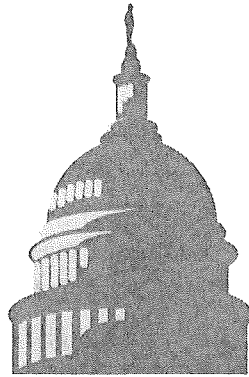
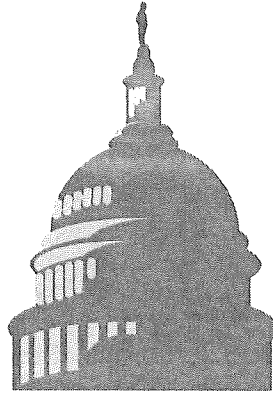


Kentucky Legislative Ethics Commission

ANNUAL REPORT



Fiscal Year
July 1, 2024 - June 30, 2025



Kentucky Legislative Ethics
Commission Members in FY 2024-2025

David L. Nicholas, Chair
Mike Shull, Vice-Chair

Tanya Pullin	Marie Rader
Arnold Simpson	Sal Santoro
Katherine Gail Russell	Jeff Greer
Ernie Harris <i>(term ended 4/2025)</i>	

Commission Staff

Laura Hendrix, Executive Director *(resigned 7/2024)*
Emily Dennis, Executive Director *(Promoted from General Counsel 10/2024)*
Steven Pulliam, General Counsel *(joined 12/2024)*
Donnita Crittenden, Assistant Director
Lori Smither, Executive Assistant to the Commission
Robert Jenkins, Enforcement Counsel
James Curless, Investigator

22 Mill Creek Park
Frankfort, Kentucky 40601-9230
Telephone: (502) 573-2863
Fax: (502) 573-2929
Web Address: <https://klec.ky.gov>

FOREWORD

I am pleased to submit the 32nd Annual Report of the Kentucky Legislative Ethics Commission to the members of the Legislative Research Commission.

The past year has been a busy one for the Commission and its staff. As evidenced by the large number of requests for informal opinions from individuals, businesses, and organizations covered by the Legislative Ethics Code, there is widespread interest in ethics compliance.

The continued support the Commission has received from the members of the General Assembly and its leadership has been gratifying.

We respectfully submit this report of activities of the Legislative Ethics Commission as required by KRS 6.666(16).

David L. Nicholas

David L. Nicholas, Chairman

Legislative Ethics Commission Member Profiles for FY 2024-2025

David L. Nicholas – Mr. Nicholas is the Chairman of the Commission. He was appointed to the Commission by the Senate President in October, 2018. He worked for 15 years for the General Assembly as Staff Administrator of the Administrative Regulation Review Subcommittee. Prior to that, he was Director of the Division of Occupations and Professions in the Finance Cabinet for 18 years. Mr. Nicholas has a Master's in Public Administration and a Bachelor's in Business Administration from Eastern Kentucky University. He is a member of Buck Run Baptist Church and member of the Board of Directors of the Kentucky Golf Association. He and his wife Pat live in Frankfort and have four children and five grandchildren.

Mike Shull - Mr. Shull is the Vice-Chair of the Commission. He was appointed to the Commission by the Speaker of the House in September, 2023. He is a partner with the law firm of Frost Brown Todd in the areas of construction law and litigation, also focusing on commercial and public finance/procurement. Mike has represented the Kentucky Transportation Cabinet on its largest project, the Louisville and Southern Indiana Ohio River Bridges Project. He has also represented the Louisville Arena Authority in the construction of the KFC Yum! Center, and acts as general counsel to the Greater Louisville Convention and Visitors Bureau. In addition to his work for public agencies, Mike represents many of the larger construction firms and developers in Kentucky. Prior to his legal career, he was a research engineer for the Kentucky Transportation Center. He has been named to the Best Lawyers in America, Construction Law. He received a B.S., cum laude, from the University of Kentucky, where he was President of the Engineering Student Government and the Chi Epsilon Civil Engineering Honor Society. He also received his J.D. from the University of Kentucky.

Arnold Simpson - Former State Representative Arnold R. Simpson was appointed to the Commission by the LRC in September, 2021. He was born in Somerset, Kentucky, and was raised in Covington. He received his BA in Political Science in 1974 from Kentucky State University, and his Juris Doctor in 1977 from the University of Kentucky College of Law. He practiced law from 1978 until his retirement in 2018. He served in the Kentucky House of Representatives from 1994 to 2018. He also served as the Covington City Manager from 1986 to 1989, and the Assistant City Manager from 1984 to 1986. He has served on numerous community boards and organizations. He and his wife Jo Ann reside in Covington.

Sal Santoro - Former State Representative Sal Santoro was appointed to the Commission by the Speaker of the House in January, 2023. He is President of Santoro Electric Company Inc. and a former Kentucky State Trooper. Santoro represented a portion of Boone County in the Kentucky House of Representatives from 2007 until 2022, serving as Chair of the House Budget Review Subcommittee on Transportation, and on the Appropriations and Revenue, Banking and Insurance, Licensing and Occupations, and Transportation committees. He has served on numerous civic and non-profit organizations, including the Northern Kentucky Convention Center and Visitors Bureau and the Florence Fire Protection District. He is also involved with the OKI (Ohio, Kentucky, Indiana) Regional Council Government. He received his undergraduate degree from the University of Cincinnati and a graduate degree from Xavier University. He and his wife, Sharon, reside in Union, and have three children and eleven grandchildren.

Tanya Pullin – Judge Pullin was appointed to the Commission by the Senate President in May 2020. She served as vice-chair of the Commission from July, 2022 to April, 2024. She graduated from Greenup County High School and received a B.S. from the University of Kentucky. She received an M.A. from Duke University and a J.D. from the University of Kentucky College of Law. Judge Pullin served in the Kentucky House of Representatives from 2001 to 2016. From 2016 to 2019, she served as an Administrative Law Judge in the Department of Workers' Claims. Judge Pullin currently resides in South Shore in Greenup County.

Marie Rader - Former State Representative Marie Rader was appointed to the Commission by the Senate President in January, 2023. Rader represented a district comprised of Jackson and portions of Laurel and Madison Counties in the Kentucky House of Representatives from 1997 to 2018. She chaired the House Committee on Transportation and was a member of the Natural Resources and Energy, Appropriations and Revenue, and Education Committees. A native of McKee, she served as executive director of the Public Housing Authority, and as a member of the Jackson County Development Association and the Jackson County Industrial Authority. She is a graduate of Berea College. She has been active in the Jackson County Kiwanis, Eastern Kentucky Concentrated Employment Program, Daniel Boone Development Council, Cumberland Valley ADD, and City of McKee Council.

Katherine Gail Russell – Ms. Russell was appointed to the Commission by the Speaker of the House in May, 2021. She has a private law practice with the law firm of Tilford Dobbins & Schmidt PLLC in the area of bankruptcy, banking and collections, and serves on the Uniform Law Commission and on the Visiting Committee of the University of Kentucky, J. David Rosenberg College of Law. A former Secretary of the Public Protection Cabinet, she also served as Counsel to the House Speaker, as a member of the Kentucky Racing Commission, the Kentucky Economic Development Partnership Board, the Kentucky 911 Services Board, and as the Small Business Ombudsman for the Public Protection Cabinet. She also has served as a Special Justice on the Kentucky Supreme Court. A native of Murray, Kentucky, she received her B.A. with highest distinction from the University of Mississippi and received her J.D. from the University of Kentucky.

Jeff Greer – Former State Representative Jeff Greer was appointed to the Commission by the Speaker of the House in November, 2024. He is the President of Greer Insurance in Brandenburg, KY. Greer represented a district comprised of Meade and Hardin Counties in the Kentucky House of Representatives from 2007 until 2018. He chaired the Committee of Banking and Insurance and served as a member of the Appropriations and Revenue and Veterans and Military Affairs committees. A native of Meade County, Greer served on the Meade County School Board for 13 years prior to his legislative service. He is a graduate of Eastern Kentucky University.

Ernie Harris (*term ended 4/2025*) – Former Senator Harris was appointed to the Commission by the President of the Senate in May 2021. Mr. Harris is a native of Oldham County and graduated from the University of Kentucky with a bachelor's degree in business administration. He also has a master's in management from Webster University. Mr. Harris served his country for 20 years in the U.S. Air Force and retired as a Lt. Colonel. After his Air Force career, he flew for UPS as a Boeing 757/767 captain. He served in the Kentucky Senate from 1995 until his retirement in 2020. He lives on the family farm in Oldham County.

Legislative Ethics Commission Staff Profile for FY 2024-2025

Laura Hendrix – Executive Director (*resigned 7/2024*) – Ms. Hendrix joined the Commission staff in May 2018 as the General Counsel and became the Executive Director in September 2019. Ms. Hendrix resigned from the Commission in July, 2024. Before joining the Commission staff, she was the General Counsel for the Speaker of the Kentucky House of Representatives, General Counsel for the Legislative Research Commission, Committee Staff Administrator for the Elections, Constitutional Amendments and Intergovernmental Affairs Committee, and a Legislative Analyst for the Health and Welfare Committee of the LRC. Prior to her legislative service, she was the General Counsel for the Executive Branch Ethics Commission, Assistant General Counsel for the Kentucky Higher Education Assistance Authority, and clerked for Judge William L. Graham of the Franklin Circuit Court. She received a bachelor’s degree in history from Washington University in St. Louis and a J.D. from the University of Kentucky College of Law.

Emily Dennis – Executive Director – Ms. Dennis joined the Commission staff in October 2019 as the General Counsel and became the Executive Director in October, 2024. Previously, she served as General Counsel of the Kentucky Registry of Election Finance from May 2008 – September 2019. She was employed by the Kentucky Justice & Public Safety Cabinet in its Office of Legal Services from 2002-2008 and also served as a Staff Attorney with the Cabinet for Economic Development from 1999-2002. Prior to joining state government, she was associated with the Danville law firm of Sheehan, Barnett, Hays, Dean & Pennington, P.S.C. Dennis received her J.D. from the University of Louisville and B.A. from Transylvania University, where she was a William T. Young scholar. When not practicing law, Emily manages Big Red Stables on her family’s third generation farm in Mercer County.

Steven Pulliam – General Counsel – Mr. Pulliam joined the Commission staff in December, 2024 as the General Counsel. He is originally from Frankfort, KY and received his law degree and undergraduate degree both from the University of Kentucky. After law school he clerked for Judge Roger Crittenden (ret.) in the Franklin Circuit Court before going on to serve as Deputy Bar Counsel for the KY Bar Association, General Counsel to the KY Executive Branch Ethics Commission, and Investigator for the LRC Office of Education Accountability.

Donnita B. Crittenden – Assistant Director – Mrs. Crittenden joined the Commission in August 1993 as the Staff Assistant and was promoted to the Assistant Director in March 2025. She is a graduate of Franklin County High School, and has a B.A. in Public Administration from Kentucky State University. Her previous experience includes a three-year internship with the Kentucky Department of Education, specifically assigned to the State Board of Education.

Lori M. Smither – Executive Assistant to the Commission – Mrs. Smither joined the Commission in December 2007 and has a degree in four areas of Interdisciplinary Early Childhood Education. In addition, Mrs. Smither has obtained certificates for the Kentucky Director’s Credential, Kentucky Child Care Provider, School Age Child Care, Interdisciplinary Early Childhood Education Technical Studies, and Early Childhood Administrator. Her previous experience includes working as a Member Service Representative at a banking institution for seven years, and as a Director/Teacher for 12 years.

Robert Jenkins – Enforcement Counsel – Mr. Jenkins joined the Commission Staff in September, 2022 as the Investigative Counsel until January, 2024 when he was promoted to the Enforcement Counsel. He worked for 27 years with the Kentucky Legislative Research Commission, and he also has over ten years of insurance defense experience. He was Deputy Director for Committee and Staff Coordination for ten years at LRC. Robert oversaw committee operations and all aspects of the legislative process. Robert also helped with orientation for new legislators to the Kentucky General Assembly. Robert has lectured at numerous legal seminars sponsored by the Kentucky Bar Association and Legislative Research Commission. He has spoken with and trained more than 100 community groups and nonprofit organizations on matters relating to legislative advocacy and process.

James Curless – Investigator – Mr. Curless worked for the Lexington Police Department from 1986-2012. He worked in patrol from 1986-1990, the detective bureau from 1990-1997 and internal affairs. He started out in residential burglary for about a year and then the robbery/homicide unit for about 6 years, then he was promoted to sergeant from 1997-2002 assigned to patrol before transferring back to robbery/Homicide (or the newer name Personal Crimes Section) as the incoming section commander (lieutenant). During his time overseeing the Personal Crimes Section, his section had some of the highest solved murder rates. During this time, he oversaw the creation of the Cold Case Unit and obtained a grant to allow dedicated resources for the unit operation. Also, during this time frame the Personal Crimes Section included the following units: Homicide, Robbery, Sex Crimes, Cold Case, ROPE (repeat offender prosecution enforcement), US Marshal's Task Force and the SANE Program (Sexual Assault Nurse Examiner). During the 1990's he worked as a part time Legislative Ethics investigator but since retiring in 2012, he has returned to working part time as an investigator for the Ethics Commission.

Education and Training FY 2024-2025

July, 2024	♣ Emily Dennis, Szymanski Rule of Law program sponsored by US-ASIA Institute, via Zoom
September, 2024	♣ Emily Dennis, Presentation on Kentucky's Legislative Ethics Code overview to University of Kentucky Martin School "Leadership in Ethics" class.
December, 2024	♣ Emily Dennis, New Legislator Orientation Training.
January, 2025	♣ Current Issues Seminar for Members of the General Assembly conducted by LEC Staff in-person. Guest Speaker: Mr. David DeVillers, Partner at Barnes & Thornburg, in Columbus, Ohio. Mr. DeVillers served as the United States Attorney for the Southern District of Ohio.
February, 2025	♣ Donnita Crittenden & Lori Smither, Training via Zoom with KY Community & Technical College System.

During the fiscal year, the Commission staff:

- Provided various in-house training sessions, as requested;
- Posted (on website) Legislative Ethics Code Overview Training which is accessible to the regulated community and public at any time;
- Posted (on website) Employer and legislative agent training workshop which is accessible to the regulated community and public at any time;
- Reviewed, approved, and posted (on website) 171 Financial Disclosure forms for legislators, candidates and LRC major management staff;
- Issued an estimated 350 verbal and written informal advisory opinions, to assist the regulated community with compliance with the ethics requirements;
- Answered numerous filing and procedural questions;
- E-mailed monthly Ethics Reporters to all General Assembly members, LRC staff, news media, legislative agents, and employers;
- E-mailed filing notifications monthly to all employers and legislative agents;
- E-mailed updated employers and lobbyists lists monthly to all General Assembly members and LRC staff (weekly during legislative session).

**Legislative Ethics Commission
Registration of Lobbyists and Employers
FY 2024-2025**

Number of Employers: 912

Number of Legislative Agents: 695

Updated Registration Statements were filed on:

- September 15, 2024
- January 15, 2025
- February 15, 2025
- March 15, 2025
- April 15, 2025
- May 15, 2025

The Kentucky Legislative Ethics Commission (KLEC) continues to enhance its database and website, making more information available to the public regarding legislative agents (lobbyists) and their employers.

By accessing KLEC's web site, citizens can review a variety of reports, including legislator and candidate financial disclosure forms, a list of legislative agents and their employers, legislative agent compensation, employer expenses sorted by the employer's name, and employer expenses sorted by industries, such as "gaming" or "health care", and bills lobbied.

Complaints and Administrative Actions
FY July 1, 2024 - June 30, 2025

Complaints:

There were five formal complaints filed this fiscal year. All five were filed against legislators.

Three of the complaints filed against legislators were dismissed.

Administrative Fines Levied by the Commission:

Legislative Agents	\$900.00
Employers	\$6,900.00
Legislators	\$100.00
Candidates	\$0.00
Total Fines Collected	\$7,900.00

These fines were assessed due to failure to file statements by the designated filing deadline.

Employers and legislative agents are cautioned that chronic late filing of forms may result in additional penalties and possible action by the Commission.

LOBBYING EXPENSES AS REPORTED 1993 - 2025

YEAR	EMP FB	EMP AE	EMP RME	EMP EXP	LA FB	LA RME	LA EXP	LA COMP	TOTAL
2025	N/A	98,566	385,887	489,487	N/A	92,014	566,141	17,952,446	19,584,541
2024	N/A	464,052	487,591	826,280	N/A	88,062	745,435	25,595,800	28,207,220
2023	N/A	1,090,387	407,979	666,765	N/A	57,535	571,170	22,722,488	25,516,324
2022	N/A	330,595	316,260	621,942	N/A	53,588	582,267	23,114,432	\$25,019,084
2021	N/A	\$525,072	\$131,211	\$811,969	N/A	\$24,897	\$524,444	\$19,351,022	\$21,368,615
2020	N/A	\$367,201	\$171,539	\$646,643	N/A	\$5,607	\$613,013	\$19,116,673	\$20,920,676
2019	N/A	\$317,860	\$222,083	\$568,784	N/A	\$24,235	\$726,440	\$20,432,842	\$22,292,244
2018	N/A	\$478,349	\$251,382	\$992,151	N/A	\$14,908	\$1,007,980	\$20,428,445	\$23,173,215
2017	N/A	\$227,917	\$192,375	\$690,639	N/A	\$17,542	\$846,917	\$18,856,830	\$20,832,220
2016	N/A	\$300,431	\$236,495	\$667,428	N/A	\$6,027	\$888,039	\$18,690,350	\$20,788,770
2015	N/A	\$1,017,588	\$190,100	\$603,505	N/A	\$13,484	\$781,811	\$16,696,699	\$19,303,187
2014	\$149	N/A	\$185,402	\$563,386	\$0	\$8,685	\$831,507	\$16,822,398	\$18,411,527
2013	\$429	N/A	\$154,182	\$453,074	\$30	\$11,648	\$852,342	\$14,970,623	\$16,442,328
2012	\$539	N/A	\$143,154	\$858,368	\$0	\$16,407	\$945,621	\$15,813,368	\$17,777,457
2011	\$228	N/A	\$160,435	\$393,916	\$16	\$17,491	\$905,572	\$13,613,009	\$15,090,667
2010	\$530	N/A	\$189,059	\$904,378	\$0	\$28,206	\$1,188,642	\$14,382,024	\$16,692,839
2009	\$236	N/A	\$135,943	\$462,256	\$0	\$19,126	\$985,833	\$13,659,283	\$15,262,677
2008	\$434	N/A	\$248,463	\$691,801	\$82	\$35,100	\$1,196,922	\$14,729,726	\$16,902,528
2007	\$160	N/A	\$160,087	\$530,195	\$0	\$18,175	\$1,025,796	\$11,951,309	\$13,685,722
2006	\$423	N/A	\$227,190	\$803,103	\$157	\$19,631	\$1,061,624	\$13,362,476	\$15,474,604
2005	\$420	N/A	\$214,397	\$615,303	\$268	\$24,663	\$902,410	\$10,808,709	\$12,566,170
2004	\$561	N/A	\$204,701	\$819,692	\$150	\$10,003	\$213,134	\$10,836,866	\$12,085,107
2003	\$542	N/A	\$193,663	\$848,670	\$0	\$4,639	\$0*	\$8,141,073	\$9,188,587
2002	\$262	N/A	\$188,446	\$1,008,768	\$20	\$8,248	\$0*	\$9,088,595	\$10,294,339
2001	\$160	N/A	\$136,819	\$608,853	\$73	\$4,201	\$0*	\$6,132,887	\$6,882,993
2000	\$95	N/A	\$136,032	\$857,075	\$0	\$13,424	\$0*	\$8,295,998	\$9,302,624
1999	\$248	N/A	\$30,082	\$411,981	\$0	\$1,562	\$0*	\$3,989,617	\$4,433,490
1998	\$20	N/A	\$82,741	\$939,643	\$10	\$4,500	\$0*	\$7,086,054	\$8,112,968
1997	\$14	N/A	\$22,072	\$420,529	\$0	\$4,019	\$0*	\$3,137,175	\$3,583,809
1996	\$589	N/A	\$40,822	\$880,518	\$301	\$3,939	\$341,893	\$6,037,002	\$7,305,064
1995	\$177	N/A	\$15,692	\$318,105	\$107	\$534	\$144,098	\$2,254,114	\$2,732,827
1994	\$852	N/A	\$34,117	\$1,356,719	\$350	\$2,305	\$514,701	\$4,557,014	\$6,466,058
1993	\$81	N/A	\$1,426	\$552,648	\$3	\$108	\$0	\$986,811	\$1,541,077
Totals	\$7,149	\$5,218,018	\$5,897,827	\$22,884,574	\$1,567	\$654,513	\$18,963,752	\$433,614,158	\$487,241,558

Guide to Abbreviations:

EMP.FB (Emp. Food and Beverage)

EMP.RME (Emp. Reception, Meals & Events)

EMP.EXP (Emp. Expenses)

EMP.AE (Emp. Advertising Expense)

LA. FB (Legislative Agent Food and Beverage)

LA. RME (Legislative Agent Reception, Meals & Events)

LA. EXP (Legislative Agent Expenses)

LA. COMP (Legislative Agent Compensation)

* Employer forms were amended to delete section dealing with reimbursed expenses to legislative agents.

