

**GEORGIA GOVERNMENT TRANSPARENCY AND CAMPAIGN FINANCE COMMISSION**  
**ADVISORY OPINION**  
**2010-09**

**QUESTION PRESENTED**

Whether lobbyists employed by a corporation which has established a holding company system may identify their client as one member corporation within the holding company system.

**ADVISORY OPINION**

The firm of Quarles & Brady represents a certain corporation established as a holding company system (the "Corporation"). The Corporation has established a separate entity, Service Company, to conduct lobbying and other government affairs activities on behalf of the affiliated companies of the Corporation. Service Company is the exclusive entity through which all lobbying activities are conducted on behalf of and for all the interests of the affiliated companies of the Corporation. Although the affiliated companies consult with Service Company, none of the affiliated companies directs or controls the Service Company lobbyists who represent their respective interests.

The Corporation has requested an advisory opinion regarding whether a lobbyist employed by Service Company may register Service Company as its client as opposed to the lobbyist individually registering each affiliated company of the Corporation as a client. The Commission believes this is a permissible practice so long as the registrant provides the registration information outlined below.

Section 21-5-71(b) of the Georgia Government Transparency and Campaign Finance Act (the "Act") outlines the following information an individual is required to provide in order to register as a lobbyist in Georgia.

- (b) Each lobbyist shall file an application for registration with the commission.  
The application shall be verified by the applicant and shall contain:
  - (1) The applicant's name, address, and telephone number;
  - (2) The name, address, and telephone number of the person or agency that employs, appoints, or authorizes the applicant to lobby on its behalf;**
  - (3) A statement of the general business or purpose of each person, firm, corporation, association, or agency the applicant represents;**
  - (4) If the applicant represents a membership group other than an agency or corporation, the general purpose and approximate number of members of the organization;
  - (5) A statement signed by the person or agency employing, appointing, or authorizing the applicant to lobby on its behalf;**
  - (6) If the applicant is a lobbyist within the meaning of subparagraph (G) or (H) of paragraph (5) of Code Section 21-5-70, the name of the state agency or agencies before which the applicant engages in lobbying;

- (7) A statement disclosing each individual or entity on whose behalf the applicant is registering if such individual or entity has agreed to pay him or her an amount exceeding \$10,000.00 in a calendar year for lobbying activities; and**
- (8) A statement verifying that the applicant has not been convicted of a felony involving moral turpitude in the courts of this state or an offense that, had it occurred in this state, would constitute a felony involving moral turpitude under the laws of this state or, if the applicant has been so convicted, a statement identifying such conviction, the date thereof, a copy of the person's sentence, and a statement that more than ten years have elapsed since the completion of his or her sentence.

Subsections 2, 3, 5 and 7 of Section 21-5-71(b) require certain information regarding the clients or employers of the registered lobbyists. Specifically, subsection (2) requires the contact information of the entity that authorized the applicant to lobby; subsection (3) requires the general business purpose of the entities the applicant represents; subsection (5) requires verification of the agency relationship between the lobbyist and the entity represented; and subsection (7) requires a statement identifying whether the entity compensates the lobbyist greater than \$10,000 in any calendar year.

Applying the Act's requirements for registration to the Service Company scenario, a lobbyist employed by Service Company may register "Service Company and its affiliates" as its client so long as the name of the ultimate parent or holding company name is identified in the registration or listed under the section, "Lobbying on Behalf of." Additionally, the lobbyist should include the various business interests of the Corporate affiliates in the "General Business or Purpose of Party Lobbied For" section. Service Company must, of course, disclose all expenditures which are made on behalf of the Corporation or any of its affiliates. Additionally, if an affiliated company of the Corporation begins to lobby separately on its own behalf, such affiliated company must be separately registered with the Commission by its retained lobbyist.

If the above information is included in the registration, the registration would appear to meet the requirements of the Act.

Prepared by: Stacey Kalberman, Executive Secretary  
February 7, 2011