

# LOBBYING SYNOPSIS

1996-2022

## VIOLATIONS AND PENALTIES

**Any person who knowingly fails to register as a lobbyist as required by this subchapter shall be guilty of a misdemeanor. 29 Del. C. § 5837(a).**



### **Allegations of Failure to Register--Commission Op. No. 97-25**

A complaint was filed alleging that two State employees were lobbying for a national organization but had not registered with the Commission. By statute, any person who knowingly fails to register as required by lobbying statute shall be guilty of a misdemeanor. 29 Del. C. § 5837(a). The Commission may refer to the Commission Counsel any suspected violation for investigation. 29 Del. C. § 5837(d). The documents showed that the national organization was directing its members to lobby federal agencies so that beach replenishment funds would be given to local governments. The documents also showed that the organization was directing its members to contact local governments and urge them to seek any federal funding.

There were no facts or documents alleging that the two individuals were lobbying either Delaware General Assembly members or members of Delaware State agencies. The Delaware lobbyists' registration statute requires that those who lobby members of the Delaware General Assembly, or members of any Delaware State agency, must register with this Commission. 29 Del. C. § 5831(a)(1). As the evidence indicated that the lobbying was to be directed at the federal government and local governments, not at the Delaware General Assembly or agencies, the Commission held that the allegations failed to state a claim under the Delaware statute, and that it had no jurisdiction over any Federal or Local laws or ordinances that dealt with lobbying.