2015 was first year for reporting EMP AE.

2025 figures include totals through August 31, 2025.

Any amendments made after November 1, 2025 are not included in this report and will alter the report data.

*MONEY SPENT ON LEGISLATIVE ACTIVITY SINCE THE ENACTMENT OF
THE LEGISLATIVE ETHICS CODE - September 1993*

Legislative Year	Money for food and beverages for legislators and their families. (EMP FB)	Money for food and beverages at recognized events. (EMP RME + LA RME)	Total expenses/expenditures for lobbying. (Includes legislative agent salary)
2025	N/A	\$477,901	\$19,584,541
2024	N/A	\$575,653	28,207,220
2023	N/A	\$465,514	\$25,516,324
2022	N/A	\$369,848	\$25,019,084
2021	N/A	\$156,108	\$21,368,615
2020	N/A	\$177,146	\$20,920,676
2019	N/A	\$246,318	\$22,292,244
2018	N/A	\$266,290	\$23,173,215
2017	N/A	\$209,917	\$20,832,220
2016	N/A	\$242,522	\$20,788,770
2015	N/A	\$203,584	\$19,303,187
2014	\$149	\$194,087	\$18,411,527
2013	\$429	\$165,830	\$11,983,736
2012	\$539	\$156,561	\$17,777,457
2011	\$244	\$177,926	\$15,090,667
2010	\$530	\$217,265	\$16,692,839
2009	\$236	\$155,069	\$15,262,677
2008	\$434	\$283,563	\$16,902,528
2007	\$160	\$178,262	\$12,658,586
2006	\$580	\$246,821	\$14,411,884
2005	\$688	\$263,273	\$11,663,760
2004	\$711	\$214,704	\$11,871,973
2003	\$542	\$198,302	\$9,188,587
2002	\$282	\$196,694	\$10,294,339
2001*	\$233	\$141,020	\$6,882,993
2000	\$95	\$149,456	\$9,302,624
1999	\$248	\$31,644	\$4,433,490
1998	\$30	\$87,241	\$8,112,968
1997	\$14	\$26,091	\$3,583,809
1996	\$890	\$44,761	\$7,305,064
1995	\$284	\$16,226	\$2,732,827
1994	\$1,202	\$36,422	\$6,466,058
1993	\$84	\$1,534	\$1,541,077

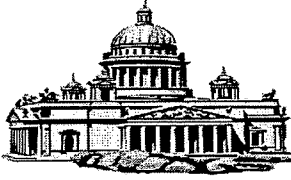
*2001 Reflects totals from the first annual session in an odd-numbered year. **2025 figures include totals through August 31, 2025.

From 1993 to August 31, 2025, \$487,241,558 was reported.

Of that figure, \$433,614,158 was attributed to salaries of legislative agents and \$53,627,400 was for other lobbying expenses.

ETHICS REPORTER

July-August 2024



Kentucky Legislative Ethics Commission
22 Mill Creek Park, Frankfort, Kentucky 40601-9230
Phone: (502) 573-2863
<https://klec.ky.gov>

Reminder: Lobbying Report Deadline in Just a Few Weeks!

Monday, September 16, 2024 is the next reporting deadline for lobbying entities, and all lobbyists and employers are required to file Updated Registration Statements then, for the period of **May 1 through August 31, 2024**.

The easiest and quickest way for lobbyists and employers to file is to visit the Commission's website: <https://apps.klec.ky.gov/lec/onlinefiling.aspx>.

Additionally, reporting entities are reminded that they are required to report the specific bill numbers that they are lobbying on, as required by the Legislative Ethics Code, if those numbers are available. If your reports have not adequately reflected bill numbers in the past, please make every effort to reflect bill numbers in updated registration statements going forward.

Reporting Expenses Associated With National Conferences

Kentucky lobbyists and their employers are required to report the value of food, beverages, and other expenses contributed to events to which approved groups of Kentucky legislators are invited.

Lobbyists and employers are also required to report other expenses incurred in conjunction with the meetings, if the expenses are directly associated with the employer's or lobbyist's lobbying activities.

Lobbyists and employers are prohibited from paying for food and beverages for individual legislators, and lobbyists and employers cannot furnish or pay for out-of-state lodging or transportation, or anything of value, such as conference registration.

Legislative conferences for this year include:

- Southern Legislative Conference-(SLC) July 21-25, The Greenbriar, West Virginia;
- American Legislative Exchange Council (ALEC) -July 24-26, Denver, Colorado;
- National Conference of State Legislatures (NCSL) – August 5-7, Louisville, Kentucky; and
- Council of State Governments (CSG) -December 4-7, New Orleans, Louisiana.

Legislators, lobbyists, and employers are encouraged to contact the Ethics Commission if they have any questions about the application of the Ethics Code to such events.

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: Cresco Labs LLC, Hazel Health, Holocaust Learning Experience, HopSkipDrive, Inc., JVCKENWOOD USA Corp., Mental Health Cooperative, Myriad Genetics, Partners for Rural Impact, Sagetic Solutions LLC, University of Kentucky, Wayspring, and We Lead CS.

Recently terminated employers in Kentucky: American Wood Council, CEOc (Louisville Healthcare CEO Council, Inc.), D2L, Ltd., StriveTogether, Inc., Trevor Project, Inc. (The) and Vera Institute of Justice, Inc.

Training for Lobbyists and Employers on video

The Legislative Ethics Commission has a training video from one of our in-person lobbyist and employer trainings on the LRC Capitol Connection YouTube page, for viewing at any time. The link is on our website and on the LRC Capitol Connection page at <https://www.youtube.com/watch?v=nrqWW7sJDK4>. The video walks through the online filing process in step-by-step detail. Please call us with any questions!

Ethics & Lobbying News from around the U.S.

New York Appeals Court Rules Ethics Watchdog That Pursued Cuomo Was Created Unconstitutionally

BY MICHAEL HILL – [AP NEWS](#) - May 9, 2024

ALBANY, N.Y. (AP) — A state commission that investigates ethical violations in New York was created unconstitutionally, an appeals court said Thursday in a ruling in favor of former Gov. Andrew Cuomo that targets the watchdog agency's enforcement powers.

Cuomo is fighting in court an attempt by the state Commission on Ethics and Lobbying in Government to force him to forfeit \$5 million he got for writing a book about his administration's efforts during the COVID-19 pandemic.

Cuomo argues the commission lacks authority under the state constitution to prosecute him.

The Appellate Division of state Supreme Court unanimously upheld a lower court in ruling in favor of Cuomo, with judges writing that the creation of the panel "though well intentioned in its actions, violated the bedrock principles of separation of powers."

In a joint statement, the chairman and executive director of the ethics commission said they would seek to appeal the decision to the state's highest court and to put the ruling on hold while litigation continues.

“The Commission will continue to promote compliance with the state’s ethics and lobbying laws as this matter works its way through the full appellate process,” said Chair Frederick A. Davie and Executive Director Sanford N. Berland.

The commission was formed by the Legislature and current Gov. Kathy Hochul in 2022 to investigate possible ethics and lobbying violations by state officials, employees, lobbyists and their clients.

It replaced a previous ethics commission widely criticized for not being independent enough. Lawmakers said they wanted to restore public trust in government after Cuomo’s 2021 resignation in a sexual harassment scandal.

A lower court judge said in September that the law creating the commission made it too independent from the governor under terms of the state constitution. The judge said the enforcement of ethics laws is a power that belongs to the executive branch, yet the governor cannot control commission members, force them to explain their actions or remove them for neglecting their duties.

“This has been a three-year exercise to bend the law to fit the political will of those in charge and hopefully after this second — and unanimous — court decision, this partisan and baseless prosecution will finally end,” Cuomo spokesman Rich Azzopardi said in a statement after the Thursday ruling.

Cuomo has battled both this commission and its predecessor, the Joint Commission on Public Ethics, over his book earnings. State officials have claimed Cuomo hadn’t kept a promise not to use any state resources on the book. Cuomo has denied those allegations.

Cuomo resigned in August 2021 after the attorney general released the results of an investigation that concluded the then-governor had sexually harassed at least 11 women. Cuomo has denied the allegations.

AP writer Anthony Izaguirre contributed to this report.

Ex-Legislator Faces Investigation for Possible Violation of Lobbying Law He Co-Sponsored

by Justin Miller – [THE TEXAS OBSERVER](#) - June 12, 2024

A former legislator who chaired a powerful state House committee is under investigation by the Texas Ethics Commission (TEC) for his alleged violations of a Texas revolving-door law that restricts lawmakers from leaving office to become lobbyists.

The legislator under scrutiny is former Republican state Representative Chris Paddie, who resigned his East Texas seat in March 2022 to become a lobbyist and consultant for private sector interests. His departure came at the height of his power: As chairman of the House State Affairs Committee, Paddie played a central role in the state’s response to the deadly electric grid failure in 2021. But his attempted career transition, a common one in Austin, was thwarted by a 2019 lobbying law that Paddie himself had co-sponsored, which bans departing legislators who contributed campaign funds to fellow lawmakers from lobbying in Texas for two years after their last donation.

Before leaving office, Paddie made several campaign contributions to Republican House colleagues. In December 2022, Paddie registered as a lobbyist with the state and disclosed a list of clients—including Vistra, the state's largest power company. As the *Texas Observer* reported then, Paddie claimed he'd come into compliance with the revolving-door law because he had personally reimbursed his campaign for the roughly \$50,000 in contributions he'd made to other lawmakers.

He remained registered as a lobbyist until February 2023 when the TEC commissioners unanimously voted in favor of a legal opinion that Paddie was violating the law regardless of his personal reimbursement. "The Legislature was very clear that this was the behavior they were trying to prohibit and that there was no cure because the goodwill for the contribution, the benefit has already been received," Randall Erben, the commission's vice chair, said at the February meeting, according to the *Houston Chronicle*. Paddie terminated his registration the next day.

Now, the TEC is investigating Paddie's activities both in that three-month period from 2022 to 2023 and over a longer 33-month period to determine whether he did engage in illegal lobbying.

It's a significant development for Paddie and the TEC, which is charged with enforcing the state's notoriously weak ethics and lobbying laws. Rarely has the agency so aggressively pursued a politician for potential violations.

TEC is investigating all of "Paddie's activities to prepare for or conduct lobbying activities that violated the two-year bar under the revolving-door lobby law," the agency has said. If Paddie is found to have violated the law, the commission could potentially fine him for as much as three times the amount he was paid to lobby. In court filings, Paddie said his clients paid him about \$130,000 in the three-month span he was registered to lobby.

TEC initially opened its investigation after it received a formal complaint in January 2023 that accused Paddie of violating the revolving door law. Months later, in September, TEC subpoenaed a vast swath of Paddie's records and communications from the start of his final term in office in January 2021 to the present.

Specifically, the agency is asking for communications he had with future or potential clients while he was still in office and with his former legislative colleagues and other government officials after he left office and when he registered to lobby. TEC is also demanding Paddie provide any contracts or agreements he signed and invoices or payments he got from the clients he disclosed.

The subpoena also specifically asks for any documents related to meetings with House Speaker Dade Phelan or his staff, including one of Paddie's former aides, and five other Republican legislators.

Paddie has argued that the TEC subpoena goes beyond the scope of the complaint that prompted the probe and that providing many of the requested records would violate state law that gives legislative privilege to lawmakers' records and protects communications between private citizens (lobbyists included) and their legislators.

This disagreement has sparked a related court battle between the TEC, which accuses the former lawmaker of stonewalling its investigation, and Paddie, who claims the agency has gone beyond its enforcement authority.

Last November, Paddie asked a Travis County district court judge to quash or curtail the TEC subpoena, which Paddie argues is "intended to harass, annoy, and invade the personal, constitutional, and property rights" of himself and several third parties—including his clients.

TEC responded last month with its own motion to enforce the subpoena.

"After repeated attempts to confer, Paddie has now flatly refused to produce documents responsive to the subpoena that are plainly relevant to the Commission's investigation," TEC said in its filing, which was part of the Travis County court proceeding.

The initial court hearing on the motions was held Tuesday, though the judge made no decision.

"Mr. Paddie has not been an obstructionist in this case," Ross Fischer, Paddie's attorney, said at the hearing. "But he is, I think, rightly concerned that by covering 33 months, this [subpoena] goes beyond scope of complaint."

Fischer is a prominent ethics and campaign finance lawyer in Texas and previously served as chairman of the Texas Ethics Commission. Paddie and Fischer did not respond to requests for comment. The TEC declined to comment.

In the course of the TEC investigation, Paddie provided a limited amount of records, including text messages and a list of meetings he had with lawmakers during the roughly three months that he was a registered lobbyist, according to documents filed with the county court. Paddie also provided invoices that show he was paid \$130,000 for his services in those three months.

In response to TEC's motion in court, Paddie's lawyer said that "Paddie has provided sworn statements indicating that his registration as a lobbyist was gratuitous in that he was not actually required to register." Under the state's notoriously lax lobbying laws, individuals are only required to register as a lobbyist and disclose their clients if they've met certain thresholds—including spending over 40 hours a quarter trying to influence lawmakers and other officials.

Paddie says he never went over that threshold and therefore wasn't technically a lobbyist and didn't violate the law. TEC says the only way to assess this defense is for Paddie to provide all the records across the entire period of time that the agency is investigating.

"To the extent that whatever [evidence TEC gets] shows that he did have lobbying contacts, then I think that is going to be tough for Chris Paddie," said Andrew Cates, a Texas ethics law attorney. "The other side of that is just because it's lobbying doesn't mean you're technically a lobbyist."

To determine that Paddie did violate the law, "What [TEC] would have to show is, honestly, that he's lying," Cates said.

On the day he registered as a lobbyist, December 7, Paddie had a call with aides to Governor Greg Abbott, according to an affidavit from Paddie. Records separately obtained by the *Observer* from the governor's office also show the meeting was on the calendar for the governor's chief of staff Gardner Pate and other advisors, including Jarred Shaffer, who was previously Paddie's legislative aide. The records indicate that one of Paddie's clients was also in attendance.

Paddie additionally met Speaker Phelan or his staff, along with several other Republican House members, while he was registered, according to the court records and the TEC subpoena. He further met with regulatory officials at the Texas Commission on Environmental Quality in February 2023.

In January and February 2023, Paddie disclosed spending over \$1,800 on food and beverage for House members and their family.

Lawmaker Hit With \$35,000 in Payments For Violation of Oklahoma Ethics Rules

BY: BARBARA HOBEROCK – OKLAHOMA VOICE - MAY 29, 2024

OKLAHOMA CITY – Rep. Ajay Pittman has agreed to pay the Oklahoma Ethics Commission \$35,000 following a settlement agreement for ethics rules violations.

The Oklahoma Ethics Commission on Wednesday released terms of the settlement agreement.

The settlement agreement says Pittman, D-Oklahoma City, used her campaign funds for personal use, in violation of ethics rules.

The settlement agreement says she improperly withdrew \$17,858.52 from her campaign funds.

In addition, she inaccurately reported \$30,000 worth of contributions in 2020 and \$20,000 in 2022, the settlement agreement says.

Finally, she failed to maintain 2020 and 2022 campaign records in accordance with ethics rules, the settlement said.

“The Parties agree that the payment constitutes full compensation for all of the Commission’s claims against the Respondent including, but not limited to, personal use of campaign funds, improper withdrawal of campaign funds, inaccurate reporting, and failure to maintain campaign records,” according to the settlement agreement.

The funds must come from her personal account and not her campaign.

Pittman did not respond to a request seeking comment.

She was first elected in 2018 and is seeking reelection.

ETHICS REPORTER

September 2024



Kentucky Legislative Ethics Commission
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Kentucky lobbying sets a new record for even-year spending

According to the most recent lobbyist and employer reports, legislative lobbying spending for the first 8 months of 2024 was just shy of \$20.2 million.

Businesses and organizations kept up the trend of increased lobbying spending by passing the odd-year record \$18.1 million spent in the same period in 2023. The previous even-year record for this 8-month period was \$17.8 million in 2022.

During the first two-thirds of 2024, 885 lobbying employers paid 685 lobbyists \$17.9 million, and an additional \$681,595 was spent on lobbying-related administrative costs, such as travel and other expenses. Lobbyists on their own spent \$634,638 in out of pocket expenses during this time period.

Below is the list of the top spending 20 employers during this time period:

1. KY Chamber of Commerce \$326,900
2. KY Hospital Association \$208,687
3. LG&E and KU Energy LLC \$181,184
4. American Civil Liberties Union of KY \$162,141
5. Altria Client Services LLC \$146,208
6. Duke Energy \$141,461
7. KY League of Cities, Inc. \$139,827
8. KY Assn. of Electric Cooperatives, Inc. \$139,204
9. Greater Louisville, Inc. \$134,345
10. Pharmaceutical Care Management Assn. \$126,694
11. KY Retail Federation, Inc. \$118,374
12. KY Primary Care Association \$116,217
13. East KY Power Cooperative Inc. \$113,384
14. KY Distillers' Assn. \$111,653
15. Elevance Health & Aff. DBA Anthem, Inc. \$99,092
16. Humana Inc. \$98,167
17. HCA Healthcare, Inc. \$97,600
18. KY Medical Association \$94,450
19. Churchill Downs Incorporated \$88,807
20. Frankfort Plant Board \$84,033

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: **BetMGM, LLC, Botanicals for Better Health & Wellness, DraftKings, Inc., FanDuel, Inc., FBG Enterprise Opco, LLC., FFF Enterprises, Inc., TikTok Inc., Simple Solutions Behavioral Health and Strawser Construction Inc.**

Recently terminated employers in Kentucky: **American Kidney Fund, Inc., American Resources Corporation, Asurion LLC, Autonomous Vehicle Industry Assn., Bail Project (The), Ban Conversion Therapy Kentucky, Inc., Behavioral Health Group, Catholic Action Center, CBD American Shaman, Children's Home of Northern KY, Christ Hospital (The), City of Ashland, KY, City of Madisonville, KY, Connected Nation Development Corporation, DASMI, LLC, Edgewater Recovery, Enervenue, Franklin County, GreenGo Energy US, Inc., Inseparable Action, Inc., KCA Labs, KY Properties II, LLC, Legal Aid of the Bluegrass, Leukemia & Lymphoma Society (LLS), Liberty Initiative Fund, Morehead State University, Navient, Orexo US, Inc., Organon LLC, Phoenix Multisport, Inc., Recording Industry Assn. of America, Inc.(RIAA), Satoshi Action Fund, Sound Money Defense League, Unbridled Films, LLC, ViiNetwork, Inc., Westcare Foundation and West KY Regional Riverport Authority.**

Training for Lobbyists and Employers on video

The Legislative Ethics Commission has a training video from one of our in-person lobbyist and employer trainings on the LRC Capitol Connection YouTube page, for viewing at any time. The link is on our website and on the LRC Capitol Connection page at <https://www.youtube.com/watch?v=nrqWW7sJDK4>. The video walks through the online filing process in step-by-step detail. Please call us with any questions!

