



OFFICE OF THE SECRETARY OF STATE

## **Grass-Roots Lobbying Frequently Asked Questions:**

**(Excerpts of the cited provisions and the Grass Roots Lobbying Statement are included after the FAQ.)**

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*In reviewing these FAQs, please note the distinction made between (i) mere, non-reportable Grass-Roots Lobbying “Communications” and (ii) organized, reportable Grass-Roots Lobbying “Events”, under the rules for Lobbyist Registration and Reports, 2 IL Adm. Code 560 (Code).*

### **What is a Grass Roots ‘Communication’:**

Grass Roots Communications only include certain types of correspondence. Section 560.100 of the Code, defines ‘grass roots lobbying communication’ to generally include any correspondence sent (i) to a segment of the general public to encourage correspondence with an official or (ii) to an official by any segment of the general public, in support or opposition to governmental action. *Example: Postcards asking recipients to write their State Official to support or oppose an issue.*

### **Does a person or entity need to register for lobbying with the Secretary of State if participating in the production of a Grass-Roots Communication?**

No, the definition of ‘lobbying’ in Section 560.100 of the Code specifically excludes grass-roots communications. There is, however, a small caveat to this rule for persons who are being paid to perform ‘contractual’ grass-roots services. The contractor must register if there is contact with officials involving more than just ‘routine communication’ about the grass-roots endeavor (see Section 560.210 of the Code).

*Example: While non-reportable to mail grass-roots correspondence to an official or to instruct that citizens contact the official; it would become reportable if the paid contractor repeatedly contacted an official to impart material information for or against an issue. For instance, a ‘grass-roots’ contractor could ask an official about procedural matters, such as addresses, scheduling, or transportation; but the expense for the contractors’ services would become reportable if they conducted substantive discussions with the official to lobby about policy.*

### **Does a registered lobbying entity have to report the expenses for making or distributing grass-roots communications?**

No, Section 560.350 of the Code specifically excludes these types of expenses from the lobbyist reporting requirements. Again, to remain non-reportable, however, this type of correspondence must not involve other than routine contact with any State official (see Section 560.210 of the Code).

### **What is a Grass Roots Lobbying ‘Event’?**

Section 560.100 of the Code defines ‘grass roots lobbying event’ as any organized activity sponsored by a registered entity to influence the actions of officials by inviting or transporting participants to a specific site where officials are expected to be accessible for lobbying

communications. *Note that this definition focuses specifically on 'organized events' only and would not include any type of impromptu meetings or walk-in constituent office-visits.*

**Does a registered entity have to report the expenses for grass-roots lobbying events?**

Yes, these expenses must be reported as there are no exceptions for these organized events from the lobbying reporting requirements. In addition to the lobbying-entity reporting these expenses, citizen participants also must submit a grass-roots lobbying statement for any expense they made on an 'official' due to the event.

**What is a Grass Roots Lobbying Statement?**

This statement reports an expenditure made on an "official" by a citizen participating in a grass-roots lobbying event. These statements allow grass-roots participants to submit reportable expenditures without the participants having to register themselves as lobbyists. The completed statements by the participants are given back to the lobbying entity that sponsored the grass-roots lobbying event. Samples of this form are available on the last pages of these FAQ and online through the Lobbyist Activities materials link at [www.cyberdriveillinois.com](http://www.cyberdriveillinois.com).

**How would the Registered Lobbying Entity know if a citizen was spurred by a grass-roots event to make a reportable expense on an official?**

Sections 560.325 and 560.326 of the Code require the registered entity to inform the participants in writing that any reportable expenditure incurred due to the event must be disclosed to the registrant. The registered entity would then give a blank Grass Roots Lobbying Statement only to those participants who report back with an expenditure so the participant can complete the form and return to the registrant. Note that the reporting of the grass-roots lobbying statement is not contingent upon whether the sponsoring entity reimbursed the participant for the expense. Section 560.326 of the Code, however, places the burden of the report upon the participant by stating that if the grass-roots expense is not reported to the sponsor, then the participant must register as a lobbyist. *In other words, lobbying entities are not responsible for reporting expenses that are not brought to their attention by the participant.*

**Does the citizen participant who submits a Grass-Roots Lobbying Statement have to register as a 'Lobbyist'?**

No, Section 560.210 of the Code specifically excludes these participants from the lobbyist registration requirements, as long as they submit within thirty days any reportable expenses made upon an official to the registered entity that is sponsoring the grass-roots event.

**What then does the registered entity do with a grass-roots lobbying statement from a participant?**

Under Section 560.326 of the Code, the entity must file the participant's statement as an addendum to the sponsoring entity's bi-monthly expenditure report.

