lobbying” in the regulations at 51 PA. Code § 51.1. Registration must include a $300 registration fee to be received within five days of filing the registration statement, either online or by paper. At the time of renewal, registrants are responsible for reviewing their current registration record for any updates or changes that should be made to ensure accurate disclosure.

Effective April 16, 2018, with the enactment of Act 2 of 2018, registrants must renew their registration online. Registrants also have the option of paying their renewal fee by credit card if they are completing the renewal online. Registrants are strongly encouraged to use their current registration record to complete their renewal. Some registrants erroneously create new registration records when attempting to renew their registration. This can create gaps in the continuity of registration information and problems in accurately assessing non-compliance issues. To continue to use your current registration, please renew using your registration number. This can be completed online by selecting the action “Renew” next to your expired registration.
All registrations that are not renewed by mid-January of the new registration period automatically change to a status of “expired.” If a registrant is not actively lobbying at the time, they may choose to wait until they exceed the income thresholds for registration before renewing their registration.

A registration with a status of “expired” does not prevent the registrant from amending any prior quarterly expense reports.

Once a registration has expired, it may not be transferred electronically to a new user unless the registrant renews by check or by having the registration renewed by the previous owner by credit card. The Department gives a 15 day grace period for registrations to be transferred to users who will be filing on behalf of the registrant.

While a majority of registrants will renew their registrations with the Department at the beginning of the biennial registration period, a few registrants renewed their registrations in December of 2020.
Terminations

If a registrant intends to cease lobbying activity in the Commonwealth, the registrant may file a notice of termination by paper or online.

If a former registrant wishes to begin lobbying activity after filing a notice of termination, the former registrant must initiate a new registration statement.

In 2021, a total of 60 lobbyists, 6 lobbying firms and 84 principals terminated their registration with the Department.
Section 13A05 (a) of the Act requires a registered principal to file quarterly expense reports. If a lobbyist or lobbying firm reports all expenses to and through their respective principals, then the lobbyist or lobbying firm is not required to file expense reports.

Under certain circumstances, a lobbying firm or lobbyist may be required to submit a quarterly expense report. According to §13A05(b)(6) of Act 134, a lobbying firm or lobbyist not associated with a firm shall submit an expense report if lobbying expenses were not contained in any expense report filed by a represented principal.

A lobbying firm or lobbyist may attach a statement to the report filed by a represented principal describing the limits of the lobbyist’s or lobbying firm’s knowledge concerning the expenditures contained in the principal’s report.

With the enactment of Act 2 of 2018, principals, lobbying firms, and lobbyists who are required to file expense reports must do so electronically using the Department’s computerized filing system.
Top 10 General Subjects of Lobbying*

2021

Health Care: $28,826,915
Energy: $16,834,933
Budget (State): $15,523,935
Education: $13,168,872
Taxation: $12,633,699
Insurance: $12,600,563
Medicaid/Medicare: $11,584,330
Environment: $10,407,699
Human Services: $10,026,092
Economic Development: $9,708,808

*The totals listed above include costs associated with direct and indirect communication, as well as gifts, hospitality, transportation and lodging.
Allocated Lobbying Cost Categories

Reported 2021

$1,649,632
TOTAL EXPENDITURE COSTS*

$89,117,400
TOTAL DIRECT
COMMUNICATION COSTS

$31,516,492
TOTAL INDIRECT
COMMUNICATION COSTS

122,283,524
GRAND TOTAL

*Total expenditure category includes gifts, hospitality, transportation and lodging for state officials or employees or their immediate families.
District of Columbia: 93
Delaware: 6

Figure 3: 2021 Map of Principal Registrations by State
### Principal Registration by State

- **Pennsylvania**: 1,220 Registrations
- **District of Columbia**: 93 Registrations
- **California**: 58 Registrations
- **New York**: 53 Registrations
- **Virginia**: 52 Registrations
- **New Jersey**: 34 Registrations
- **Maryland**: 30 Registrations
- **Illinois**: 29 Registrations
- **Massachusetts**: 29 Registrations
- **Texas**: 28 Registrations
- **Ohio**: 27 Registrations
- **Florida**: 16 Registrations
- **Connecticut**: 14 Registrations
- **Colorado**: 13 Registrations
- **Georgia**: 13 Registrations
- **North Carolina**: 11 Registrations
- **Minnesota**: 10 Registrations
- **Michigan**: 7 Registrations
- **Arizona**: 6 Registrations
- **Delaware**: 6 Registrations
- **Tennessee**: 6 Registrations
- **South Carolina**: 5 Registrations
- **Washington**: 5 Registrations
- **Indiana**: 4 Registrations
- **Missouri**: 4 Registrations
- **Utah**: 4 Registrations
- **Vermont**: 4 Registrations
- **Kansas**: 3 Registrations
- **Kentucky**: 3 Registrations
- **Nebraska**: 3 Registrations
- **Nevada**: 3 Registrations
- **Iowa**: 2 Registrations
- **Louisiana**: 2 Registrations
- **New Hampshire**: 2 Registrations
- **Oklahoma**: 2 Registrations
- **Alabama**: 1 Registration
- **Arkansas**: 1 Registration
- **Idaho**: 1 Registration
- **Maine**: 1 Registration
- **Montana**: 1 Registration
- **Wisconsin**: 1 Registration
- **West Virginia**: 1 Registration
Delaware County: 53
Montour County: 1
Northampton County: 18
Northumberland County: 1
Philadelphia: 223