Ethics & Lobbying News from around the U.S.

Disgraced former Rep. George Santos pleads guilty to federal charges

<https://www.cnn.com/profiles/mark-morales>By Mark Morales, Jack Forrest and Devan Cole, CNN, August 19, 2024

Former Republican Rep. George Santos pleaded guilty on Monday to aggravated identity theft and wire fraud charges stemming from fraudulent activity during his 2022 midterm campaign.

The guilty plea comes just weeks before the ex-congressman was set to stand trial on nearly two dozen federal charges, including allegations of fraud related to Covid-19 unemployment benefits, misusing campaign funds and lying about his personal finances on House disclosure reports, all of which he had to admit to in an allocution statement Monday.

Santos will serve a minimum of two years in prison as part of the stipulated agreement and pay restitution of \$373,000. His sentencing hearing is set for February 2025.

"I deeply regret my conduct," Santos said in court Monday. "I accept full responsibility for my actions."

Speaking to reporters outside the courthouse, the former congressman said he had "allowed ambition to cloud my judgment."

"Pleading guilty is a step I never imagined I'd take, but it's the right thing to do," Santos said. "It is my own recognition of the lies I told myself."

Prosecutors said they were prepared to show during trial over 500 exhibits of evidence, including cell phone evidence, information downloaded from Santos' iCloud account and financial records.

The plea to charges of committing wire fraud and aggravated identity theft marks an end to the nearly two-year saga that saw Santos lie about his resume as he sought election to New York's 3rd Congressional District. He won the seat but was ultimately charged with 23 federal counts and was dramatically expelled from Congress last year.

Prosecutors, in two batches of charges last year, alleged Santos committed fraud related to Covid-19 unemployment benefits, misused campaign funds and lied about his personal finances on House disclosure reports. Santos pleaded not guilty in May 2023 to 13 federal charges, including seven counts of wire fraud, three counts of money laundering, one count of theft of public funds and two counts of making materially false statements to the US House of Representatives.

And in October, he pleaded not guilty to another 10 federal charges, which included allegations that he stole donors' identities and ran up thousands of dollars in fraudulent charges on their credit cards, embezzled cash from his company, and conspired with his former campaign treasurer to falsify donation totals to hit fundraising targets, among other offenses.

Santos, 36, insisted after the second wave of charges that he would not accept a plea deal and that he would seek reelection for his seat, telling reporters in October, "The No. 1 question you all ask me is, 'Are you going to take a plea deal?' No. The answer is, I will not take a plea deal."

Santos' campaign fundraiser, Sam Miele, pleaded guilty to a federal wire fraud charge as part of a plea deal in November. His former campaign treasurer, Nancy Marks, pleaded guilty in October to conspiracy to defraud the United States by committing one or more federal offenses.

Expelled by House in rare move

Santos, who represented parts of Long Island and Queens during his brief tenure in Congress, sparked shock and controversy on Capitol Hill over revelations that he fabricated large parts of his life story, including significant elements of his resume and biography.

Against the threat of expulsion from Congress, Santos remained defiant. He argued that he was being bullied and that it would set a dangerous precedent if the House expelled him since he had not been convicted in a court of law.

But calls for Santos' expulsion from the chamber grew to a fever pitch after the House Ethics Committee released a major report that uncovered additional "uncharged and unlawful conduct" by Santos beyond the criminal allegations already pending against him.

In a resounding 311-114 vote in December, with 105 Republicans voting with the overwhelming majority of Democrats in favor of his expulsion, the House used its most severe form of punishment for a member and expelled Santos. He became only the sixth lawmaker ever to be thrown from the chamber.

Santos briefly attempted a congressional comeback, announcing in March that he would leave the Republican Party to run as an independent in New York's 1st District. But he dropped his bid in April, saying at the time that he didn't want to split the ticket with incumbent GOP Rep. Nick LaLota and "be responsible for handing the House to Dems."

This story has been updated with additional developments.

CNN's Piper Hudspeth Blackburn, Clare Foran, [Manu Raju](#), [Sam Fossum](#) and Haley Talbot contributed to this report.

Ethics probe into Matt Gaetz now reviewing allegations of sexual misconduct and illicit drug use

BY KEVIN FREKING, June 18, 2024

WASHINGTON (AP) — The House Ethics Committee on Tuesday gave an unusual public update into its long-running investigation of Rep. Matt Gaetz, R-Fla., saying its review now includes whether Gaetz engaged in sexual misconduct and illicit drug use, accepted improper gifts and sought to obstruct government investigations of his conduct.

The committee also announced that it was no longer reviewing four other allegations involving the congressman, including that he shared inappropriate images or videos with colleagues on the House floor or that he accepted a bribe or converted campaign funds to personal use.

Gaetz has categorically denied all the allegations before the committee.

In a tweet Monday pre-empting the committee's announcement, Gaetz noted that the ethics panel closed four probes and said those investigations had "emerged from lies intended solely to smear me."

"Instead of working with me to ban Congressional stock trading, the Ethics Committee is now opening new frivolous investigations. They are doing this to avoid the obvious fact that every investigation into me ends the same way: my exoneration," Gaetz said on the social platform X.

Gaetz led the effort to oust then-Speaker Kevin McCarthy from office last fall. Seven Republicans joined him in deposing McCarthy, along with 208 Democrats. Many House Republicans remain angry with Gaetz, arguing that McCarthy's ouster was a selfish and destructive act that hurt the party.

Gaetz blamed McCarthy for the Ethics Committee's review, even though the investigation began before Republicans took the majority in the House.

"This is Soviet. Kevin McCarthy showed them the man, and they are now trying to find the crime," Gaetz wrote on X. "I work for Northwest Floridians who won't be swayed by this nonsense and McCarthy and his goons know it."

The committee began its review of Gaetz in April 2021, deferred its work in response to a Justice Department request, and renewed its work in May of last year after the DOJ dropped its request that lawmaker hold off an investigating. That was shortly after Gaetz announced that the Justice Department had ended a sex trafficking investigation without bringing charges against him.

The ethics committee said that despite the difficulty of obtaining relevant information from Gaetz and others, it has spoken with more than a dozen witnesses, issued 25 subpoenas and reviewed thousands of pages of documents.

One thing under investigation is whether Gaetz "dispensed special privileges and favors to individuals with whom he had a personal relationship," the committee said.

The ethics committee cautioned that the existence of an investigation does not itself indicate that any violation of law or House rules occurred. The statement said that no other public comment will be made on the matter.

ETHICS REPORTER

October 2024



Kentucky Legislative Ethics Commission
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Ethics Commission Hires Emily Dennis as Executive Director

The Ethics Commission has appointed Emily Dennis as the new Executive Director, effective October 1, 2024. Ms. Dennis was the General Counsel for the Ethics Commission from 2019-2024 and previously worked for the Kentucky Registry of Election Finance, where she served as General Counsel for 11 years. Prior to working for the Registry, she was a staff attorney in the Justice and Public Safety Cabinet and the Cabinet for Economic Development. She is a graduate of the University of Louisville School of Law and received her bachelor's degree from Transylvania University. Please join us in congratulating Emily on her promotion!

Kentucky lobbying sets new record for even-year spending on Receptions, Meals and Events

During the first 8 months of the year, employers and lobbyists spent an all-time high of \$469,150 on receptions, meals and events to which legislators and legislative staff may be invited. Of that amount, lobbyists spent \$59,686 and employers spent \$409,464 on events. The number one spender, the **Sazerac Company (formerly Buffalo Trace Distillery)** spent the most on these events over the past 8 months, at \$10,155.

Some of the notable receptions and events held by lobbying groups included those held in conjunction with out-of-state conferences of national organizations of legislators/legislatures or governmental organizations. For example, at the National Conference of State Legislatures (NCSL) Annual Meeting in Louisville, Kentucky in August, 186 employers and 111 lobbyists chipped in \$36,053 to fund a "Kentucky Night" event to which legislators were invited. Also, at NCSL, employers and lobbyists held a reception for House members, costing \$5,485, and employers and lobbyists held a dinner for Senate members, spending \$14,336.

At the Southern Legislative Conference's (SLC) July Annual Meeting, held in White Sulphur Springs, West Virginia, 68 employers and 61 lobbyists spent \$28,865 on the "Kentucky Night" event. Another big event at SLC had 15 employers and 17 lobbyists spending \$23,905 for a private reception for the Kentucky Senate and House members.

Other out-of-state Kentucky Night events sponsored by lobbying groups spent \$9,520 at the summer meetings of the American Legislative Exchange Council and \$9,057 at the National Council of Insurance Legislators.

To see all events or expenses reported for the events listed above, please visit our website or contact our office for a detailed list.

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: **Amneal Pharmaceuticals, Casey Co. Hospital, Groups Recover Together, Holistic Alternative Recovery Trust, Inc., Jane Todd Crawford Hospital, JLC Services, Inc., KWR Acuity Strategies, LLC, Ronald McDonald House Charities of the Bluegrass, Silicon Ranch Corporation Swimply, Inc., and RKMC, LLC.**

Recently terminated employers in Kentucky: **Holocaust Learning Experience, KY Senior Living Association, Inc., OVP Health, and RapidDeploy.**

Training for legislators! Mark your calendars

Every new legislator must have 2 hours of ethics orientation, and all legislators must have 2 hours of ethics current issues training per year.

The new legislator ethics orientation will be held on **December 3, 2024**, from 2:30-4:30 p.m. in conjunction with the LRC's new legislator training.

The annual current issues training will be held on **January 8, 2025** from 9-11 a.m. for all legislators.

Ethics & Lobbying News from around the U.S.

House representative plans to refile bill overhauling Alabama's ethics code
BY: **ALANDER ROCHA - ALABAMA REFLECTOR** - AUGUST 14, 2024

A south Alabama representative plans to revive a proposal to overhaul the state's ethics laws. Rep. Matt Simpson, R-Daphne, said Tuesday he will reintroduce the legislation in the 2025 session, after a bill he filed last year failed to pass.

"We passed a resolution allowing the Legislative Services Agency to hire an attorney to evaluate our ethics laws," Simpson said in an interview. "I'm anticipating that report by the end of the year, and once we have it, we'll see how we can make our ethics laws the best they can be." The bill, which aimed to overhaul the state's ethics code, faced significant opposition, particularly from the Alabama Ethics Commission and the Attorney General's Office. Despite the bill's defeat, Simpson said he already started preparing for the next legislative session by working with Sen. Sam Givhan, R-Huntsville.

Givhan — who said he handled the bill in the Senate committee and would have handled it on the floor — declined to comment about any future legislation, saying that he wants to "keep an open mind." "I want to keep my powder dry till I hear from, hear from the consultant," he said.

Simpson's 2024 bill aimed to distinguish between civil and criminal ethics violations, an approach he believes could improve enforcement.

Under the current law, an intentional ethics violation is classified as a felony, while unintentional violations are treated as misdemeanors. Simpson argues that this creates an environment where minor infractions are either ignored or inappropriately escalated to criminal charges.

"There's a concern that if certain aspects of the law aren't being enforced, then let's make that part civil," Simpson said, referring to less severe violations like minor financial disclosures.

His bill proposed that only serious offenses, such as bribery or the misuse of office for personal gain, should be prosecuted criminally, while other violations should be handled by the Ethics Commission through civil penalties.

The former bill would also have weakened the Ethics Commission's powers and provided for five-year terms for the director, who may be reappointed subject to Senate confirmation. Simpson said they have not been involved in discussions. Thomas Albritton, the commission's director, was unavailable for comment.

Albritton said at the time the proposal would weaken ethics laws, saying that the "independence of the Ethics Commission is a fundamental principle, it is a national principle, and it is to be guarded for the goodwill of public servants primarily."

In a February letter, the Alabama Ethics Commission said the bill shifts responsibility for interpreting use of office for personal gain and corruption from the Ethics Commission's law enforcement division to district attorneys and the Attorney General.

Alabama Attorney General Steve Marshall also criticized the bill for lowering penalties. In an editorial, he argued that it raises the threshold for how much money officials can receive without breaking ethics rules and downgrades many criminal offenses to civil ones.

Marshall said that current law already allows minor ethics violations to be resolved without criminal charges and that Simpson's bill imposes civil penalties, like for a range of serious violations of public trust, no matter the amount of money involved.

Despite the Ethics Commission's resistance to Simpson's initial proposal, Simpson said he is open to collaboration.

"If they're willing to talk, I'm more than willing to have these conversations," he said, while also expressing frustration that the Commission focused more on opposing the bill than on working to improve the state's ethics laws.

Simpson plans to have the new bill ready for pre-filing in January, with identical versions introduced in both the House and Senate. He emphasized the importance of transparency and accountability in the process, saying that the attorney's recommendations would be carefully considered before the legislation is finalized.

"I'm not going to give up this easily and just say, 'Oh, well, it failed this year.' It's something that's always been a multi-year process ... It's been almost two years we've been working on this bill. So, I'm not giving up just yet. I'm ready to go back for the 2025 session."

Alaska legislative ethics committee to consider reforms after identity of a complainant was exposed online

By Iris Samuels – [ANCHORAGE DAILY NEWS](#) – August 20, 2024

Alaska's legislative ethics committee will consider new state laws after an individual who filed a complaint against a lawmaker said his identity was revealed online, leading to derogatory comments from one of the lawmaker's supporters.

Ivan Hodes, an outspoken critic of Wasilla Republican Rep. David Eastman, said he filed a complaint against Eastman last year alleging Eastman had violated laws prohibiting legislators from accepting campaign contributions during the legislative session.

The complaint was ultimately dismissed by a bipartisan committee made up of legislators and members of the public. Eastman, a controversial lawmaker who has drawn multiple ethics complaints during his time in the Legislature, accused progressives of weaponizing the ethics committee against conservative lawmakers.

Hodes said that one of Eastman's supporters posted a screenshot of the complaint form, including Hodes' name, in April. The post has since been deleted, Hodes said. It is not clear who made Hodes' identity public, and whether Eastman was aware of the release of Hodes' name. Eastman did not respond to a request for comment.

Hodes said that after his name became public, one of Eastman's followers sent him a message with derogatory slurs targeting Hodes' Jewish identity. The Eastman supporter, a Wasilla resident named Pete Peterson, doubled down in attacking Hodes' identity after Hodes posted about the incident online.

Following the incident, Hodes said he turned to the legislative ethics committee requesting an investigation into whether his right to confidentiality was violated. But members of the legislative ethics committee said that Alaska law currently protects the identity of the subject of the complaint, but if the subject of the complaint — in this case Eastman — waives that right, there is no guaranteed protection for the identity of the person who filed the complaint.

According to state statutes, ethics complaints are "not subject to inspection by the public," but the confidentiality "may be waived by the subject of the complaint."

The ethics committee's rules state that "the subject may not waive confidentiality for others, including those involved or assisting in the committee's investigation of the complaint."

“After the waiver the existence of the complaint and the subject’s alleged behavior are clearly no longer confidential. It is more difficult to determine the remaining confidentiality, if any, associated with the identity and identifying information about the complainant,” wrote legislative counsel Noah Klein in a January memo.

In a meeting of the ethics committee Thursday, members said they would form a subcommittee with the intention of considering reforms to Alaska’s legislative ethics laws, including possible clarifications to the laws that provide guaranteed confidentiality when ethics complaints are filed.

The subcommittee is set to be chaired by Wasilla Republican Sen. David Wilson. Wilson said Friday that the goal would be for the ethics committee to present proposed changes during the legislative session that is set to begin in January.

“I think within reason, some confidentiality may need to be maintained unless both parties waive confidentiality,” Wilson said.

Anchorage Democratic Sen. Löki Tobin, who also sits on the legislative ethics committee, said the goal of the changes would be to ensure that both the person filing the complaint and the person named in the complaint have their identities protected.

“There is unfortunately that gap in the ethics statutes that I don’t think anyone foresaw would be an issue,” said Tobin.

“No law is perfect,” Tobin added. “This is one where we didn’t realize there was such an egregious loophole in the statute and now that we’ve seen it play out repeatedly, we’re working with as much haste as we can to close it.”

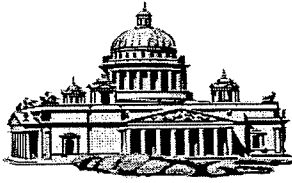
Eastman has been a lightning rod of controversy during his time in the Legislature. In 2022, he was sued by a former constituent who claimed Eastman’s membership in the far-right Oath Keepers group disqualified Eastman from serving in the Legislature. A judge ruled in Eastman’s favor.

Earlier this year, Eastman was stripped of his only committee assignment after angering some members of the Republican House majority. Last year, the House voted to ensure Eastman a second time for asking about the economic benefits of deaths of abused children. (Eastman was also censured in 2017.) In 2022, Republican lawmakers removed Eastman from the minority caucus after he angered some GOP lawmakers with his uncompromising tactics. Since then, Eastman has been excluded from both minority and majority caucuses in the House.

In this year’s election, Eastman is facing a challenge from Jubilee Underwood, a Mat-Su school board member who has highlighted her conservative policy agenda alongside a willingness to work with other GOP members. A defeat for Eastman could be a win for other GOP lawmakers, who see him as an obstacle to forming an all-Republican majority in the House.

ETHICS REPORTER

November 2024



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Steven Pulliam to join the Commission as General Counsel

Steven Pulliam will join the Commission as General Counsel, effective December 16, 2024. Mr. Pulliam was formerly the General Counsel at the Executive Branch Ethics Commission and Deputy Bar Counsel of the Kentucky Bar Association. He currently serves as an Investigator in the Legislative Research Commission's Office of Education Accountability. Please join us in welcoming Steven to the Ethics Commission!

Training for Lobbyists and Employers on video

The Legislative Ethics Commission has a training video from one of our in-person lobbyist and employer trainings on the LRC Capitol Connection YouTube page, for viewing at any time. The link is on our website homepage, and also on the LRC Capitol Connection page at <https://www.youtube.com/watch?v=nrqWW7sJDK4>. The video walks through the online filing process in step-by-step detail. Please call us with any questions!

Lobbying report deadlines and important reminder about reporting bill numbers

Wednesday, January 15, 2025 is the next reporting deadline for lobbying entities, and all lobbyists and employers are required to file Updated Registration Statements by that date, for the period of **September 1** through **December 31, 2024**. This reporting period will be open for filing these reports on January 1st.

The easiest and quickest way for lobbyists and employers to file is to visit the Commission's website <https://apps.klec.ky.gov/lec/onlinefiling.aspx> and file online.

Additionally, reporting entities are reminded that they are required to report the specific bill numbers that they are lobbying on, as required by the Legislative Ethics Code, if those numbers are available. If your reports have not adequately reflected bill numbers in the past, please make every effort to reflect bill numbers in updated registration statements going forward.

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: **Coin-base Inc., Dyno Nobel, Holly Hill, KY Medical Cannabis Assn., Nally and Hamilton, Recovery Now, REPKON USA, and Speed Art Museum.**

Recently terminated employers in Kentucky: **Biotechnology Innovation Organization (BIO) and Critical Nurse Staffing LLC dba CNS Cares.**

“Save The Date” - Training For Legislators!

The Ethics Code requires every new legislator to have 2 hours of ethics orientation, and all sitting legislators must have 2 hours of ethics current issues training per year.