Excerpted Materials:

TITLE 2, ILLINOIS ADMINISTRATIVE CODE, PART 560 LOBBYIST REGISTRATION AND REPORTS:

**Section 560.100 Definitions**

The following definitions shall apply to this Part:

\* \* \*

"Grass Roots Lobbying Communication" means:

correspondence by a representative (a lobbyist or a non-lobbyist) of a registered entity to the general public, or any segment thereof, encouraging correspondence to an official's office in support of, or opposition to, an executive, legislative or administrative action;

correspondence by a member of the general public, or any segment thereof, to an official's office in support of, or opposition to, an executive, legislative or administrative action when such correspondence is a result of a communication described above in this definition. A reportable expenditure made for or on behalf of an official by a member of the general public as a result of a grass roots lobbying communication shall constitute lobbying activity requiring that individual to register as a lobbyist unless that person reports the expenditure to the registered entity pursuant to Section 560.325. (by simply submitting a grass roots lobbying statement to the sponsoring entity)

"Grass Roots Lobbying Event" means:

any organized activity sponsored by a registered entity that is intended to influence the actions of officials by inviting or transporting participants (e.g., members, employees, constituents or the general public) to a specific site on the grounds of, or in the proximity of, public offices or other meeting places where officials are expected to be accessible for grass roots lobbying; or

any event to which officials are invited that is sponsored by a non-lobbyist member or employee of a registered entity, e.g., an on-site inspection of, or reception at, the member's or employee's place of business, or a social gathering at any location. Reportable expenditures incurred as a result of the event shall be reported to the registered entity pursuant to Section 560.325. (by simply submitting a grass roots lobbying statement to the sponsoring entity)

\* \* \*

"Lobby" and "Lobbying" means any communication with an official of the executive or legislative branch of State government as defined in this Section for the ultimate purpose of influencing any executive, legislative or administrative action. (Section 2(e) of the Act) Lobbying shall not be construed to infringe in any way the right of a citizen to lawfully petition any public official by any means of communication. The following are excluded from the definition of "lobbying":

\* Any grass roots lobbying communication as defined in this Section;

\* \* \*

(Source: Amended at 35 Ill. Reg. 12761, effective July 18, 2011)

**Section 560.210 Persons Not Required to Register**

This Part is not intended and shall not be construed to apply to the following:

\* \* \*

- m) Individuals or entities employed by a lobbying entity or other participants in a **grass roots lobbying event** whose lobbying activity is limited to participation at a **grass roots lobbying event**, and who report expenditures to the lobbying entity as prescribed by Section 560.325. However, persons or entities performing contractual **grass roots lobbying communication** services involved in organizing a **grass roots lobbying event or communication** shall register if there is contact with officials other than the routine communication that is the subject of the contract.

\* \* \*

(Source: Amended at 35 Ill. Reg. 12761, effective July 18, 2011)

**Section 560.220 Registration Requirements**

\* \* \*

- h) Persons solely engaged in **grass roots** lobbying as an employee of a lobbying entity or a participant in a **grass roots lobbying event** who make a reportable expenditure are required to register unless the expenditure is reported to the registered entity pursuant to Section 560.326.

(Source: Amended at 35 Ill. Reg. 12761, effective July 18, 2011)

**Section 560.300 Persons Required to File Semi-monthly Reports**

\* \* \*

- d) Participants in grass roots lobbying events who make reportable expenditures shall file reports as prescribed by Section 560.325. (by simply submitting a grass roots lobbying statement to the sponsoring entity)

(Source: Amended at 35 Ill. Reg. 12761, effective July 18, 2011)

**Section 560.320 Large Gatherings and Giveaways**

- \* \* \*
- c) Options for reporting large gatherings and giveaways that are sponsored by more than one entity:
- \* \* \*
- 3) A nonregistered sponsor who is a member of a registered association may report the expenditure through the association by filing an Expenditure Report Large Gatherings or Giveaways Schedule, along with a **Grass Roots Lobbying Statement**, with the association's authorized agent. The sponsor may use this option only when the association co-sponsors the event or consents to attach the forms to its expenditure report. \* \* \*
- (Source: Amended at 21 Ill. Reg. 405, effective January 1, 1997)

**Section 560.325 Reporting Expenditures by Participants in Grass Roots Lobbying Events**

A participant in a **grass roots** lobbying event (as defined in Section 560.100) who makes a reportable expenditure shall file a **Grass Roots Lobbying Statement** with the authorized agent of the sponsoring entity within thirty (30) days from the date of the event. The form shall include the name, address, and telephone number of the participant making the expenditure; the total amount of the expenditure; and the name and title of each official. If a participant fails to return to the sponsoring entity a **Grass Roots Lobbying Statement** disclosing any expenditure made on behalf of an official, or if the registered entity disclaims sponsorship of the event, the participant will be subject to the registration provisions of Section 560.200.

