

CONTRACT ID:	Corporate Policy – Lobbyist Registration Required
BUDGETED ITEM	Not applicable.
CONTRACT AMOUNT	Not applicable.
PURPOSE / SCOPE	<p>BACKGROUND The Florida Code of Ethics, in section 112.3215 Florida Statutes, requires lobbyists to register before lobbying executive branch state agencies. This particular statutory provision does not apply to Citizens. In order to achieve the same level of transparency the Board should adopt a lobbyist registration requirement.</p> <p>Attached you will find the proposed Lobbyist Registration Required Policy with an effective date of September 1, 2018.</p> <p>SUMMARY OF POLICY The Policy requires any lobbyist seeking to lobby Citizens to register with Citizens before communicating or contacting a Citizens employee or Board of Governors Member. (This does not apply to those who only communicate on the record at a publically noticed meeting). The Policy provides the procedures by which the lobbyist may register and also defines material terms. In this regard the Policy has been modeled, after and is substantially similar, to the lobbyist registration requirements for state agencies. In addition the Policy provides a mechanism by which the Citizens Inspector General will investigate allegations of failure to register and sets forth the consequences of a knowing failure to register.</p>
CONTRACT TERM(S)	Not applicable.
PROCUREMENT METHOD	Not applicable.
RECOMMENDATION	<p>Staff recommends that Citizens Board of Governors:</p> <ul style="list-style-type: none"> a) Approve the Lobbyist Registration Required Policy #103; and b) Authorize staff to take any appropriate or necessary actions consistent with this Action Item.
CONTACTS	<p>Dan Sumner, Chief Legal Officer and General Counsel Nancy Staff, Director of Ethics and Compliance Officer</p>

Policy Title:	Lobbyist Registration Required	Policy Number:	103
Effective Date:	September 1, 2018	Policy Administrator:	Ethics and Compliance

I. Purpose/Scope

The purpose of the policy is to increase transparency by requiring lobbyist registration to enable Citizens to provide public access to the list of registered lobbyists.

II. Policy

Any Lobbyist seeking to lobby Citizens must register with Citizens before communicating or contacting a member of the Citizens Board of Governors or an employee of Citizens, outside of a presentation on the record at a publicly noticed meeting. Employees and board members should refrain from responding to overtures by Lobbyists attempting to lobby Citizens until their registration is complete.

III. Procedure

A Lobbyist wishing to lobby Citizens must complete an online registration which will be valid for one year. The registration will be made available to the public in a database housed on Citizens external website.

The registration shall include the following information provided under oath:

1. Name and business address of the Lobbyist;
2. Name and business address of each principal represented;
3. Statement signed by each principal or principal's representative stating that the lobbyist is authorized to represent the principal;
4. The main business of each principal;
5. The existence of any direct or indirect business association, partnership, or financial relationship with any board member or employee of Citizens and the Lobbyist.

IV. Failure to Register

Upon receipt of a signed complaint alleging that a Lobbyist has lobbied Citizens without properly registering, the Office of the Inspector General shall investigate and make a written report. If the Inspector General finds that there has been a knowing violation of this policy, Citizens shall take appropriate action to avoid future non-compliance. Such action may include exclusion of the Lobbyist or principal from the procurement process for up to one year, and/or the exclusion of the Lobbyist from registration and lobbying for a period of up to one year.

V. Definitions

Lobbies or Lobbying means seeking, on behalf of another person, to influence Citizens with respect to a decision of Citizens in the area of policy or procurement or an attempt to obtain the goodwill of a Citizens official or employee.

Lobbyist means a person who is employed and receives payment, or who contracts for economic consideration for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or entity to lobby on behalf of that person or entity. "Lobbyist" does not include a person who is:

1. An attorney, agent, adjuster, or any person in active representation of a client with respect to an insurance claim or a judicial proceeding who contacts Citizens with regard to that insurance claim or judicial proceeding.
2. An employee of an agency or legislative or judicial branch acting in the normal course of his or her duties.
3. A confidential informant who is providing or wishes to provide, confidential information to be used for law enforcement purposes.
4. A person who lobbies to procure a contract pursuant to Chapter 287 which contract is less than the threshold for CATEGORY ONE as provided in F.S. s. 287.017. (\$20,000)

Policy means a plan or course of action which is applicable to a class of persons, proceedings, or other matters and which is designed to influence or determine the subsequent decisions and actions of Citizens. It does not include the adjudication or determination of any right duties or obligations of a person made on a case by case basis such as would be involved in the evaluation of an insurance policy issuance or claim, or investigation of a person.

Principal means the person, firm, corporation, or other entity which has employed or retained a lobbyist.

Procurement means the purchase or acquisition of any property, interest in property, or services by Citizens.

VI. Authority

Citizens Plan of Operation, Section 7(A)(7)

VII. History

<u>Action</u>	<u>Date</u>
Created	6-20-2018
Revised	

VIII. Approval

Policy Title	Lobbyist Registration Required
Approved by	Citizens' Board of Governors at its meeting on June 20, 2018.

DRAFT