The new legislator ethics orientation will be held on **December 3, 2024**, from 2:30-4:30 p.m. in conjunction with the LRC’s new legislator training.

The annual current issues training will be held on **January 8, 2025** from 9-11 a.m. for all legislators.

Legislators should be sure to put these important trainings on their schedules, and bring any questions that they have about the Ethics Code.

Ethics & Lobbying News from around the U.S.

Ex-state Sen. Artiles Sentenced to 60 Days for Campaign Violations, But Appeal to Delay Start

By Charles Rabin - **MIAMI HERALD** – November 18, 2024

Frank Artiles, a former Marine and Republican state senator convicted last month of orchestrating a ghost candidate scheme that likely stole an election from a Democrat, was sentenced Monday to 60 days in jail, five years of probation and 500 hours of community service.

But it will be a while — if ever — before Artiles, 51, spends time behind bars or begins mentoring military veterans as part of his community work. That’s because after Miami-Dade Circuit Court Judge Miguel de la O read the sentence, he also agreed to stay the order until after the defense appeals the verdict with the higher court.

The judge’s order also forbids the former legislator from future work in the political realm. In a prepared statement read at the conclusion of the sentencing, de la O said he agreed with the jury verdict, but refused to let politics play into his sentencing decision.

"I think our tribal, poisoned politics got the better of Mr. Artiles and he lost sight of right and wrong. Although the money was nice, I suspect the rush of beating the other side was also motivation," said de la O, who also told Artiles he can no longer participate in politics other than voting. "No consulting, no fundraising, nothing."

Artiles and family members left quickly without speaking to the media. Outside the courtroom, defense attorney Jose Quinon said it's been a tough four years for the former legislator's family, who have had to endure a "barrage" of publicity.

"He's been punished quite a lot," Quinon said.

Lead state prosecutor Tim VanderGiesen and co-counsel William Gonzalez, who secured conviction at the end of a two-week trial in October, left quickly and quietly after the sentencing. Defense attorneys promised an appeal.

Legislative Career Ends Abruptly:

Artiles, who has shaped political campaigns as a lobbyist and consultant since his legislative career came to an abrupt halt in 2017, was found guilty last month of campaign finance violations in a case built around political operatives and a "ghost candidate" who likely tipped a tight election.

During the two-week trial, VanderGiesen, the Miami-Dade assistant state attorney, told jurors how a shadowy but powerful Republican Party operative reached out to Artiles for help in the 2020 race for the district 37 Senate seat, which at the time covered a large swath of Miami-Dade County from Miami Beach south, down through Palmetto Bay and Cutler Bay.

Jurors were also told how Artiles was the architect of a plan to run and promote a machine parts salesman named Alexis Rodriguez as a third-party candidate in the 2020 race in order to siphon votes from the Democratic front-runner who shared his last name, Jose Javier Rodriguez.

The plan worked and Ileana Garcia, a former Spanish radio host and founder of Latinas for Trump, defeated Jose Javier Rodriguez by 32 votes. Alexis Rodriguez — running as an independent on the same platform as the Democrat — was promised \$50,000 by Artiles and garnered more than 6,000 votes.

Alexis Rodriguez's payday came in various forms, jurors were told. He received four payments totaling \$22,000 in cash and another \$22,000 through tuition payments for his daughter, money alleged to be going to the purchase of a truck for Artiles' daughter and reimbursements.

In total, the state said Alexis Rodriguez collected \$44,708.03 in cash and gifts. Artiles was paid \$90,000 to help win Miami-Dade races by Data Targeting founder Patrick Bainter, the man who hired him and a top consultant for Florida's Senate Republicans. Bainter deposited another \$100,000 in a political action committee associated with Artiles.

Defense attorneys portrayed Alexis Rodriguez as a con man and an opportunist who saw dollar signs after being contacted by Artiles, and who tried to milk the former senator for all he could.

Officially, Artiles was found guilty of excessive campaign contributions, conspiracy to commit excessive contributions and falsely swearing an oath, all felonies that could have carried five-year sentences. He was cleared of a fourth charge, aiding a false registration. He is married and has two daughters.

Artiles served three terms in the Florida House before winning a Senate seat in 2016. But his senate term unraveled quickly a year later when he resigned after being accused of using racial slurs and uttering profanities while talking to a group of Black elected leaders in a Tallahassee bar.

Defeated Democrat Fears Slap on Wrist:

Monday's hearing began with statements from Jose Javier Rodriguez, who now serves as assistant secretary for the Labor Department in Washington. Rodriguez served two terms as a state House member and was elected to his state Senate seat in 2016 before his stunning loss four years later.

The assistant labor secretary said his camp was unaware of the Republican plot to steal his seat until late in the race, not long after Alexis Rodriguez qualified. That's when, Javier Rodriguez said, \$300,000 worth of fliers supporting the independent candidate who shared his platform, began showing up districtwide.

Asked if he believed the plan unraveled his chances at winning, Jose Javier Rodriguez said, "Yes, I do."

"It's not with a great deal of joy that I'm here. But I think it's extremely important because the Tallahassee power-brokers seem to keep getting away with it," he said. "My fear is that a slap on the wrist will not have a deterrent effect."

Speaking on behalf of her husband, Aimee Artiles fought to hold back tears as she explained what a loving wonderful father her husband of 23 years is to their two daughters and how he's been "vilified by the media."

"Our family has been under a dark cloud for the past four years," she said.

Though an appeals court date is a long way off, de la O scheduled a status update on the case in his courtroom for Dec. 18.

'Magic list' of Madigan-connected lobbyists shown to jury in ex-speaker's corruption trial

By Jason Meisner & Megan Crepeau - CHICAGO TRIBUNE - November 18, 2024

Out of all the items seized by the FBI in a raid on the downstate Quincy home of Michael McClain in May 2019, one stood out.

Inside a monogrammed tote bag in McClain's silver Toyota Avalon were handwritten notes scrawled on stationery from a Chicago boutique hotel, listing the names of allies of then-House Speaker Michael Madigan who'd gone on to lucrative lobbying careers.

Among the five pages was a printed email from McClain, one of Madigan's closest confidants, describing the pages as a "Magic Lobbyist List" and using his favorite euphemism of "Friend" to refer to the speaker. The recipients of the email had been blind-copied, hiding their names.

"So since I don't roam the halls like I use to do I do not have the same 'on site' engagement that I use to have," read the email, which was shown to jurors Monday in the corruption trial of Madigan and McClain. "A Friend of ours and myself have gone through the 'magic list' and frankly culled quite a few names ...There are now a little less than two dozen on the list."

McClain went on to ask the recipient of the email for help fishing for potential clients.

"If you have a potential client come up to you and seek you as a lobbyist but you cannot for whatever reason please engage him/her and try to get him or her to consider a recommendation from you," McClain wrote. "Please call me then and I will have a conversation with someone and get back to you asap."

Federal prosecutors say McClain's list of lobbyists is powerful evidence that McClain was secretly helping a select group of former Madigan staffers, associates and allies get business — and that the speaker was aware of the effort.

The "magic list" included one page with a shorter bunch of names broken into sections headed by a different number of "plus" symbols in an apparent rating system. Among them were former top Madigan political gurus Michael Thomson, Shaw Decremer, Bill Filan and Tom Cullen, along with Will Cousineau, who testified for prosecutors earlier in the trial.

Other pages of the list named other longtime Madigan associates who have surfaced in the trial, such as top Madigan legal counsel Mike Kasper, lawyer and political consultant Victor Reyes, former legislators John Bradley, Annazette Collins and Toni Berrios, whose father, Joe Berrios, was the Cook County assessor and Democratic chair.

One page of the list also had a circle around the name of Nancy Kimme, the former chief of staff for Comptroller Judy Baar Topinka who became a key Republican lobbyist with the ability to reach out to both sides of the political aisle.

Kimme is expected to testify later in the trial about an effort to pass legislation transferring a parcel of land in Chinatown to developers who allegedly were being pressured to hire Madigan's law firm. She testified in the trial of longtime Madigan aide Tim Mapes that she "understood that Madigan supported the transfer, and she talked often with McClain about it."

Another document found in one of McClain's tote bags was a handwritten note that appeared to lay out McClain's recent duties in assisting Madigan, since McClain had ostensibly retired in 2016 but continued to accept special political "assignments" from the speaker.

"Speaker: available 24/7 (calls)," read the note, which was also shown in court. The second page of the note had the header "Special Assignments" followed by names and phrases including: "Members / lobbyists wishing to visit with MJM/Mapes," a reference to the speaker and Mapes, his then-chief of staff.

Another header read "Diversion/Saving Speaker and Mapes," an apparent reference to the sexual harassment scandal that had engulfed the speaker's operation in 2018.

Madigan, 82, of Chicago, who served for decades as speaker of the Illinois House and the head of the state Democratic Party, faces racketeering charges alleging he ran his state and political operations like a criminal enterprise.

Both Madigan and McClain, 77, a former ComEd contract lobbyist from downstate Quincy, have pleaded not guilty and denied wrongdoing.

The trial, which began Oct. 8, had originally been slated to end before the Christmas holiday. On Monday, however, U.S. District Judge John Robert Blakey let the jury know for the first time that the case was behind schedule and now is expected to last until mid-January.

"I do apologize for being a little bit off in my estimate," the judge told the panel.

In other testimony Monday, a former forensic accountant for the FBI testified that she combed over a slew of documents and found that ComEd made more than \$1.3 million in indirect payments to clout-heavy subcontractors from 2011 to 2019.

Prosecutors allege the utility used "pass-through" contractors to hide the fact that they were paying Madigan's allies to do little or no work. Executives would add money to existing contracts, like that of consultant Jay Doherty, who would then pass the money down to the subcontractors, prosecutors have said.

Doherty was convicted last year in the "ComEd Four" bribery trial along with McClain, former ComEd CEO Anne Pramaggiore and ComEd executive and lobbyist John Hooker.

Among the biggest beneficiaries of the arrangement was Ed Moody, a legendary 13th Ward precinct captain and Madigan loyalist who is expected to testify for prosecutors later in the trial. Over the years he was paid nearly \$355,000 through various subcontracts, according to FBI Special Agent Katharine Heide.

Another precinct captain, Ray Nice, got even more, collecting a total of \$415,000 from 2012 to 2019, Heide said.

Frank Olivo, former 13th Ward alderman, received \$368,000, and former state Rep. Eddie Acevedo was paid \$120,000, according to Heide's testimony.

As Doherty's administrative assistant, Janet Gallegos had a close-up view of the way ComEd's payments to Doherty ballooned. She testified Monday that over the years, Olivo, Nice, Moody and former 23rd Ward Ald. Michael Zalewski were added one by one to the list of people to whom Gallegos sent checks. ComEd's monthly payments to Doherty increased as subcontractors were added and decreased as they were removed.

None of the subcontractors submitted detailed invoices to Doherty's firm that itemized any work they had done, Gallegos said, and Doherty never explained the arrangement.

In 2018, a ComEd employee for the first time asked Gallegos to provide an explanation for an additional \$5,000 per month added to Doherty's contract, Gallegos testified. The bump was to cover Zalewski's subcontract, Gallegos said, but the explanation Doherty gave to the ComEd employee mentioned nothing of the sort, according to emails shown to the jury.

Zalewski never even sent invoices to Doherty's firm, said Gallegos, who testified she knew Zalewski was a retired alderman but nothing else about him.

"I met him a couple times," Gallegos testified. "Once he picked up a check, a payment at our office, the other time I think as a Christmas gift he gave me a ham."

In April 2019, after the payments from ComEd to Doherty had been delayed for months due to bureaucratic hurdles, Zalewski sent an email to Gallegos noting that he and Doherty would be meeting soon with their "mutual friend" — an apparent reference to Madigan.

"I'm very grateful for what everyone has done to help me. Should I bring up the delay to him?" Zalewski wrote. "The last check I received was November of last year. Please know I AM NOT complaining but I know he's going to ask me."

On cross-examination by Madigan attorney Lari Dierks, Gallegos acknowledged Doherty never asked her to keep the subcontractor arrangement under wraps, and nothing about it seemed secretive.

Dierks also showed jurors lobbying registration paperwork for Nice and Olivo and noted that it was all publicly available documentation.

Before the trial broke for the day, FBI Special Agent Kyle Scherrer testified about what was seized from Doherty during the raid on his Streeterville condo, which occurred on the same day as the McClain search.

Agents extracted text messages from Doherty's cellphone in which he mentioned the subcontractors to Pramaggiore using quotation marks. "Anne, for some reason we did not get paid in

June," one 2014 text explained. "Please check on this as I want to pay 'our subcontractors' today, if possible."

Also recovered from Doherty's phone was a voicemail left by McClain on Oct. 9, 2016, the day after Moody had been appointed to the Cook County Board of Commissioners.

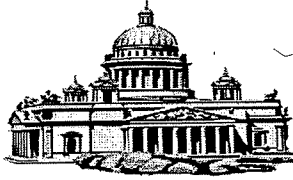
"I talked to the speaker, uh, speaker talked to Ed Moody and so speaker suggested Ed and you get together and talk 'cause ya know, he's got some disclosure things he's gonna have to do at the county board level," McClain said on the recording.

An hour and a half later, Moody called and left a voicemail of his own, which was also played for the jury. "Hey, Jay, this is, uh, Ed Moody calling. Uh, the Speaker wanted me to reach out to you, uh, if you wouldn't mind returning my call."

Prosecutors allege that to avoid raising eyebrows, Moody's payments were moved three weeks later from Doherty's account to Decremer, who did not lobby the city or county.

ETHICS REPORTER

December 2024



Kentucky Legislative Ethics Commission
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New Email Application Being Used

As you may have noticed, we are now using the Constant Contact application to send out our newsletter and reminder emails. When sending out bulk emails, it is a safer option to use an application for this purpose for us and for you as recipients of these emails. We hope you like this new application and please let us know if you have any issues or questions.

Legislative Fundraising Reminder

The Code of Legislative Ethics impacts legislative campaign fundraising, and includes several provisions that apply specifically during a **regular session of the General Assembly**. Here's a summary of key ethics law provisions as they apply to legislators, legislative candidates, lobbyists, and employers of lobbyists.

Lobbyists and employers, as well as legislators and legislative candidates, need to pay particular attention to the Ethics Code requirements regarding campaign contributions.

Members of the General Assembly, and candidates for the General Assembly, are **prohibited from accepting a campaign contribution from a registered lobbyist at any time**. Lobbyists are prohibited from making a campaign contribution to a sitting member of the General Assembly, a candidate for General Assembly, or their campaign committee, may not serve as a campaign treasurer, and may not directly solicit, control, or deliver a campaign contribution for a legislative candidate or legislator.

Legislators and legislative candidates are prohibited from accepting a campaign contribution from an employer of a lobbyist or from a PAC during a regular session of the General Assembly. During a regular session, an employer of a lobbyist shall not make a campaign contribution to a legislator, candidate, campaign committee for a legislator or candidate, or caucus campaign committee. The prohibition applies during the entire session, including the time period between Part I and Part II of the regular session.

The Commission has viewed caucus campaign committees as groups of legislators, so any ethics restrictions on an individual legislator's ability to solicit and receive campaign contributions also applies to caucus campaign committees.

The in-session prohibitions do not apply to legislative candidates for a special election held during the regular session, or to sitting legislators who are candidates for statewide office.

Although prohibited from making a campaign contribution to a legislator or legislative candidate, a lobbyist is permitted to express political views in many other ways, including speaking in favor of a legislator or candidate, displaying yard signs, or volunteering for a campaign in a capacity ***that does not involve providing services for which the lobbyist would ordinarily be paid***, or fundraising for state or local candidates who are not sitting legislators or legislative candidates.

While legislators are prohibited from soliciting contributions from a lobbyist, a lobbyist is free to contribute to a political party so long as the contribution is to the party generally and is not earmarked for a particular legislative campaign or legislator. A lobbyist may attend campaign and party fundraisers, so long as the lobbyist does not contribute to a legislator or legislative candidate, and does not purchase a ticket that is actually a campaign contribution to a legislator or legislative candidate.

Additionally, legislative lobbyists or employers who state or imply that campaign contributions given to legislators are in return for legislative action, that contributions are in direct consideration of legislation, or who speak with legislators about offering campaign or political support during meetings about legislation, particularly in the legislative offices, not only run afoul of the Legislative Ethics Laws, but may also violate campaign finance and federal corruption laws. These actions may create the impression that a quid pro quo type arrangement is being sought. If you have any question about whether a particular activity may violate the Ethics Code, please contact Commission staff prior to taking such action.

Lobbying Report Deadlines

This is not a re-registration year. If you are currently registered, your registration ends December 31, 2025. We've had several questions about this issue and wanted to clarify that re-registration will be in December, 2025 for the January, 2026 regular session.

Wednesday, January 15, 2025 is the next reporting deadline for lobbying entities, and all lobbyists and employers are required to file Updated Registration Statements by that date, for the period of **September 1 through December 31, 2024**. This reporting period will be open for filing these reports on January 1, 2025.

The easiest and quickest way for lobbyists and employers to file is to visit the Commission's website <https://apps.klec.ky.gov/lec/onlinefiling.aspx> and file online.

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: **Earnin, Flock Safety, Gold Leaf Management, LLC, Major League Baseball and Parents for School Options.**

There are no recently terminated employers in Kentucky.

"Save The Date" - Training For Legislators!

The Ethics Code requires every legislator to have 2 hours of current issues training per year. The annual current issues training will be held on **January 8, 2025 from 9-11 a.m.** for all legislators.

Legislators should be sure to put this required training on their schedules, and bring any questions that they have about the Ethics Code.

Ethics & Lobbying News from around the U.S.

N.Y. ethics commission faces new constitutional challenge

By Brendan J. Lyons - **TIMES UNION** - Nov 29, 2024

ALBANY — Two lobbying firms have joined David Grandeau in a lawsuit filed against the state Commission on Ethics and Lobbying in Government challenging new regulations that prohibit lobbyists from hiring a third-party designee to prepare and submit their mandatory disclosure statements.

Grandeau, who served as the executive director of a prior state ethics commission from 1995 through 2007, has a Niskayuna firm that prepares and files lobbying disclosure forms for more than 60 firms.

The lawsuit was filed recently in state Supreme Court in Albany and notes that the commission requires lobbyists to submit forms indicating a client has authorized them to represent their interests before government officials. But the new regulations, set to take effect next week but already posted on the commission's website, prohibit lobbyists from authorizing a representative to file their disclosure reports.

Grandeau's lawsuit alleges the regulations would interfere with lobbying firms' right to do their work and increase their exposure to civil fines and penalties.

The new rules indicate the filer must be an employee or member of the lobbying organization, and lists numerous examples of positions that would meet that standard, including a chief executive officer, president, vice president, associate director, or general counsel.

But the lawsuit asserts the ethics commission, which was created in 2022 to replace the beleaguered Joint Commission on Public Ethics, had no authority to issue the new regulations, in part, because courts have ruled the Executive Act that empowered the commission to amend its regulations has been held to be unconstitutional.

That allegation is based on a decision issued two years ago by state Supreme Court Justice Thomas Marcelle, who had ruled in favor of former Gov. Andrew M. Cuomo in finding the new ethics commission was formed and assigned enforcement powers in violation of the state constitution. Marcelle's ruling, which was unanimously upheld 5-0 by a state appellate court, noted

the commission was not formed through a constitutional amendment that would have required a vote “of the people.”

Marcelle also highlighted in his ruling that the 11 ethics commissioners are effectively selected by an independent panel of law school deans who have sworn no oath to public office and pick the nominees through a secretive process. The deans from accredited New York law schools review three nominees selected by the governor, two each by the Senate majority leader and speaker of the Assembly, and one each from the attorney general, state comptroller and the Senate and Assembly minority leaders.

