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3 **ADVISORY OPINION**  
4 **C.F.C 2011-06**

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6 **QUESTIONS PRESENTED**  
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- 8 1. Whether or not the wearing of a lobbyist badge is required in facilities rented and leased, as well as  
9 owned, by the state government.  
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11 2. Whether or not a registered lobbyist who is serving as a member of a state agency board,  
12 commission, department, or authority is required to wear and display their lobbyist badge while  
13 serving on that state agency board, commission, department, or authority in a government building.  
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15 **RESPONSE**  
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17 The Commission has been requested to issue an advisory opinion seeking guidance on lobbyist  
18 conduct with respect to the two above points of inquiry. As the Commission has reiterated in recent  
19 opinions, it is bound by the Ethics in Government Act (the "Act") "[t]o do any and all things necessary  
20 or convenient to enable it to perform wholly and adequately its duties and to exercise the powers  
21 *specifically authorized to it in this chapter.*" O.C.G.A. § 21-5-6(a)(8) (*emphasis supplied*). Accordingly,  
22 the Commission must follow the statutory text of the Act. *Id.*; *see also Barnett v. Farmer*, 308 Ga. App.  
23 358, 361 (Ga. Ct. App. 2011) (holding "[t]he Supreme Court of Georgia has instructed that the best  
24 indicator of the General Assembly's intent is the statutory text it actually adopted..."). Hence, the Act's  
25 text controls this, and all, inquires that are placed before the Commission.  
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27 With the above mandatory framework in mind, the controlling portion of the Act for both of the  
28 questions presented is O.C.G.A. § 21-5-71(g) which states: "[e]ach lobbyist while engaged in lobbying  
29 at the capitol or in a government facility shall display said identification [a lobbyist badge] in a readily  
30 visible manner."  
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32 Under O.C.G.A. § 21-5-71(g) a lobbyist "shall display" their lobbyist badge "while engaged in  
33 lobbying". Therefore, a lobbyist who is engaged in lobbying in a building owned, rented, or leased by  
34 the state government must display their lobbying badge.  
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36 Similarly, a registered lobbyist who is serving as a member on a state agency board, commission,  
37 department, or authority inside a government building is not required to display their lobbyist badge  
38 because that lobbyist is not engaged in lobbying; i.e., that registered lobbyist is serving on a state agency  
39 board, commission, department, or authority. If, at anytime, the registered lobbyist serving on the state  
40 agency board, commission, department, or authority inside a government building begins to engage in  
41 lobbying, then that lobbyist would be required to display their lobbyist badge.  
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