Figure 4: 2021 Map of Principal Registrations by County
Principal Registration by County

Dauphin: 38 Registrations
Philadelphia: 223 Registrations
Allegheny: 199 Registrations
Cumberland: 79 Registrations
Montgomery: 77 Registrations
Delaware: 42 Registrations
Washington: 30 Registrations
Lancaster: 27 Registrations
Bucks: 24 Registrations
Westmoreland: 24 Registrations
Berks: 23 Registrations
Luzerne: 23 Registrations
Chester: 20 Registrations
Lehigh: 18 Registrations
Northampton: 18 Registrations
Cambria: 17 Registrations
York: 15 Registrations
Lackawanna: 14 Registrations
Erie: 11 Registrations
Butler: 10 Registrations
Beaver: 9 Registrations
Centre: 9 Registrations
Fayette: 5 Registrations
Lycoming: 5 Registrations
Schuylkill: 5 Registrations
Blair: 4 Registrations

Monroe: 4 Registrations
Tioga: 4 Registrations
Bedford: 4 Registrations
Schuylkill: 3 Registrations
Lebanon: 3 Registrations
Carbon: 2 Registrations
Clearfield: 2 Registrations
Crawford: 2 Registrations
Franklin: 2 Registrations
Greene: 2 Registrations
Indiana: 2 Registrations
Juniata: 2 Registrations
McKean: 2 Registrations
Mercer: 2 Registrations
Mifflin: 2 Registrations
Somerset: 2 Registrations
Adams: 1 Registration
Armstrong: 1 Registration
Bradford: 1 Registration
Columbia: 1 Registration
Elk: 1 Registration
Jefferson: 1 Registration
Lawrence: 1 Registration
Montour: 1 Registration
Montour: 1 Registration
Warren: 1 Registration
The Department’s Division of Campaign Finance and Lobbying Disclosure holds an audit lottery within 60 days of the close of the 4th Quarter. The Department audits registration and expense records of registrants by randomly selecting 3% from each category of registrants; lobbyists, lobbying firms, and principals. The Department sends notification letters to all selected registrants, informing them of the auditing procedures. The Department then provides all registration and reporting records to an independent auditor.

The auditors contact the registrants directly to request any records deemed necessary to complete the audit. Based on their review of the records, the independent auditors draft a report to the Department and registrant. At that time, the registrant is invited to respond to the findings. The auditors then issue a final report to the registrant and the Department. When required the Department acts as an intermediary between the auditors and the registrant throughout the auditing process.

In 2021, the Department selected 104 registrants to be audited by Wessel & Company, P.C. All audit reports remain confidential, except when requested by the State Ethics Commission as part of an investigation into an alleged violation. As such, the audits are a part of the enforcement mechanism under the Act.
The Department launched its Lobbying Service website in January 2007. The website provides valuable information to the registrant, the public and the Department. Registrants and other public site users can use a search engine that allows them to find and view all registrations and expense reports that have been filed with the Department.

The online filing system provides a search feature that can search by a registration number, the first or last name of a lobbyist, the name of a firm or principal, or even the letter P, F, or L entered into the registration number field to see all registered principals, firms or lobbyist. The Department’s website provides instructions on how to register and file reports, amendments and terminations.

The PA Lobbying Services website provides the option to view and print the Department’s Lobbying Directory, which lists all registered lobbyists and firms with accompanying photo and contact information. Individuals can also access printable versions of Act 134 of 2006, the final regulations, and the Manual for Accounting and Reporting Deadlines through the Department of State’s website.

The PA Lobbying Services website allows registrants to create a username and password that provides them with access to many other areas of the site. Once they log in, they will be able to file a registration online.
The online system allows users to manage their registration(s) and file their expense reports at any time prior to filing deadlines. Access is available 24 hours a day, seven days a week. This allows the user to view the status of their registration or report and whether the Department is in receipt of their filings.

In addition, the Department’s website offers information on procedures to obtain ID badges for lobbyists. The ID badges for lobbyists provide access to the Capitol Building without going through security.

The Department completed an upgrade to the PA Lobbying Services website in 2013. There is now the option for payment of registration fees online by credit card.

Given that all required information has been provided, this immediately completes a registration without delay. Also, the Department now provides an advanced search engine that includes, affiliated political action committees, affirmations, gifts and subjects of lobbying.
Responsibility for administration and enforcement of Act 134 is assigned to three state agencies and the Pennsylvania Disciplinary Board of the Supreme Court as follows:

- The duties of the Pennsylvania Department of State include overseeing registration, quarterly expense reporting and audits.

- The Pennsylvania State Ethics Commission is responsible for administrative enforcement of the Act and for giving advice and opinions of the Act.

- The Pennsylvania Attorney General is responsible for criminal enforcement of the Act.

- The Disciplinary Board of the Pennsylvania Supreme Court is responsible for administrative enforcement of the Act as it pertains to attorneys.
Contact Information

Pennsylvania Department of State
Division of Campaign Finance and Lobbying Disclosure
www.dos.pa.gov
717-787-5280

Pennsylvania Department of State
Office of Communications and Press
717-783-1621

Pennsylvania Department of State
Office of Legislative Affairs
717-783-1771

Pennsylvania State Ethics Commission
www.ethics.pa.gov
717-783-1610

Pennsylvania Office of Attorney General
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717-787-3391