Cuomo’s attorneys had argued that since most of the appointees to the new commission were nominated by the Legislature, comptroller, and attorney general, it violated the separation of powers doctrine and is not truly an executive branch commission.

The state has filed an appeal of the appellate division’s decision with the Court of Appeals, New York’s highest court, in a case that’s expected to be adjudicated next year. Oral arguments in the case are scheduled for Jan. 7.

Officials with the ethics commission have noted that a stay remains in effect that has enabled them to continue doing their work.

But the court cases challenging the constitutionality of the commission are piling up. In addition to the cases filed by Grandeau and Cuomo, former state Sen. Jeffrey D. Klein filed a similar legal challenge in May.

Klein has been the subject of a long-running investigation by the state ethics commission into allegations he forcibly kissed a female staff member nine years ago. His case, which cited the rulings in Cuomo’s case, also seeks a court order declaring that the panel lacks the constitutional authority to prosecute him.

Klein’s case has been stayed pending the outcome of Cuomo’s case before the Court of Appeals. Cuomo has fought the ethics commission’s efforts to investigate a \$5 million deal that he received for writing a book about his administration’s handling of the pandemic. The ethics investigation has centered on allegations that Cuomo improperly used on-duty government staffers to help him research and write the book — accusations he denies.

Klein led the Independent Democratic Conference, a group of Democratic senators who aligned with the minority Republican conference, from 2011 to 2018, when he was voted out of office.

Klein in late 2020 began his legal bid to scuttle an investigation by the former state Joint Commission on Public Ethics — which was later disbanded — and tried unsuccessfully to have a judge seal the records of his attempt to stop that now-defunct commission from conducting a hearing on the matter.

The allegations of Klein’s accuser, Erica Vladimer, were made public more than six years ago. Klein, at that point still the influential leader of the Senate’s Independent Democratic Caucus,

immediately wrote a letter to the ethics commission in January 2018 urging the panel to conduct an “independent investigation” of Vladimer’s allegations. The former lawmaker released a copy of that letter as he held a news conference proclaiming his innocence.

Vladimer previously issued a statement saying it is “truly astonishing to witness the sheer amount of energy and resources Klein is investing in evading an investigation that he himself requested. It’s a clear case of leveraging Cuomo’s situation for personal gain, a move that should not go unnoticed.”

Vladimer never filed a formal complaint against Klein, and quit her IDC job a month after the alleged encounter. She went on to co-found the Sexual Harassment Working Group, an organization comprised of former legislative aides who say their complaints of sexual harassment on the job were mishandled.

Legislative policy watchdog challenges Georgia conservative nonprofit over lobbyist filing dispute

By Ross Williams – **GEORGIA RECORDER** - November 25, 2024

Cole Muzio is a common fixture at the Georgia Capitol, where he supports conservative Christian causes, but the SPLC says he needs to register as a lobbyist before he tries to influence lawmakers.

The Frontline Policy Council is a conservative Christian nonprofit that holds a lot of sway around the Georgia Capitol.

In 2024, Frontline representatives testified in state committees around 60 times, supporting legislation on issues like school vouchers, limiting transgender participation in girls’ sports and banning controversial school library materials.

But Frontline’s president and founder Cole Muzio and general counsel Chelsea Thompson have come under fire for allegedly lobbying Georgia elected officials without properly registering with the state, according to a complaint filed by the Southern Poverty Law Center last week. The Center’s complaint to the state ethics commission alleges that Muzio has not registered as a lobbyist since 2022 and Thompson has never registered. Another Frontline employee, Taylor Hawkins, has registered to lobby on Frontline’s behalf.

The complaint cites photographs, social media posts and promotional material describing Muzio and Thompson’s efforts to influence legislation, including a section on the organization’s website that describes Muzio as having registered as a lobbyist. The SPLC designates Frontline as an anti-LGBTQ hate group.

Frontline Policy Council is a 501(c)(3) nonprofit. According to the IRS, a 501(c)(3) may lose its tax-exempt status if it engages in too much lobbying activity. Under the same Frontline umbrella is Frontline Policy Action, a 501(c)4 that is freer to lobby.

R.G. Cravens, a researcher with the SPLC, said all citizens have the right to testify at public hearings and express their demands to lawmakers, but Frontline enjoys access that regular folks do not.

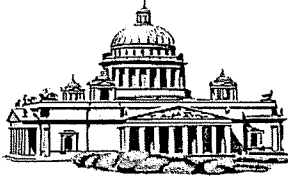
Thompson was seen in the Capitol as recently as Thursday, speaking with GOP senators after a Senate committee hearing on transgender sports participation.

“The level of access is completely different for somebody like a Frontline and for the mom of a trans kid, the level of access to lawmakers is way different,” Cravens said. “The level of influence, I think, is probably different too for groups that have the money and capacity to do it.”

The Frontline Policy Council spent nearly \$526,000 in the state fiscal year ending in June 2023, according to tax filings.

ETHICS REPORTER

January 2025



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Lobbying spending hits all-time high . . . again



Kentucky lobbying spending hit an all-time high of \$28.1 million in 2024, blasting past the previous high of \$25.5 million set in 2023.

The record spending was a nine percent increase over the previous year, and was driven by 891 lobbying businesses and organizations. In 2024, 694 legislative agents (lobbyists) were paid \$25.5 million in compensation, which was about 93 percent of all employer lobbying spending. An additional \$824,827 was spent on lobbying related administrative costs, such as travel and other expenses. Lobbyists on their own spent \$745,435 on out-of-pocket expenses during this time period.

Below is the list of the top spending employers during 2024:

1. KY Chamber of Commerce \$461,430
2. KY Hospital Association \$298,178
3. LG&E and KU Energy LLC \$235,169
4. Altria Client Services LLC \$192,292
5. American Civil Liberties Union of KY (ACLU) \$184,657
6. KY Distillers' Assn. \$172,690
7. Duke Energy \$172,614
8. KY League of Cities, Inc. \$171,608
9. KY Primary Care Association \$166,217
10. KY Retail Federation, Inc. \$161,350
11. Greater Louisville, Inc. \$157,633
12. KY Assn. of Electric Cooperatives, Inc. \$146,444
13. HCA Healthcare, Inc. \$146,400
14. Humana Inc. \$137,767
15. KY Medical Association \$131,686
16. Churchill Downs Incorporated \$129,027
17. East KY Power Cooperative Inc. \$127,936
18. Pharmaceutical Care Management Assn. (PCMA) \$126,694
19. LifePoint Health \$120,439
20. Elevance Health and Affiliates DBA Anthem, Inc. \$118,592

Lobbying Report Deadline

Monday, February 17, 2025 is the next reporting deadline for lobbying entities, and all lobbyists and employers are required to file Updated Registration Statements by that date, for the period of **January 1** through **January 31, 2025**. This reporting period will be open for filing these reports on February 1, 2025.

The easiest and quickest way for lobbyists and employers to file is to visit the Commission's website <https://apps.klec.ky.gov/lec/onlinefiling.aspx> and file online.

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: **Access Fund, Alexion Pharmaceuticals, Inc., City of Greenup, KY, City of Scottsville, KY, Commonwealth Engineers, Inc., Cordata Healthcare Innovations, Inc., Dan Beard Council Scouting America, Foundation for Government Accountability, KY Society of Health System Pharmacists Inc., McDonald's Corporation, NetChoice, nSide-The School Safety Platform, Pew Charitable Trusts (The), Red River Gorge Climbers' Coalition, Reliable Partners, LLC, Sandoz Inc., SPARC Recovery and Western Hospitality Partners.**

The following businesses and organizations recently terminated in Kentucky: **Amalgamated Transit Union (ATU), American Pharmacy Services Corporation, AshBritt, Bellarmine University, Cannon Cochran Management Services, Inc., Clearview Healthcare Management KY LLC, Community Based Coordination Solutions, LLC, Consumer Safety Technology (CST), Dexcom, Inc., EverDriven, Fantasy Sports Alliance, Fleming Co. Public Schools, GoPuff, Greater Cincinnati & N. KY Apt. Assn., Ingram Barge Company, Jazz Pharmaceuticals, Inc. and Its Subsidiaries, KY Board of Podiatry, KY Merchants and Amusement Coalition, Inc., Kinder Morgan Energy Partners, L.P., Kramer Davis, LLC, National Assn. of Prof. Employer Organizations, NET Recovery Corp., Opportunity Solutions Project, Paecomatic of Kentucky, People, Plants, and Health, RKMC, LLC, Sagitec Solutions LLC, Save the Children Action Network, Travelers Companies Inc. (The) & Subsidiaries, Unite US and YDK! Action.**

Ethics & Lobbying News from around the U.S.

Commission on Ethics Chief Describes Rollout of Controversial New Ethics Law

By Mitch Perry - FLORIDA PHOENIX - January 14, 2025

The law bans investigations unless the complaint comes from an individual with personal knowledge of the alleged violation. Last year, the Florida Legislature passed a law (SB 7014) that critics claimed would allow unethical conduct to continue unchecked.

The measure banned both state and local ethics commissions from launching investigations unless the complaint came from an individual who had first-hand personal knowledge or information about the problem. Watchdog groups called this new evidentiary standard excessive and one that most Floridians who learn of ethics violations could not meet.

The law also added time limits to the length of ethics investigations and required sworn affidavits to investigate complaints.

Historically, many ethics complaints have been filed by concerned citizens who learn about alleged malfeasance by reading a published or broadcast news report. But the law essentially wiped away the ability of regular citizens to file such complaints. It also banned local ethics panels from initiating investigations, compelling them to do so only after a complaint is registered.

Kerrie Stillman, executive director of the Florida Commission on Ethics, told the Senate's Ethics and Elections Committee on Tuesday that this provision requires the commission to consider more than the issues alleged in any complaint they receive.

"The additional analysis must be undertaken to address whether the complainant has personally observed the alleged conduct, or whether they have provided the information with the complaint that is not hearsay," she said. "If an allegation fails to meet both of those requirements, it cannot be investigated and will ultimately be dismissed by the commission."

That part of the measure went into effect immediately after Gov. Ron DeSantis signed the bill into law last June. Stillman said that it not only applies to newly filed complaints, but also to "all current complaints" on which the commission has not yet taken final action.

She said the Ethics Commission staff is reviewing complaints in which probable cause was found "to ascertain whether any of the allegations in the complaint that were investigated prior to the enactment of SB 7014 need to go before the Commission for consideration of dismissal of certain allegations, because they do not meet the new requirements."

She said one such case surfaced in their last meeting, and another has been found in a case on their next meeting agenda.

Time limits

In addition, the new law puts a 30-day time limit on how long the commission can review an initial complaint to determine if it requires further investigation. If it does, that report must now be completed no later than 150 days after the beginning of the initial investigation.

"If we fail to meet any statutory deadlines, we expect that we will be challenged in court," Stillman said.

Palm Beach County Democratic Sen. Mack Bernard, vice chair of the committee, asked Steve Zuilkowski, general counsel of the Commission on Ethics, if the various local ethics boards around the state are implementing all of the provisions of the new law.

"They're working hard, those local ethics boards, for sure," Zuilkowski replied, without completely responding to the question.

Tina Descovich, vice chair of the Florida Commission on Ethics, said the agency is recommending that state lawmakers pass legislation this year to provide "whistleblower-like protection" for individuals who file ethics complaints.

"The Commission believes that the threat of adverse personal actions may discourage the filing of valid ethics complaints," she said. "The enactment of whistleblower-like protections like those found under the Whistleblower Act would provide some protections to those who have a valid ethics complaint but are fearful to file because they fear they would lose their job if they filed an ethics complaint within our office."

Maryland's Legislative Session Opens Amid Concerns Over \$86M Lobbying Influence

By GARY COLLINS - SPOTLIGHT ON MARYLAND – January 9, 2025

A prominent state consumer advocate raised concerns Wednesday about lobbyist influence as the Maryland General Assembly convened its annual 90-day session in Annapolis.

Mollie Woods, an attorney with the Maryland Office of the People's Counsel, told Spotlight on Maryland that special interest groups wield significant influence in the General Assembly due to their financial resources and "the size of their lobbying efforts."

"Lobbying has impacts on all aspects of legislation, from what actually is proposed as a bill to what happens to a given bill, to how a bill is implemented," Woods said.

An analysis by Spotlight on Maryland found that local and out-of-town organizations spent over \$86 million in the state during the 2024 reporting period. This represents a 28.4% increase in lobbying dollars spent since 2021.

Ethics data shows that more than 91% of lobby dollars were spent on compensation for advocates representing special interest groups. Expenditures on special event tickets, gifts and event sponsorships for policymakers totaled over \$2.5 million in lobbying costs.

In 2024, Constellation Energy spent the most on lobbying, according to ethics reports. Data shows the energy supplier dedicated \$903,161 advocating for and against various state legislation and regulatory policies.

Three energy companies were among the top ten of highest-spending special interest groups in the state, collectively spending over \$2 million to advocate for their interests.

With state energy policy expected to be a top legislative priority during the 2025 General Assembly session, Woods said she has some concerns.

"Public service companies are in a unique position," Woods said. "They are private companies that have state-granted public monopolies, from that point of view, they have a captive customer base."

"Our office is concerned ratepayers may be forced to pay for lobbying and political activity," Woods added.

The Utility Transparency and Accountability Act was introduced during the 2024 General Assembly session to address concerns about energy companies passing on the cost of lobbying activity. The bill's first draft prohibited all public utilities operating in Maryland from passing on lobbying and political advocacy costs to ratepayers.

The House and Senate advanced different versions of the bill. Despite these votes, the bill did not progress from a conference committee assigned to reconcile the differences before the end of the legislative session.

Spotlight on Maryland asked several energy companies that lobbied in the state during the last legislative session who pays for their lobbying activity. All responding companies dismissed the concerns raised by consumer advocates, citing federal regulations.

"As a Fortune 200 company headquartered in Baltimore and Maryland's largest energy provider, Constellation routinely engages with state policymakers on clean energy and other policy matters that impact our customers and company," a Constellation spokesperson said. "These costs are born by our shareholders and do not impact energy bills."

Public Service Enterprise Group (PSEG), a New Jersey-based power line developer, echoed Constellation's comments. PSEG submitted a regulatory application in December to construct the controversial 70-mile Maryland Piedmont Reliability Project.

"PSEG's lobbying expenses are a matter of public record," William Smith, PSEG's spokesperson, said. "The \$110,000 expense (from 2024's reporting period) is a retainer for an Annapolis-based public affairs firm."

"In accordance with FERC's rules, PSEG will not recover any lobbying costs through transmission rates," Smith added.

Current federal law prohibits energy companies from passing on lobbying costs to ratepayers. However, consumer advocates argue that these regulations are difficult to enforce. A Spotlight on Maryland analysis found that in 2024, eight states, including Maryland, attempted to implement a ban on this practice.

State laws show Colorado, Connecticut and Maine have enacted similar bans.

Former state Sen. Bobby Zirkin, D-Baltimore County, told Spotlight on Maryland he sought lobbyist opinions on bills as topic experts.

"Lobbyists, I always found them to be very helpful," Sen. Zirkin said. "Just as long as you recognize they are coming from an angle, a side, they're really helpful because they have more information than you typical get in Annapolis."

Sen. Zirkin, who briefly lobbied after leaving the Senate, said he would routinely seek opinions from opposing lobbyists and constituents before deciding how to vote. He added that he sometimes saw bias among a small group of legislators.

"What I found frustrating, and it's getting worse, there are certain groups that tend to support Democrats or tend to support Republicans," Sen. Zirkin said. "Some number of legislators couldn't get away from that."

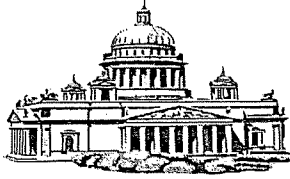
"If the XYZ justice coalition said something, there are certain legislators that would vote that way because that's their group, there are some folks that couldn't get away from that," Sen. Zirkin added.

State ethics reports show that 1,348 organizations spent \$10,000 or more in 2024 to influence policy and legislation. These entities included a vast array of market sectors including trade unions, political organizations, justice advocacy groups, transportation owners and energy companies.

The Embassy of Japan and a collective of local Maryland governments also appear in the state's registered lobbyist list.

ETHICS REPORTER

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Lobbying spending in January 2025 down compared to last short session

The 2025 General Assembly's session is a short one and, compared to the last short session, reported lobbying spending in January decreased. The last odd-year session in 2023 saw employers and lobbyists spending \$2.6 million in January; however, this year spending decreased slightly to \$2.5 million spent on issues before the legislature.

There are currently 711 legislative agents (lobbyists) and 901 employers registered to lobby. Employers spent almost 2.4 million to pay compensation to their lobbyists. An additional \$82,294 was spent on lobbying related administrative costs, such as travel and other expenses. Lobbyists on their own spent \$77,653 on out-of-pocket expenses during this time period.

Spending on advertising was also down during the first month of the 2025 session. Employers only spent \$8,326 on advertising in January 2025 compared to the \$330,594 spent in January 2023 of the last odd-year session.

Below is the list of the top spending employers during January 2025:

1. KY Chamber of Commerce \$36,524
2. KY League of Cities, Inc. \$24,506
3. KY Hospital Association \$23,491
4. KY Retail Federation, Inc. \$23,255
5. KY Credit Union League, Inc. \$22,388
6. Elevance Health and Affiliates DBA Anthem, Inc. \$19,000
7. LG&E and KU Energy LLC \$18,537
8. KY Bankers Association \$15,234
9. Seven County Services, Inc. \$13,563
10. KY Primary Care Association \$13,500
11. KY Automobile Dealers Assn. \$13,453
12. HCA Healthcare, Inc. \$13,054
13. Humana Inc. \$12,637
14. Greater Louisville, Inc. \$12,500
15. KY Distillers' Assn. \$12,275
16. KY Assn. of Manufacturers \$11,914
17. KY Assn. of Counties \$11,858
18. Altria Client Services LLC \$11,842
19. Cincinnati/Northern KY International Airport \$11,700
20. Pharmaceutical Research & Manuf. of America \$11,445

Lobbying Report Deadline

Monday, March 17, 2025 is the next reporting deadline for lobbying entities, and all lobbyists and employers are required to file Updated Registration Statements by that date, for the period of **February 1 through February 28, 2025**. This reporting period will be open for filing these reports on March 1, 2025.

The easiest and quickest way for lobbyists and employers to file is to visit the Commission's website <https://apps.klec.ky.gov/lec/onlinefiling.aspx> and file online.

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: **American Association of Dental Boards, Inc., AmeriPro Health, Astra Zeneca Pharmaceuticals, LP, Biotechnology Innovation Organization (BIO), Cedar Lake, Chandler Real Estate, Code.org, Columbia Art House, Commonwealth Seed Capital, LLC, EducateNKy, Harrison Memorial Hospital, JT International USA, KY Cares 2018, KY PACE Assn. Inc. (KPA), KY Quarter Horse Racing Association, KY Waterways Alliance, Kids Center for Pediatric Therapies, Nursing Home Ombudsman Agency of the Bluegrass, Perry Real Estate College, Professional Certification Coalition, Safety and Advocacy for Empowerment, Saige, Inc., TechNet, Travelers Indemnity Company, Verified Voting.Org, Inc., Voter Reference Foundation and Youth Villages.**

The following businesses and organizations recently terminated in Kentucky: **Alliance for Responsible Consumer Legal Funding, ALS Association (The), Compass Municipal Advisors, LLC, Compassion & Choices, Consumer Healthcare Products Association, EdChoice Kentucky, Inc., Gartner, Inc., KY Assn. of Master Contractors, LHC Group, Inc., Louisville Soccer Alliance, PLS Financial Services, Prominent Technologies, LLC, Sage Therapeutics, Stronach Group (The) and United Auto Workers, Local 862.**

Ethics & Lobbying News from around the U.S.