(Source: Amended at 21 Ill. Reg. 405, effective January 1, 1997)

**Section 560.326 Registrant's Duties for Grass Roots Lobbying Events**

Registered entities that sponsor a grass roots lobbying event shall be required to inform the participants in writing that any reportable expenditures incurred must be disclosed to the authorized agent of the registered entity. The registered entity shall distribute a **Grass Roots Lobbying Statement** to those participants deemed to have made a reportable expenditure. The authorized agent shall report **grass roots** lobbying expenditures by filing as an addendum to the sponsoring entity's report any **Grass Roots Lobbying Statements** received from participants pursuant to Section 560.325.

(Source: Added at 21 Ill. Reg. 405, effective January 1, 1997)

**Section 560.350 Personal and Office Expenses**

- \* \* \*
- b) Expenses relating to the development, production or distribution of any invitation, announcement, newsletter or grass roots lobbying communication, regardless of whether the communication is sent to officials, need not be reported.
- \* \* \*
- (Source: Amended at 21 Ill. Reg. 405, effective January 1, 1997)

## Illinois Lobbyists Electronic Expenditure Filing Instructions

**Grass Roots Lobbying Statement** - Use this statement to report an expenditure made by an individual who participates in a grass roots communication and makes an expenditure on an "official" during a Grass Roots communication or event sponsored by the registered entity. *These statements allow member organizations or individual members to make and report expenditure(s) through the registered umbrella organization without having to register themselves as lobbyists.*

### Grass Roots Expenditures:

- Date & amount of expenditure;
- Category of expenditure;
- Name of official who is recipient of the expenditure;
- Name, address and phone number of person making the grass roots expenditure.

**CYBERDRIVEILLINOIS**JESSE WHITE  
SECRETARY OF STATE

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### Grass Roots Lobbying Statement

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JOHN DOE is logged in![Lobbyist Home](#) | [Contact Us](#) | [Logout](#)

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**Entity ID:** 6314**Entity Name:** ABC LOBBYING SERVICES

**Reg Year:** 2011**Filing Period:** Dec 01 - Dec 15 - Period 23**Filing Type:** Original

  

**Expenditure Date** (MM/DD/YYYY):\*  
 /  / 2011

**Expenditure Amount:**\*  
\$

  

**Expenditure Category:**\*

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#### Select Official

Identify official on whose behalf the expenditure was made.

**Official's Employer:**\*

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#### Grass Roots Lobbyist Information

**First Name:**\*

**Middle Name:**

**Last Name:**\*

**Address:**\*

**Address:**

**City:**\*

**State:**\*

**Zip Code:**\*

**Phone Number:**\*

**Extension:**

\* = Required

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## Grass Roots Lobbying Statement View Screen

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### Expenditures - View Screen

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**Entity ID:** 6314    **Entity Name:** ABC LOBBYING SERVICES  
**Reg Year:** 2011    **Filing Period:** Dec 01 - Dec 15 - Period 23    **Filing Type:** Original

#### List of Grass Roots records

Rec#	Date Created	Exp Date	Exp Amount	Expenditure Category	Official's Name	
1	2011-12-14	2011-12-03	\$23.00	MEALS, BEVERAGES & ENTERTAINMENT	TOPINKA, JUDY BAAR	<a href="#">Edit</a> <a href="#">Delete</a>
2	2011-12-14	2011-12-05	\$15.00	MEALS, BEVERAGES & ENTERTAINMENT	WHITE, JESSE	<a href="#">Edit</a> <a href="#">Delete</a>

[Add](#)    [Return to Reporting Menu](#)

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Review each entered record.

- If record information needs to be changed, click Edit.
- If record needs to be removed, click Delete.
- If an additional expenditure record must be reported, click Add.
- If all Grass Roots expenditure records are complete, click Return to Reporting Menu to add additional types of expenditure records or proceed to next step.

**NOTE: Grass Roots Expenditure Totals do not appear on the Expenditure Summary Report.**

*[Please be advised that the training material provides only a brief summary of the lobbying requirements and responsibilities established by law and regulations. If you require additional information, please consult your legal counsel, the enabling laws, the corresponding rules, or the Secretary of State's Office for the complete text of the lobbyist provisions.]*