Michael Madigan, former Illinois House Speaker, convicted on 10 corruption counts, acquitted on 7 others

By Todd Feurer, Chris Tye, Sabrina Franza – **CBS CHICAGO** – February 12, 2025

CHICAGO (CBS) — Former Illinois House Speaker Michael Madigan was convicted of bribery conspiracy, bribery, and wire fraud charges on Wednesday, but acquitted of several others, following a four-month trial accusing him of running a yearslong criminal enterprise to enrich himself and his political allies.

In all, Madigan was convicted on 10 counts and acquitted on seven others, while jurors were deadlocked on six other counts against him. The jury also was unable to reach a unanimous verdict on all six charges against his co-defendant, Michael McClain.

Prosecutors and defense attorneys agreed to accept the partial verdict in the case following more than 60 hours of deliberations over 11 days.

Late Wednesday, Illinois Gov. JB Pritzker issued a statement on the verdict, "The Madigan verdict by a jury of everyday Illinoisans is an important message to anyone in government, or those thinking about public service, that if you choose corruption, you will be found out, and you will be punished."

Madigan, 82, and McClain, faced a 23-count indictment in federal court in Chicago on charges of racketeering conspiracy, bribery, wire fraud, and attempted extortion. They were accused of conspiring with utility companies ComEd and AT&T to provide no-show jobs to Madigan's allies in exchange for the speaker's help on legislation. Prosecutors also accused Madigan of pressuring real estate developers to hire his private law firm, which specializes in property tax appeals.

Following 11 weeks of testimony, jurors convicted Madigan of one count of bribery conspiracy involving ComEd, two counts of bribery involving ComEd, three counts of wire fraud related to an effort to secure a state board seat for disgraced former Ald. Danny Solis, and four counts of using interstate commerce to facilitate bribery.

Madigan was acquitted of one count of bribery related to the Solis state board scheme, two counts related to the ComEd scheme, and four counts involving a scheme to get business for his private law firm from the developers of a luxury apartment building in the West Loop.

Solis testified against Madigan under an agreement with federal prosecutors that will see him avoid bribery charges of his own. Solis secretly recorded phone calls and in-person conversations with Madigan for years.

Jurors were deadlocked on the top count against Madigan – racketeering conspiracy – as well as 11 other charges tied to Solis and other counts related to legislation tied to a development deal in Chinatown.

The jury also was deadlocked on all six counts against McClain.

Federal prosecutors won't say yet if they'll retry Madigan and McClain on remaining counts

Acting Chicago U.S. Attorney Morris Pasqual called the jury's verdict "a historic conviction, which ranks high in the annals of criminal cases tried in this courtroom."

"The bribery here and corruption here was refined, not the old-fashioned way, and what this means is that the federal government, the U.S. Attorney's office, and the federal agencies are committed to use any and all lawful tools in our disposal to ferret out and root out corruption, no matter how refined it appears on its surface," Pasqual said.

U.S. District Judge John Blakey declared a mistrial for all counts where jurors were deadlocked, and federal prosecutors said they have not yet decided if they will seek to retry Madigan or McClain on any of those charges.

Madigan could face up to 20 years in prison for the most serious convictions on wire fraud charges, but likely will get far less due to his age. Sentencing has not yet been scheduled.

The man federal prosecutors said lost his way as a political titan, becoming blinded by profit, spoke only briefly after learning his fate. When asked how he was feeling, Madigan told a reporter "How are you? You're the one we're concerned about."

McClain said "my head is spinning" as he left the courthouse after the jury was unable to reach a unanimous verdict against him.

"I can't really put anything into thoughts right now," he said. "I was surprised I got indicted."

McClain's lead defense attorney, Patrick Cotter, said they were pleased the jury was deadlocked on all charges against him.

"We are very glad to be walking out of this building the way Mike walked into it. He was an innocent man when he walked in, he's walking out an innocent man," Cotter said. "We're very grateful to the jury. We know they worked very hard, and we're very grateful that somebody or somebodies on that jury listened to us. Mike never intended to break the law, and somebody or somebodies on the jury got it."

McClain and three others previously were convicted on related charges in the so-called "ComEd Four Trial" in 2023, so McClain still faces sentencing on those charges.

How did Madigan get here?

Federal prosecutors have accused Madigan of running a yearslong criminal enterprise to enrich himself and benefit political allies. Prosecutors have said ComEd and AT&T provided cushy no-show jobs to Madigan's allies in an effort to gain his support for beneficial legislation. Madigan also is accused of pressuring real estate developers to hire his law firm, which specializes in property tax appeals, in exchange for his help.

Jurors in the months-long trial heard testimony from dozens of witnesses. Madigan himself took the stand, where prosecutors cross-examined him and presented what was considered the most damaging piece of evidence—a conversation between Madigan and McClain, discussing a contract one of Madigan's allies had landed with ComEd. During that conversation, Madigan told McClain "some of these guys have made out like bandits."

Before the trial, Madigan spent a record 36 years as Speaker of the Illinois House of Representatives, where he wielded control over whether legislation would move forward in Springfield until he resigned in 2021, about a year before he was indicted.

Jurors heard from more than 60 witnesses during 11 weeks of testimony after the trial began in October. They began their deliberations in late January, after a week of closing arguments.

Former Chicago Mayor Lori Lightfoot, a former federal prosecutor, said while the jury's partial verdict shows "the system worked," it also raises the question of whether prosecutors overreached in bringing such a sweeping case against Madigan.

"What does it say about, frankly, the strength of the government's case? What does it say about whether or not the former speaker did himself well by hopping on the stand?" she said. "It was a very far-reaching indictment, as you know. There's lots of different stories that they were trying to tell. It's a question of whether or not they swung for the fences and put too much evidence before the jury."

Jurors thought some of Madigan's and McClain's actions were legal lobbying

One juror explained how they came to their decision that some of what Madigan was accused of doing was bribery, but other actions amounted to legal political lobbying.

"A lot of individuals thought that it was more lobbying work that he was doing," said the juror, who identified himself only as Malik.

Jurors struggled to reach an agreement on some counts, in particular the racketeering conspiracy charge, for which they could not find a consensus. Malik said two jurors in particular were hung up on the counts for which they could not reach a verdict.

Malik said no-show jobs lined up for Madigan's allies in exchange for political favors weighed heavily on the jury. "Whether Madigan and McClain knew that those individuals were getting paid and not doing work. We came to the conclusion that they did; that they knew," he said.

Analysts expect Madigan to get a sentence of 4-6 years

Madigan, who was the longest-serving state house speaker in American history when he resigned from the Illinois House in February 2021, is left to square himself with the realities of his judgment day.

While the wire fraud convictions Madigan faces each carry a maximum sentence of 20 years in prison, legal analysts said Madigan likely will get 4 to 6 years in prison, based on his age and convictions in previous corruption cases in Chicago. Much of that might hinge on whether Madigan shows remorse for his actions at his sentencing hearing.

Former Ald. Ed Burke was sentenced to 2 years in prison after he was convicted of racketeering and bribery charges in 2023.

Former Gov. George Ryan was sentenced to 6 ½ years in prison in 2006 after he was convicted of racketeering, bribery, and fraud charges.

Former Gov. Rod Blagojevich was sentenced to 14 years in prison in 2011 after he was convicted of bribery and fraud charges. President Trump commuted his sentence in 2020 after he'd served nearly eight years behind bars, and earlier this week the president granted him a full pardon.

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Kentucky Legislative Ethics Commission
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Staff Promotions at Commission Office

The Ethics Commission has appointed **Donnita Crittenden** as Assistant Executive Director of the Commission. Mrs. Crittenden was previously the Executive Assistant and has dedicated 32 years of service to this office. She is a graduate of Kentucky State University where she received her bachelor's degree in Public Administration.

The Ethics Commission has also appointed **Lori Mucci Smither** as the Executive Assistant to the Commission. Mrs. Smither was previously the Staff Assistant for the Ethics Commission and has dedicated 17 years of service to this office. She has a degree from the University of Kentucky in four areas of Interdisciplinary Early Childhood Education.

Please join us in congratulating Donnita and Lori on their promotions!

Lobbying Report Deadline

Tuesday, April 15, 2025 is the next reporting deadline for lobbying entities. All lobbyists and employers are required to file Updated Registration Statements by that date, for the period of **March 1 through March 31, 2025**. The reporting period will be open for filing these reports on April 1, 2025.

The easiest and quickest way for lobbyists and employers to file is to visit the Commission's website <https://apps.klec.ky.gov/lec/onlinefiling.aspx> and file online.

If you normally email forms to our office, have any changes to previously filed forms or need password resets, please be sure to send them to lori.smither@kylegislature.gov.

Legislators' Financial Disclosure Forms Available Online

All members of the General Assembly are required to file financial disclosure statements for the preceding calendar year. These forms have been received and are ready for viewing on our website at <https://klec.ky.gov/Reports/Pages/Legislators-and-Candidates.aspx>.

2025 Session Lobbying Spending Down From Previous Years

In comparing January and February spending in odd-year sessions, employers and lobbyists spent \$5.771 million on lobbying the legislature in 2025, which is slightly less than the \$5.987 million spent in January and February in 2023.

Employers spent almost \$5.1 million to pay compensation to their lobbyists. An additional \$179,327 was spent on lobbying related administrative costs, such as travel and other expenses. Lobbyists on their own spent \$171,798 on out-of-pocket expenses during this time period.

Employers spent \$63,326 on advertising and \$184,081 on receptions, meals and events in January and February, 2025. Lobbyists aren't required to report advertising but spent \$16,310 on receptions, meals and events for legislators and LRC staff.

There are currently 720 legislative agents (lobbyists) and 922 employers registered to lobby. The 2025 top spender, so far, is **KY Chamber of Commerce**, which spent \$94,000 in the last two months, the majority of that amount - \$89,682 - was compensation paid to their lobbyists. **Americans for Prosperity** was second, spending \$58,058 on lobbying the legislature. The rest of the top 5 are: **KY League of Cities, Inc.** (\$52,045); **KY Hospital Association** (\$50,311); and **KY Retail Federation, Inc.** (\$45,968).

The remaining companies in the top 20 spending list are: **LG&E and KU Energy LLC** (\$39,382); **Elevance Health and Affiliates DBA Anthem, Inc.** (\$38,000); **Suntory Global Spirits** (\$32,950); **Sazerac Company** (\$32,637); **KY Assn. of Electric Cooperatives, Inc.** (\$32,586); **KY Automobile Dealers Assn.** (\$31,150); **KY Bankers Association** (\$30,468); **Altria Client Services, LLC** (\$28,765); **KY Credit Union League, Inc.** (\$28,462); **American Civil Liberties Union of KY** (\$28,312); **KY Justice Association** (\$27,869); **KY Medical Association** (\$27,346); **American Cancer Society Cancer Action Network** (\$27,099); **KY Primary Care Association** (\$27,000); and **HCA Healthcare, Inc.** (\$26,108);

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: **AbbVie, Inc., AMAC Action, Inc. Cleary Construction, Enova International, Ethan Health, Global Laser Enrichment, Home School Legal Defense Assn., Howling at the Moon, LLC, KY Assn. of Master Contractors, KY Auctioneers Assn., KY Broadband and Cable Assn., KY Pork Producers Assn., Messer Construction, Perry County, KY, Pet Advocacy Network, Sanitation District No. 1, Sierra Club, Thompson Consulting Services, LLC, Tobacco-Free Kids Action Fund, Trevor Project, Inc. (The), USWM, LLC, and Wallace Family.**

The following businesses and organizations recently terminated in Kentucky: **ALS Association (The), Cordish Companies (The), Johnson & Johnson, KY Cable Telecommunications Assn., Kinship, and Velocity BioGroup.**

Ethics & Lobbying News from around the U.S.

One signature away from becoming law, lobbyists worry over reporting bill

By: MEGAN GLEASON - ALBUQUERQUE JOURNAL, N.M. - MARCH 20, 2025

Some New Mexico lobbyists say a bill headed to Gov. Michelle Lujan Grisham's desk is a targeted, logistical nightmare, but backers say more transparency from individuals who work to influence legislators is long overdue.

Sitting on the governor's desk is legislation that would require lobbyists, or their employers, to file "lobbyist activity reports" disclosing stances on bills they're influencing, and, if positions change, to update their stances within 48 hours.

The legislation, which has failed repeatedly to pass the Legislature in the past, surprised even the bill's sponsors in its passage of both chambers.

Currently, lobbyists only need to publicly report who's employing them and money spent to benefit legislators for lobbying purposes. Bill sponsor Sen. Jeff Steinborn, D-Las Cruces, described that as negligible, "next to nothing."

So he's been working for years to pass additional reporting legislation, only to have it fail time and time again. He said transparency changes are some of the most difficult measures to pass in the Roundhouse, and this year's passage of House Bill 143 shows the uphill battle is worth it.

"It's given me a hope that we can continue to fight for big things and fight for transparency and good government," Steinborn said.

The Senate Tax, Business and Transportation Committee passed the bill over the weekend. Charlie Marquez, a contract lobbyist who doesn't support the legislation, said leadership initially said it would be rolled — at which point he left the committee — but ultimately heard it.

That was the last chance for public comment, as the bill went to the full Senate after that and then the full House again.

"Lobbyists have a lot to bring to the table, and I think they should be at the table helping craft legislation like this," said J.D. Bullington, a big-name lobbyist of 28 years representing more than 20 clients this year. Both he and Marquez said nobody asked them for input on the bill.

Steinborn said he didn't really confer with lobbyists when crafting the legislation, which he described as straightforward.

"They never liked it, and they never wanted it," he said.

Co-sponsor Rep. Sarah Silva, D-Las Cruces, said the lobbyists she reached out to either would only support the measure off the record or didn't respond.

Silva also expected more of a fight getting it through the House floor again for concurrence, a process of agreement when the other chamber makes changes to a bill. But in about a minute on Wednesday evening, the House floor agreed to send the bill to the governor.

It was different from the version the House sent over to the Senate, which Republicans amended to include restrictions on spending money on meals and beverages for legislators. The Senate stripped that out. Republicans voted against the bill in the House as well as the Senate.

Silva said the last time the Legislature passed a major transparency bill — updating the Lobbyist Regulation Act — was six years ago. Lujan Grisham signed that measure, which gives her hope now.

"I am just really excited that folks that can't make it to the Roundhouse (could) now have a better, more true picture of what happens here," she said, "because these are their bills, this is their Roundhouse, and they can't be here full time."

While the bill sponsors said they haven't heard anything from the Governor's Office, they're relieved it's at least through the Legislature. Lujan Grisham has until April 11 to sign or veto the legislation.

The bill has raised red flags for some lobbyists, who are concerned HB143 would worsen existing logistical issues and be overly burdensome. The lobbying activity for specific bills would be linked on the Legislature's website alongside the bills.

Bullington said this has the potential to create a "logistical nightmare" for the Secretary of State's Office, where reports are filed, and the Legislative Council Service, which would have to update the Legislature website to post the filings alongside bills.

The secretary of state's filing system is also incredibly difficult to navigate, according to Marquez, who said it took two months for him to get through the registration process this year because of a glitch in the system.

Both lobbyists said they might support less burdensome filing requirements. Marquez said reporting should only be required once every 30 days in a session, and Bullington suggested filing one report at the end of the session.

Steinborn said the filing will become second nature, and the bill doesn't go into effect, if signed, until 2027 so the Secretary of State's Office can work out all the technical kinks.

"So no, it's not overly burdensome, or maybe even burdensome," he said.

A legislative analysis of the bill describes it as a modernization effort that follows nationwide trends.

Dick Mason, an unpaid lobbyist for the League of Women Voters, echoed the sentiment and said even still, many other states will have better transparency measures than New Mexico.

"It's not a question of trust (for lobbyists). It's a question of putting the information out there," Mason said.

Still, the measure could act as an impetus for now-disconcerted contracted lobbyists to form an organization of their own to lobby on their positions.

"I think there's going to be more conversations about the professional lobbyists organizing a little more formally to better represent our profession," Bullington said.

No More Free Meals? House Approves Bill Restricting Certain Lobbyist Spending

By: Dan Boyd – JOURNAL CAPITOL BUREAU – March 4, 2025

SANTA FE — In a surprise twist, a bill expanding lobbyist reporting requirements at the Roundhouse was broadened Tuesday before passing the state House.

The approved change to the bill would also prohibit lobbyists from spending large amounts on food, beverages or entertainment for state-elected officials — including lawmakers — during and just before legislative sessions.

House Minority Whip Alan Martinez, R-Bernalillo, said the change would mean no more free meals in Santa Fe for lawmakers, which is a common occurrence during sessions.

"It would require us to pay our own way," he said during Tuesday's debate.

But other GOP-backed amendments, such as new restrictions on political contributions by non-profit employees, were voted down by majority Democrats.

Rep. Sarah Silva, D-Las Cruces, the sponsor of the initial lobbyist disclosure bill, House Bill 143, said the measure is intended to provide more public information about lobbyists' activities at the Capitol.

Specifically, it would require lobbyists to disclose which bills they worked on during legislative sessions — and their stance on those bills.

"Really what we want to have is a full picture of the lifespan of a bill," Silva said. But the first-term lawmaker appeared skeptical about some of the proposed bill amendments, saying she had not previously seen Republican support for transparency measures.

That prompted a sharp response from Martinez, who said he was personally offended by the remark.

After three hours of debate, the revised bill passed the House on a 36-26 vote.

Most Democrats voted in favor, though four cast "no" votes, while all but one Republican voted against the legislation.

That lone Republican, Rep. Luis Terrazas of Silver City, tried unsuccessfully to extend lobbyist reporting requirements to advocates who pay or otherwise compensate others to testify for or against bills at the Roundhouse.

"If we're going to open the curtain, let's pull open the whole curtain," Terrazas said.

Spending by registered New Mexico lobbyists has increased in recent years, even as the state has ranked toward the bottom in national rankings of state-by-state lobbyist disclosure laws.

During a three-month period last year that encompassed the 30-day legislative session, lobbyists spent \$293,608 on meals, beverages, advertising, emails, gifts, awards, and supplies for legislators and their staff, according to the State Ethics Commission.

However, previous attempts to require more lobbyist disclosure have stalled at the Roundhouse.

Amelia Bierle, the State Ethics Commission's deputy director, said Tuesday the agency was still reviewing the amendment adopted by the House.

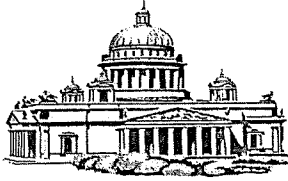
But she said the agency was in general "always supportive of more transparency in the legislative process."

Currently, New Mexico's more than 600 registered lobbyists must report spending that exceeds \$500 during the session. Other reports are due periodically throughout the year.

If approved, the proposed legislation would take effect in 2027. It now advances to the Senate with just over two weeks left in this year's 60-day session.

ETHICS REPORTER

April 2025



Kentucky Legislative Ethics Commission
22 Mill Creek Park, Frankfort, Kentucky 40601-9230
Phone: (502) 573-2863
<https://klec.ky.gov>

Training Possibility for Lobbyists & Employers in May

STAY TUNED! The Commission staff will conduct an online “Lobbyist Training Session” sometime in the near future. Please watch our website for the announcement. <https://klec.ky.gov/Pages/default.aspx>. This training will give lobbyists and employers the opportunity to meet the Commission staff, discuss the Commission’s website-based filing process, the Code of Legislative Ethics and any questions they might have.

Lobbying Report Deadline

Thursday, May 15, 2025 is the next reporting deadline for lobbying entities. All lobbyists and employers are required to file Updated Registration Statements by that date, for the period of **April 1 through April 30, 2025**. This reporting period will be open for filing these reports on May 1, 2025.

The easiest and quickest way for lobbyists and employers to file is to visit the Commission’s website <https://apps.klec.ky.gov/lec/onlinefiling.aspx> and file online. If you normally email forms to our office, have any changes to previously filed forms or need password resets, please be sure to send them to lori.smither@kylegislature.gov.

Lobbying Spending for the 2025 Session

There are currently 707 lobbyists and 917 employers trying to influence lawmakers on public policy. Lobbying spending for the first three months of 2025 hit \$8.822 million with 7.936 million of that going to compensation paid to lobbyists for their efforts.

Employers also spent over \$229,000 to host receptions, meals and events on legislators and LRC staff so far this year. An additional \$302,590 was spent on lobbying related administrative costs, such as travel and other expenses. Lobbyists on their own spent \$260,912 on out-of-pocket expenses during this time period.

Out of the 917 registered employers, the top 20 spenders for the first three months spent a combined total of \$1,113,407 on their own. That’s 13% of the grand total spent by everyone else.

The 2025 top spender is **KY Chamber of Commerce**, which spent \$150,114 in the last three months, the majority of that amount, \$144,715 was compensation paid to their lobbyists. **KY League of Cities, Inc.** was second, spending \$86,793 on lobbying the legislature. The rest of the top 5: **KY Hospital Association** (\$74,298), **Americans for Prosperity** (\$65,558) and the **KY Retail Federation, Inc.** (\$65,457).

The remaining companies in the top 20 spending list are: **LG&E and KU Energy LLC** (\$57,932), **Elevance Health and Affiliates DBA Anthem, Inc.** (\$57,089), **Greater Louisville, Inc.** (\$50,900), **KY Assn. of Electric Cooperatives, Inc.** (\$46,686), **KY Bankers Association** (\$45,702), **KY Automobile Dealers Association** (\$44,603), **Altria Client Services LLC** (\$41,790), **KY Medical Association** (\$41,685), **Humana Inc.** (\$41,671), **Suntory Global Spirits** (\$41,450), **KY Justice Association** (\$41,383), **KY Primary Care Association** (\$40,500), **Sazerac Company** (\$40,337), **American Civil Liberties Union of KY** (\$40,297) and **HCA Healthcare, Inc.** (\$39,162).

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: **American Power Play, Bluegrass Center for Autism, Bullitt County Public Schools, Centurion, LLC, Climavision, Family Medical Centers Community Foundation, Inc. and Wilkinson Builders, Inc.**

The following businesses and organizations recently terminated in Kentucky: **Access Fund, AffirmedRx PBC, AVF Bluegrass Solutions, Aware Recovery Care, Frankfort Plant Board, Gaggle, Geographic Solutions Inc., Scott Hagan, KY Pork Producers Assn., Life Coordinated Inc., Okta Inc., Recovery Now, Sanitation District No. 1 and Wallace Family.**

Ethics & Lobbying News from around the U.S.

Lujan Grisham nixes lobbying transparency bill

BY: MARJORIE CHILDRESS - NEW MEXICO IN DEPTH - April 11, 2025

Gov. Michelle Lujan Grisham vetoed a bill Friday that would have helped New Mexicans keep track of what bills lobbyists were trying to kill or pass, bringing much more sunlight to a generally opaque legislative process.

House Bill 143, sponsored by Rep. Sarah Silva and Sen. Jeff Steinborn, both Democrats from Las Cruces, would have required lobbyists to publicly report the bills they are working to support or defeat during the session.

Lujan Grisham wrote in her veto message that HB143 needed work and that she looks forward to “working with the Legislature in the next session on a bill that really adds transparency and accountability.”

“It’s a big letdown,” said Steinborn, who has pushed for greater lobbying transparency over the past decade. “The governor had an opportunity to make a big step forward in transparency to improve government but instead opted to protect the status quo where lobbyists and insiders have an undisclosed role in shaping and disrupting policy in New Mexico.”

In a statement Silva said the governor’s decision would keep New Mexicans in the dark about “issues where lobbyists are exerting so much influence – like doctors leaving our state, people being unable to secure affordable housing, and the ongoing challenges we are wrestling with related to our young people and public safety.”

Steinborn said he would welcome working with Lujan Grisham to craft a bill she could support during the 2026 legislative session, if she chose to prioritize it. In New Mexico's legislative process, every other year the governor must greenlight non-budgetary legislation during shorter legislative sessions. In 2026, that will be the case. In 2027, when lawmakers can introduce bills on any topic, Lujan Grisham will no longer be governor.

It's unclear how many lobbyists asked Lujan Grisham to veto the bill, because currently, New Mexico does not require lobbyists or the governor to file such reports. What bills lobbyists are trying to influence or their positions on them are largely unknown to the public.

"It's ironic that HB143 would have given us information about who lobbied the governor to veto this bill – and without it, we have no way to know," Silva said in her statement. "In other words, her veto demonstrates the need for the very legislation she killed today."

HB 143 would have had New Mexico following the lead of at least 15 other states that require lobbyists to report the bills they are working on, according to a 2018 analysis by the National Conference of State Legislatures.

But lobbyists told New Mexico In Depth and other news organizations after the bill passed that they had concerns about the viability of a requirement in the bill that they file reports within 48-hours of lobbying activity.

There were more than 600 people registered as lobbyists during the session that ended March 22, many of whom met or socialized with lawmakers, testified in committees, and in some cases, worked with the groups they represent to organize outside campaigns involving advertising and community phone calls to influence the outcome of legislation.

Lujan Grisham, in her veto message, said the bill would be "onerous" on lobbyists because of the 48-hour requirement "irrespective of weekends and holidays."

She had other issues with the bill as well.

It's unclear, her message states, how the legislation applies to lobbying activity during the 20 days the governor has to sign or veto bills, after a session ends. And, she wrote, it's unclear what sort of change in position would trigger a lobbyist having to file a new report.

"Suppose a lobbyist's employer who is supporting a piece of legislation has concerns about a new provision added in committee that they desire to have removed. Would this require an updated activity report if they still support the other portions of the legislation? What if they are now just neutral? HB 143 does not specify," her message states.

Lujan Grisham concluded by saying she thought that elected officials with a "donor base" — like legislators and governors — should also disclose when their positions change.

Anointed by powerful father, state Sen. Emil Jones III heads to trial on bribery charges

JASON MEISNER - CHICAGO TRIBUNE - APRIL 6, 2025

Chicago Democrat Emil Jones III was made a state senator in 2008 in a classic Illinois way, on a path paved by his powerful father that left little to chance. Now, Jones is rolling the dice with a federal jury that could send him packing in equally time-honored Illinois fashion: as a convicted felon.

Jones, 46, whose father, Emil Jones Jr., led the state Senate for years before orchestrating having his son replace him, goes on trial Monday on bribery charges alleging he agreed to help a red-light camera company alter legislation in exchange for \$5,000 and a job for his legislative intern.

While the younger Jones' case lacks the blockbuster billing of the recent trials of Democratic powerhouses like ex-House Speaker Michael Madigan and former Chicago Ald. Edward Burke, it's the first case from the sprawling red-light camera probe to go before a jury, and will feature testimony from FBI mole Omar Maani, a founder and executive at SafeSpeed LLC who has so far avoided the witness stand.

Maani made a number of undercover recordings that will be seen and heard for the first time at Jones' trial. Among them: a video of Jones dining with Maani and then-state Sen. Martin Sandoval, the influential Transportation Committee chair, at Gibson's Steakhouse on Rush Street.

Another video taken by Maani allegedly shows him and Jones eating at another downtown restaurant when Maani asked point-blank how much Jones wanted in exchange for his assistance. "You can raise me five grand. That'd be good," Jones allegedly told Maani over that dinner in July 2019.

Jones' trial will also be the first of a sitting politician at the Dirksen U.S. Courthouse since then-Ald. Patrick Daley Thompson was convicted in 2021 on counts of tax fraud and lying to banking regulators. If convicted, Jones would be forced to resign under Illinois law and would almost certainly forfeit any future pension.

Jones, meanwhile, has maintained his innocence. His lawyers have indicated they intend to argue his actions were business as usual and that the government is trying to stretch political give-and-take into bribery.

"Everyday events involving elected officials must be placed in an honest and fair context," Jones' lead attorney, Victor Henderson, told the Tribune last month. "The Senator is looking forward to his day in court."

At a pretrial hearing last month, Henderson said the defense will go after Maani, painting a picture of him as a "practiced cooperator" who knows how to get targets to say what the FBI wants to hear — something Henderson says comes across loud and clear on the recordings.

"This was not a one-off thing," Henderson said. "(Maani) works with the government and has done this to countless other elected officials. ... It's two sides of the same coin. They're involved in a dance, and Maani is the lead dancer."

Censured lawmaker seeks immediate restoration of voting rights in House

EMILY ALLEN - PORTLAND PRESS HERALD, MAINE - APRIL 4, 2025

A Maine lawmaker is asking a federal judge to immediately restore her ability to vote in the Legislature despite being censured in the House over social media posts she made that identified a transgender student-athlete.

Rep. Laurel Libby, R-Auburn, sued House Speaker Ryan Fecteau, D-Biddeford, on March 11 after she was stripped of her ability to speak and vote on the House floor in a party-line vote in late February.

During the vote, Democrats agreed that Libby had violated House ethics rules by publicly identifying and endangering a transgender girl at a sporting event, using the student's picture and first name on Facebook. Her posts garnered widespread, national attention and, Fecteau's attorneys pointed out, threats of harm to the student.

Libby has argued the censure violates her First and 14th Amendment rights by punishing her for "protected speech outside the walls of the State House." She believes she is being silenced by the Democratic majority over her criticism that Maine's transgender athlete policy is unfair.

Fecteau has said the censure would be removed if Libby apologizes to the House, but Libby has said she will not do so.

The case relies on unprecedented constitutional arguments that likely won't get an immediate ruling. But her attorney argued at a hearing over Zoom on Friday in front of U.S. District Judge Melissa Dubose that they have a more urgent concern: the impact of Libby's censure on her constituents who don't have someone voting on their behalf in the Legislature.

"District 90 now stands voiceless on the House floor — unable to vote, unable to speak, and unable to be represented on matters ranging from an \$11 billion state budget to local priorities impacting working families," Libby wrote in an email before the hearing. A spokesperson for Fecteau declined to respond, citing the pending litigation.

Libby is joined in her lawsuit by six constituents. Their lawyer, Patrick Strawbridge, said the House rules for censure were illegally applied to Libby for actions outside the House that didn't have any effect on its proceedings.

"This was not like some sort of violent or obstructive act," Strawbridge argued. "This was speech that occurred outside the House."

He argued the censure vote was a way to circumvent other procedures the House could have used that come with safeguards and due process for Libby and her constituents, like expulsion or a recall.

Strawbridge said he was troubled that the censure could last until the end of next year.

"They are stuck in limbo for this session, and perhaps the next session," Strawbridge said in court. "I think the slippery slopes here are staring the court right in the face."

Lawyers from the Office of the Maine Attorney General, who are representing Fecteau, said in court Friday that everything he did was a legislative act, and that he's entitled to legislative immunity that protects against liability save for the most extreme circumstances.

Assistant Attorney General Kimberly Patwardhan said Libby still maintains other privileges as a legislator, including the ability to participate in committees and introduce bills. Patwardhan also said that Libby agreed to the House's rules when she was sworn in, and she should have known this was a risk for her conduct.

Dubose, the judge pushed back on that, given that Libby's posts were made outside the State House. She asked hypothetically if this means Libby and other lawmakers "don't have the luxury of being able to have an opinion."

The judge also questioned if the House ethics rule were being selectively applied, pointing to other hypothetical lawmakers who might post pictures of children for other causes.

"I think that we always expect better conduct from our elected officials than members of our general citizenry," Patwardhan said. The censure wasn't about Libby's opinions, only that she put a child at risk, Patwardhan said.

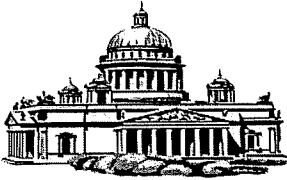
Dubose did not immediately make a ruling and did not give an indication of when he would issue one.

In a phone call after the hearing, Libby said she was taken aback by the state's arguments that she doesn't have a "personal First Amendment right to vote" on the House floor. She said her prolonged inability to vote on legislation, including the biennial budget, would set a terrible precedent.

"I think that my constituents, when they think of me representing them, they're thinking of my ability to vote and speak on the floor," Libby said in a phone call. "The inability to speak to that legislation, especially in the minority, where it may not change the outcome but can at least register the opinion of my district, is crucial."

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Final Numbers on Lobbying Spending for the 2025 Session

There are currently 695 lobbyists and 912 employers working to influence lawmakers on public policy. Lobbying spending for the 2025 session of the General Assembly hit \$11.202 million with \$10.180 million of that going to compensation paid to lobbyists for their efforts.

Employers also spent over \$253,553 to host receptions, meals and events on legislators and LRC staff this year. An additional \$332,298 was spent on lobbying related administrative costs, such as travel and other expenses. Lobbyists on their own spent \$324,017 on out-of-pocket expenses during this time period.

Out of the 912 registered employers, the top 20 spenders for the 2025 legislative session spent a combined total of \$1,395,401. That's 13% of the grand total spent by everyone else.

The 2025 top spender is **KY Chamber of Commerce**, which spent \$185,919 during the session, the majority of that amount, \$180,228 was compensation paid to their lobbyists. **KY League of Cities, Inc.** was second, spending \$95,907 on lobbying the legislature. The rest of the top 5: **KY Hospital Association** (\$93,914), **Americans for Prosperity** (\$92,825) and the **KY Retail Federation, Inc.** (\$75,602).

The remaining companies in the top 20 spending list are: **LG&E and KU Energy LLC** (\$71,816), **Elevance Health and Affiliates DBA Anthem, Inc.** (\$70,039), **Greater Louisville, Inc.** (\$65,400), **KY Assn. of Electric Cooperatives, Inc.** (\$63,026), **KY Bankers Association** (\$60,936), **KY Automobile Dealers Association** (\$58,056), **KY Primary Care Association** (\$54,000), **Humana Inc.** (\$53,971), **Altria Client Services LLC** (\$53,311), **HCA Healthcare, Inc.** (\$52,216), **KY Medical Association** (\$50,106), **Airbnb, Inc.** (\$50,000), **Suntory Global Spirits** (\$49,950), **KY Distillers' Association** (\$49,797) and **Churchill Downs Incorporated** (\$48,611).

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky:
Behavioral Health Group, National Board of Examiners in Optometry, ProGen Industries and Savvas Learning Company.

The following businesses and organizations recently terminated in Kentucky:
Fugees Family, JLC Services, Inc., Major League Baseball, Perry Real Estate College, Scientific Games, LLC, and Thompson Consulting Services, LLC

Ethics & Lobbying News from around the U.S.

Former House Speaker Glen Casada found guilty on 17 of 19 counts, Cothren guilty on all charges

By: Emily R. West , Chris Davis – [News Channel 5 Nashville](#) - May 16, 2025

NASHVILLE, Tenn. (WTVF) — A jury of six men and six women found former House Speaker Glen Casada guilty for his involvement in what was a trial on public corruption charges against him. He was found guilty on 17 of 19 counts.

The jury found his aide Cade Cothren guilty on all charges for his stake in the trial. Casada and his wife were both visibly emotional as the verdict was handed down. Cothren stayed composed as his verdict was read.

Former House Speaker Casada, 65, and his aide Cothren, 38, were charged in a multi-count indictment that accuses them of engaging in a bribery and kickback scheme in conjunction with a deal to provide state-funded constituent mailing services named Phoenix Solutions for members of the House Republican Caucus.

Prosecutors say the two men conspired together in a "scheme involving fraud, bribery, theft, and money laundering," in which they "leveraged elected office for private profit, while using lies and concealment as means to accomplish their criminal goals."

The beginnings

The whole saga began when *NewsChannel 5 Investigates* revealed racist and sexist text messages between Casada and Cothren. That scandal forced Casada out as Tennessee House Speaker and their tarnished reputation is why the trio used the fake name Matthew Phoenix when they created Phoenix Solutions, all in an attempt to obtain state mail contracts.

'There will be an appeal'

Attorneys for both defendants vowed to appeal the ruling.

"We are disappointed in the verdict, and there will be an appeal. We look forward to continuing the process," said Jonathan Farmer, an attorney for Glen Casada.

"We thank the jury for their time and we look forward to filing our post-trial motions and our appeal," said Cynthia Sherwood, an attorney for Cade Cothren.

Prosecutors celebrated the development, shortly after the verdict was shared.

"Elected leaders and their staff should perform honest services for the citizens that they serve," said Acting U.S. Attorney Rob McGuire. "We feel vindicated today by the jury's verdict."

It brings to a close four years of investigating and three years of preparing for trial. But not all of the public's questions were answered with Friday's verdict. The prosecution had little to say about why current House Speaker Cameron Sexton was anticipated to testify for the federal government, but it wasn't called.

"We put on the witnesses and the evidence that we thought was necessary to prove our case beyond a reasonable doubt," said McGuire.

What happens to Robin Smith?

NewsChannel 5 also asked the Department of Justice about the fate of Rep. Robin Smith, who was the third member of the conspiracy and took a plea deal for a reduced sentence.

"I think what is most important is that the jury, by her verdict, found her to be a credible witness. They obviously listened very intently to her testimony and what she described is what the jury found the defendants guilty of doing, which is defrauding the people of Tennessee," said McGuire.

Judge Eli Richardson will ultimately determine sentencing for all three — Smith, Casada and Cothren.

What happens to Casada and Cothren?

Casada and Cothren were allowed to be released back to their families under pre-trial conditions until they're sentenced in September 2025. Some of the more significant charges carry a maximum sentence of 20 years. Judge Richardson could decide to make those concurrent or consecutive charges. What's the difference? They could spend a few years behind bars or up to decades.

Many have wondered if Casada and Cothren may appeal to President Donald Trump for a pardon. It could be a possibility. A few months ago, former Tennessee State Senator Brian Kelsey was pardoned by the president, when he was early into a prison sentence for an illegal campaign finance scheme.

Tennessee's Capitol Hill responds

Leaders of Tennessee's House Republican Caucus appeared to almost celebrate the guilty verdicts. A statement reads:

Today's verdict reaffirms the principle that public office is a sacred trust, not a license for personal gain or abuse of power. The House Republican Caucus deeply appreciates the leadership of House Speaker Cameron Sexton, who was instrumental in uncovering illegal activity by two former members and providing critical facts to federal authorities. His commitment to integrity in state government reflects the standards to which all public officials should be held. We also commend the investigators, prosecutors and jurors whose diligent efforts ensured that those who betrayed the public's trust were brought to justice.

Tennessee House Republican Caucus

Tennessee House Speaker Cameron Sexton also weighed in:

I want to thank the FBI, the Department of Justice, and the Trump administration for their decisive action in pursuing justice in this case. As we close this chapter, I will remain committed to working with state and federal authorities to fight against corruption and fraud whenever it is uncovered.

Tennessee House Speaker Cameron Sexton

Prior to the verdicts, Democrats held a news conference in front of the courthouse, weighing in on the federal corruption trial.

"Nobody thinks this trial is delivering justice. Our lawmakers are out of control. Authoritarianism breeds corruption. They go hand in hand. Throughout this trial, we heard that lawmakers feel entitled to spend public money to enrich themselves in their power struggles. We heard that votes can be bought and sold. Tennesseans saw how the game is played, and Republicans are running our state like a cartel.

Rachel Campbell, chair, Tennessee Democratic Party

Ethics commission rejects proposed settlement in Oregon rare bourbon scandal

By: Dianne Lugo - [Salem Statesman Journal](#) – May 9, 2025

The Oregon Government Ethics Commission rejected a proposed settlement with former executive director of the Oregon Liquor and Cannabis Commission Steve Marks on May 9.

The ethics commission opened cases against six former OLCC employees in 2023 after The Oregonian reported on an internal investigation into OLCC officials using their positions to set aside bottles of rare bourbon for other high-ranking officials, including lawmakers.

On April 25, the commission settled cases against former budget director Bill Schuette and former information services director Jon-Kai Nakashima, who each agreed to pay a \$500 penalty.

Marks also had agreed to pay \$500, but the ethics commissioners voted 7-1 to send the proposed order back to negotiations, suggesting a former executive director should receive higher penalties.

The ethics commission also postponed action against Boba Subasic, former chief information officer for the OLCC.

Marks violated ethics rules, the Oregon Government Ethics Commission claims

Marks stepped down as OLCC's executive director on Feb. 13, 2023, after Gov. Tina Kotek called for his resignation. Craig Prins, then the Oregon Department of Corrections's Inspector General, was later appointed executive director.

According to the rejected proposed order, Marks told an OLCC investigator on Aug. 30, 2022, that he acquired a 23-year-old bottle of Pappy VanWinkle from OLCC's reserve stock sometime between 2019 and 2022 and paid the OLCC listed price of \$329.99.

"The Commission contends that information on the availability of the bottles in the reserve stock was not publicly disclosed, that this information was only available to Steve Marks because of his position at OLCC, and that Steve Marks was able to obtain a bottle of Pappy Van Winkle 23 year, from the OLCC reserve stock, because he held his position at OLCC," wrote the ethics commission.

Obtaining the bourbon meant Marks avoided paying the costs that would otherwise be necessary to purchase it, the commission order said.

Prices for the limited production bottles of bourbon on the secondary market range from nearly \$3,790 to \$4,600 per bottle.

OLCC regulates the distribution and sale of distilled spirits. In 2018, the OLCC launched a public lottery, the Chance to Purchase Program, which offers participants the chance to win rare and limited-edition liquor bottles, including Buffalo Trace bourbon like Pappy's. After the distribution of winnings, bottles of rare bourbons are held in OLCC's reserve stock.

OGEC's report reiterates Marks and other OLCC employees could previously request and obtain bottles from the reserve stock before they were added to the regular stock list available for distribution to liquor stores. The OLCC implemented a new policy in May 2023 prohibiting employees from engaging in the internal diversion practice.

Commission investigators said a full hearing would find Marks violated three ethics rules, the commission's final order said. Marks disagreed.

Marks "asserts that he did not knowingly or intentionally violate these statutes and that he has legal and factual bases to argue against any and all of the facts asserted and the alleged violations, but he agrees to entry of this stipulated final order in order to resolve this matter," the final order said.

Marks was present during the ethics commission meeting May 9 but declined to give a statement. His lawyer, Robert Steringer spoke on his behalf and urged the commission to accept the proposed final order.

Steringer argued Marks purchased one bottle and that he "in essence" would be penalized more per-bottle than other OLCC employees under investigation. Steringer also argued Marks had paid the amount the bourbon cost in Oregon.

If you're the top official, you should pay the top penalty, suggested commissioner Dan Mason. The \$500 was within the range of a penalty matrix of 1% to 20% of the maximum civil penalty of \$5,000, said OGECE executive director Susan Meyers.

"I do tend to think that Mr. Marks, as director, has a higher duty to comply with ethics laws," said commission chair David Fiskum, who voted against the proposed settlement. "I have mixed emotions about this."

Open OLCC ethics case, two ongoing lawsuits

OGECE had been scheduled to hear about the investigation into Bubasic, who told an OLCC investigator on Aug. 22, 2022, that he received "maybe four or five bottles" of Pappy Van Winkle and Elmer T. Lee.

Meyer told commissioners Bubasic agreed to a time waiver to continue negotiations and a planned vote to move the investigation to a contested hearing was pulled from the agenda.

According to their report, commission staff requested Subasic sit for an interview or answer written questions, but he declined through his attorneys. Negotiations for a potential stipulated final order, like the settlements reached between Marks, Schuette, and Nakashima, also failed.

The investigative report by OGECE investigator Andrew McIntyre said Subasic's attorneys said they believe the commission lacks jurisdiction.

"The letter goes on to state that even assuming the Commission has adequate jurisdiction, 'Mr. Subasic's choice to participate in a frequent and widely accepted practice while an employee at the OLCC was not an ethics violation,'" wrote McIntyre. "At no time during his tenure at the OLCC did he use confidential information to his benefit, use his position as a government employee to avoid financial detriment, or maintain and fail to disclose a conflict of interest."

OGECE's investigation concludes the commission does have legal authority and evidence shows Subasic violated ethics rules.

Two of the former OLCC executives have filed lawsuits related to their terminations.

According to court documents, former deputy director Will Higlins filed a complaint in Marion County Circuit Court on March 7 against the OLCC, the State of Oregon and director Craig Prins, claiming breach of contract. The suit has since been moved to federal court.

Chris Mayton, the former director of the distilled spirits program, also filed a lawsuit against the OLCC, the Department of Administrative Services and others, claiming invasion of privacy.

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Out-Of-State Summer Conferences Must Be Reported If You Are Registered

Every summer, Kentucky legislators, legislative staff, lobbyists, and employers of lobbyists attend conferences conducted by the National Conference of State Legislatures (NCSL); the Southern Legislative Conference (SLC); and the American Legislative Exchange Council (ALEC).

The Kentucky Code of Legislative Ethics still applies to meetings outside the Commonwealth attended by members of the General Assembly in their official capacity, and to activities of employers and legislative agents at these events.

For example, if a lobbyist or employer provides food or beverages for individual legislators, family members or staff during any of the meetings, details of that spending must be reported.

No lobby spending reports were required to be filed in June. The next reports, due September 15, will include all lobbying expenditures from May 1 to August 31, and must include all expenditures made in conjunction with the legislative conferences held during the summer. This reporting period will be open for filing these reports on September 1, 2025.

Legislative conferences this summer include:

- **50th National Conference of State Legislatures** Legislative Summit -- August 4-6, 2025, Boston, Massachusetts at the Boston Convention and Exhibition Center.
- **79th Southern Legislative Conference** Annual Meeting -- July 19-23, 2025, Birmingham, Alabama at the Birmingham Jefferson Convention Center.
- **52nd American Legislative Exchange Council** Annual Meeting – July 16-18, 2025, Indianapolis, Indiana at the JW Marriott Indianapolis.

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky:
Action Now Initiative, LLC, Cornbread Hemp, Everent Health, Inc., Frankfort Plant Board, G20, Kooth USA LLC, KY Academy of Audiology, KY Dataseam Initiative, Inc., KY Humane Society, One East Kentucky and Recovery Kentucky Housing Partnership

There were no new businesses or organizations that have recently terminated in Kentucky.

Commission Recommends Changes in Ethics Law

The Legislative Ethics Commission is recommending several changes in Kentucky's Code of Legislative Ethics, and has submitted its recommendations to the Legislative Research Commission.

Below are the Legislative Ethics Commission recommendations submitted to the LRC:

1. Define and prohibit sexual harassment as ethical misconduct.

Recommendation: Create a comprehensive ethical prohibition against sexual harassment by legislators and legislative agents against legislative branch employees, legislators, or legislative agents. This would include the following:

- Specifically define "sexual harassment" as actions that violate either Kentucky or federal statutes, regulations, or case law relating to protected classifications.
- Prohibit legislators and legislative agents from engaging in sexual harassment against an employee of the legislative branch, legislator, or legislative agent, and provide that a violation is ethical misconduct.

2. Clarify that lobbyists will receive an electronic notification that they are registered, and the Commission shall list the lobbyist's name on the official lobbyist list upon registration.

Recommendation: Codify that lobbyists receive an electronic notification that they are officially registered, and provide that the Commission shall list the lobbyist on the official registration list upon registration.

3. Amend the regular session prohibition against campaign contributions from employers to clarify that the prohibition does not apply to campaign contributions from employers to sitting legislators who are running for statewide office.

Recommendation: Amend the prohibition against employers of legislative agents making campaign contributions during a regular session of the General Assembly to clarify that the prohibition does not apply to campaign contributions to legislators who are running for statewide office.

Ethics & Lobbying News from around the U.S.

U.S. Supreme Court declines to hear GOP activist's lawsuit challenging Texas Ethics Commission's lobbying fine

By: Kate McGee – [MSN.COM](https://www.msn.com) - June 2, 2025

The U.S. Supreme Court has declined to consider a lawsuit from conservative Texas activist Michael Quinn Sullivan against the Texas Ethics Commission, serving another blow to his more than decade-long challenge against the state agency that implements and enforces Texas' campaign finance and lobbying laws.

Since 2014, Sullivan, who used to lead a powerful conservative advocacy group called Empower Texans, has challenged an ethics commission decision to fine him \$10,000 for failing to register as a lobbyist in 2010 and 2011, repeatedly appealing his case before petitioning the nation's highest court earlier this year to consider it. Last year, the Texas Supreme Court declined his request to overrule two state appeals' court decisions refusing to toss out the fines.

Sullivan argued in a brief to the U.S. Supreme Court that Texas' ethics laws violate the First Amendment rights of "ordinary citizens," who are looking to speak to their elected representatives, with burdensome registrations and fees.

"States in some parts of the country are able to curtail the freedoms of speech, petition, and assembly by branding ordinary citizens 'lobbyists' and threatening them with severe financial penalties," Sullivan's lawyers wrote. "This Court's review is sorely needed to clarify the circumstances under which the government may require citizens to pay a fee and obtain a license to communicate with their government representatives. Unless and until this Court does so, States can continue—as Texas has done here—to use such requirements to harass or silence those whose speech is disfavored."

The Ethics Commission responded that Sullivan's actions went far beyond an "average citizen who happened to visit with a lawmaker or who spent a day or two at the Texas Capitol during a legislative session."

The Ethics Commission declined to comment.

In a statement, Sullivan's lawyer Tony McDonald said they were grateful for those who urged the Supreme Court to take the case, including Attorney General Ken Paxton and Texas Senators John Cornyn and Ted Cruz.

"More and more Texans are waking up to the threat posed by the Texas Ethics Commission to the fundamental freedoms enshrined in our constitution," McDonald said. "No Texans should ever be dragged behind closed doors to be investigated over their political speech."

The court's decision means the appeals court decision siding with the ethics commission stands. Sullivan will go back to a district court for a jury trial to determine how much he has to pay.

The ethics commission started investigating Sullivan after two former state lawmakers filed a complaint against him asserting that he had acted as an unregistered lobbyist. Sullivan has long contended that his activities with the now-defunct Empower Texans constituted journalism, not lobbying. But the ethics commission rejected that argument. In their 2014 ruling, they pointed to dozens of communications that he routinely sent to Republican lawmakers to discuss legislation and amendments, and encouraged them to vote in alignment with his organization's values.

Sullivan also published a Fiscal Responsibility Index ranking lawmakers' conservative bonafides based on their voting record each session. The commission found Sullivan used that scorecard to influence members' votes as part of his job for Empower Texans, another example of lobbying.

In court, Sullivan repeatedly tried to argue the ethics commission didn't have the constitutional authority to enforce the state's ethics laws. Initially, Sullivan was able to get the case tried in a Denton County district court instead of Travis County, claiming he moved there.

A judge there ruled in Sullivan's favor, but the ruling didn't stick because the case got sent back to Travis County after an appeals court ruled Sullivan didn't actually meet the residency requirements to have the case heard in Denton County from the start. The Travis County judge sided with the TEC, which Sullivan appealed and lost again. Meanwhile, Sullivan filed multiple other cases against the commission, all of which have been denied or dismissed in federal or state district court.

In recent months, Sullivan's bid to the nation's high court has drawn support from multiple high profile conservative officials and groups who wrote briefs in support of the activist, including the Cato Institute, the Manhattan Institute and Paxton. Cornyn and Cruz wrote a joint brief.

Paxton declined to have his office represent the ethics commission in the case, forcing the agency to hire outside counsel. Since 2014, the commission has put more than \$1 million in taxpayer dollars toward outside legal help. In his brief, Paxton backed Sullivan's argument that Texas' lobby laws violate his first amendment rights.

"It is antithetical to the First Amendment that a private citizen working for a nonprofit organization dedicated to fiscal responsibility that does not provide gifts to lawmakers nonetheless must register with the government, make disclosures to the government, and even pay a fee to the government to simply email elected officials about matters of significant public concern," Paxton wrote.

Cruz and Cornyn did not take a position on the fines imposed on Sullivan, but instead argued that the courts have not set a solid precedent about how courts should review lobbying statutes against free speech concerns.

"Applying the appropriate tier of scrutiny when evaluating lobbyist disclosure requirements is crucial to ensuring protected political speech is not unlawfully restricted or silenced," they wrote.

In their response to the petition, the ethics commission said many of the authors of these friend-of-the-court briefs, including ones written by Paxton, and Cruz and Cornyn, "appear to assume, without any real analysis of the record — that Sullivan did nothing more than write a newsletter and work on a website that 'rated' legislators. Such characterizations belie the actual record that led to a Texas court granting summary judgements in the Commission's favor on the merits of the claims that Sullivan violated Texas law."

Ethics Commission Sues Group for More Information About Lobbyist Advertising

By: Marjorie Childress - [NEW MEXICO IN DEPTH](#) - June 17, 2025

The State Ethics Commission is alleging in a lawsuit filed last week that a nonprofit organization failed to disclose tens of thousands of advertising dollars in 2024 to influence lawmakers on medical malpractice reform.

The dispute demonstrates how the statute requires more or less information depending on which reports groups are required to file. Should the commission win in court, the group will have to disclose not only how much it spent, but who paid for an advertising campaign it conducted in 2024.

The ethics commission alleges the group, at that time called “Fairness For New Mexico Patients,” spent \$56,000 on at least four full-color ads in newspapers in October and, over the last six months of 2024, digital advertising on Facebook and Instagram. All the ads referred the public to the group’s website, which the complaint says included a “call to action” for the 2025 legislative session and “take action” pages that allowed viewers to “tell [their] legislators about safety over profit.”

A review of the ads online by New Mexico In Depth shows they urged the public to “say no” to malpractice law changes, or directly urged lawmakers to “stand with New Mexico patients,” or to learn more at the group’s website.

A web archive isn’t comprehensive but shows in December the organization’s website contained a form that members of the public could use to communicate with lawmakers. It was next to a petition that included language saying corporations should compensate patients for medical malpractice.

But the group didn’t register a lobbying advertising campaign with the Secretary of State’s office in the fall of 2024, and didn’t disclose its contributors or expenditures 15 days after the session was over, as is required by state law, according to the ethics commission.

“New Mexicans have a right to know who is funding lobbying campaigns so that both New Mexicans and their elected representatives can better evaluate the messages of those lobbying campaigns...,” Jeremy Farris, Executive Director of the State Ethics Commission, said in a press release. “...This lawsuit is about ensuring that all organizations advocating for legislative change follow the same legal standard.”

According to business registration filings with the New Mexico Secretary of State, the group changed its name last October to “New Mexico Safety Over Profit.” That is the name the ethics commission used in its complaint, as well as “NMSOP” for shorthand.

The group is a 501c4 nonprofit organization that under federal tax rules is not required to report its donors. It hasn’t disclosed them in federal tax returns, and told reporter Ed Williams of Searchlight New Mexico earlier this year that it would not disclose its donors. Referencing that statement in its complaint, the ethics commission made a point that the group’s federal tax status had “no bearing on NMSOP’s disclosure obligations under New Mexico law.”

Groups that spend money on elections or lobbying without disclosing their donors for that work are often referred to as “dark money” groups, because the public doesn’t have information about the special interests paying the groups.

A review by New Mexico In Depth of the group's federal tax filing for the year ending December 2023 shows it raised \$334,000 in contributions, but it doesn't list its donors. But the 990s of another organization, New Mexico Trial Lawyers Association, Inc., shed some light. They show a contribution of \$95,000 to the group in 2023, and a contribution of \$50,000 in 2022. Whether or not that money was used for the 2024 advertising campaign is unknown.

New Mexico Safety Over Profit is defending itself, saying it filed the appropriate report.

"The plain language of the LRA requires an organization to register and report a lobbying advertising campaign only when "not otherwise reported under the Lobbyist Regulation Act." NMSA § 2-11-6(I). In this case, NMSOP reported its expenditures as a lobbyist employer," the group's attorney, Sara Berger, wrote in a letter in May to the ethics commission that is included as an attachment in the ethics complaint.

Berger was referring to the state's statute, the Lobbyist Regulation Act, or LRA, which lays out what lobbyists, their employers, and groups who pay for advertising that urges the public to lobby lawmakers must report to the secretary of state's office.

State law requires lobbyist employers to file reports in January, May and October of each year.

Berger interprets the LRA as requiring lobbyist employers to only report expenses and who gave money for political contributions. "The only contributors on the lobbyist employer report are contributions to political candidates," she said.

Under this interpretation of the law, New Mexico Safety Over Profit would not have to disclose where they got the money for the advertising campaign, unlike had they filed an advertising campaign report.

One paragraph in the LRA holds special provisions that compel reporting about the source of money for advertising. It instructs any group spending more than \$2,500 on lobbying advertising in a calendar year "*not otherwise reported under the Lobbyist Regulation Act*" to register the campaign with the Secretary of State as soon as that \$2,500 threshold is reached. Then, within 15 days of the end of the next legislative session, the group must file a report listing its expenditures and who gave it money for the advertising campaign.

Berger contends that the group was registered as a lobbyist employer, and therefore only had to file reports due from lobbyist employers. Under the LRA, these would include the three reports due during the year, and special supplemental reports for large sums spent during the legislative session.

Because the group filed a supplemental employer report in January just after the legislative session kicked off, it wasn't required to file the more detailed advertising report, Berger said. "If you've reported as the employer, you're done, and you do the employer reporting," Berger said in an interview. "And if you don't, then you have to register and report as a lobbying advertising campaign."

The ethics commission doesn't agree.

"Registering as a lobbyist employer and registering a lobbying advertising campaign are not mutually exclusive," Amelia Bierle, deputy director of the commission, wrote in an email. "There are many organizations that file both types of registrations under the Lobbyist Regulation Act."

In its complaint, the ethics commission alleged the group's January report was for money spent for upcoming advertising during the legislative session, rather than after-the-fact reporting of expenses related to the 2024 advertising. The complaint then listed a series of paid social media advertising spots by the group on Facebook and Instagram that began on the same day that the supplemental January report was filed.

"Therefore, those expenditures have not otherwise been reported and should have triggered the additional reporting requirements," Bierle wrote about the 2024 advertising expenses.

New Mexico In Depth reviewed the group's filings as a lobbyist employer in the Secretary of State's searchable online portal. The group didn't file any of its regular lobbyist employer reports. One was due in October after the advertising began. Another was due in January several weeks before the supplemental report it filed. And another was due last month. Nor did it file statements saying it had no activity, the Secretary of State confirmed.

However, under the law, a lobbyist can file reports that stand in for their employer's reports. The group's registered lobbyist, Stephanie Maez, filed reports showing no money spent on lobbying, which makes the organization up-to-date on the number of regular reports they must file, according to the Secretary of State's office. But that compliance doesn't answer the underlying question posed by the ethics complaint, which is whether the group should have filed a lobbyist advertising campaign disclosure report.

Berger said the group filed the expenses on the supplemental report in January instead of in 2024 because, "they paid the bill when the bill came."

Lipshutz didn't answer whether the ethics commission accurately summarized the advertising by the group last fall and during the legislative session this year.

"We have fully complied with all Secretary of State filing requirements and are fully compliant," Lipshutz said in a text message.

Clarification: This story was updated to reflect that while the group did not file lobbyist employer reports in October, January and May, its lobbyist did file statements of no activity with the Secretary of State, which according to Secretary of State staff makes the group compliant with their reporting requirements. This compliance does not answer the underlying question of whether or not the group should have filed a lobbyist advertising campaign disclosure report, as the State Ethics Commission contends.