Lobbyist Code of Ethics

Section 1. General Principles of Conduct.

A lobbyist shall abide by the rules of the House and Senate, as well as instructions directed at lobbyists by the House and Senate.

A lobbyist shall be courteous and respectful to legislators and legislative staff.

A lobbyist shall adhere to the highest standards of honesty.

A lobbyist shall not attempt to influence any legislator or legislative employee by means of deceit or by threat of violence or economic or political reprisal against any person or property.

A lobbyist shall not knowingly provide false or misleading information to, or knowingly withhold critical information from, any legislator or legislative employee as to any material fact pertaining to legislation.

A lobbyist shall not knowingly omit, conceal, or falsify any information required through lobbyist registration and disclosure.

A lobbyist shall not cause or influence the introduction of any bill, substitute or amendment for the purpose of becoming employed to secure its passage or defeat.

A lobbyist shall not remove or attempt to remove any document from a legislator's or legislative employee's office, desk, file cabinet, reproduction machine, facsimile machine, computer, or any other place without explicit permission.

A lobbyist shall not engage in sexually harassing behavior or behavior that violates the Legislature's sexual harassment policy.

A lobbyist shall not offer employment to any legislator or legislative employee that impairs the legislator's or legislative employee's independence of judgment as to their official duties.

A lobbyist shall not induce or seek to induce any legislator or legislative employee into committing a violation of any statute or the rules of the House or Senate.

A lobbyist shall not accept or be compensated for services based on the passage or defeat or the approval or disapproval of legislation.

Section 2. Existing Laws Pertaining to Lobbyists.

See Alabama Ethics Law. (Code of Alabama,Chapter 25 of Title 36)

Section 3. Existing Rules Pertaining to Lobbying.

Joint Rules of the House and Senate.

Rule 26.

Prohibitions. No lobbyist shall be permitted upon the floor of either house while it is in session, except as otherwise provided. No lobbyist shall circulate a cloture petition.

Rule 27.

Obligations of Lobbyist. A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator, including the gathering, dissemination and/or distribution of false, misleading, and/or malicious information by their employees, employers, or agents.

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

Rule 28.

Rules Committee Advisory Opinions. A lobbyist, when in doubt about the applicability and interpretation of the rules relating to lobbying in a particular context, may submit in writing a statement of the facts involved to the Joint Committee on Rules, which consists of the House Rules Committee and the Senate Rules Committee, and may appear in person before the committee.

Rule 29.

Penalties for Violations. Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the rules relating to lobbying shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any committee of the Legislature. The determination shall be made by a majority of the respective house upon recommendation of the Joint Committee on Rules. The Joint Committee on Rules, before making the recommendation, shall conduct a hearing, after notifying the person alleged to have violated this rule and granting such person an opportunity to appear at the hearing.

Rule 30.

Secretary or Clerk to Provide Forms. Upon the request of any member of the Legislature, the Secretary or Clerk shall obtain and provide to the requesting member a copy of any lobbyist registration form filed with the State Ethics Commission.

Rule 31.

Committees to be Diligent. Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of law relating to lobbying, and to report violations. No committee member knowingly shall permit a person required by law to be registered as a lobbyist who is not registered as a lobbyist.

Senate Rules.

Rule 4.

No person shall be admitted to the floor of the Senate Chamber while the Senate is in session except current members of the Legislature; former members of the Legislature; former Governors or Lieutenant Governors, except registered lobbyists; the officers and employees of the two houses; up to three employees of the President of the Senate; up to three employees of the President Pro Tempore; the Governor and up to two of his or her employees; representatives of the press; and the Directors and employees of the Legislative Reference Service and the Legislative Fiscal Office. The Director of the Office of Examiners of Public Accounts, the Director of the Alabama Law Institute, the legal counsel for the Rules Committee Chairman, and one employee of the majority caucus and two employees of the minority caucus shall also be admitted to the floor in aid of the Senate in its work. Anyone admitted to the floor of the Senate Chamber shall be placed by the Secretary of the Senate. The Secretary shall ensurethat the presence of non-members shall not impede the business of the Senate. On the first legislative day of any Regular, Special, or Organizational Session, the families of the members of the Senate shall have the privileges of the floor, but only for that specific legislative day. This rule shall be enforced by the Secretary of the Senate without such enforcement being suggested or requested by a member of the Senate.

Rule 6.

No person shall be allowed to lobby in the Senate Chamber while the Senate is in session. In the event a lobbied senator files a written complaint with the Secretary of the Senate stating that a former member/lobbyist has lobbied him/her while on the floor of the Senate, the Secretary shall notify the former member/lobbyist of the complaint. In the event a second written complaint is filed by a member against a former member/lobbyist, said former member/lobbyist's floor privileges shall be automatically suspended for twelve months, and the Secretary shall so notify the former member/lobbyist and the Senate.

Rule 48(a)(1).

(a) There shall be sixteen (16) standing committees. The Chairperson of each standing committee shall have the power to appoint subcommittees to aid in the work of the Committee. However, all subcommittee reports shall be subject to review and approval by the standing committee as a whole. A majority of the membership of each standing committee shall constitute a quorum to conduct business, and all standing committees shall meet formally to consider bills before it. In no instance shall any committee report for second reading a bill which was not considered in formal committee meeting. For purposes of this rule, a formal meeting shall be one in which all the members of the committee have been notified of the time and place of the committee meeting, and the committee meeting so held with a quorum present. The standing committees of the Senate shall be on the following subjects:

(1) The Committee on Rules shall have supervision over the Revision of the Journal, Enrolled Bills, and Engrossed Bills. In addition, the Committee on Rules shall consider and report on matters required by the Rules of the Senate, as follows: motions or resolutions to set aside a regular order of business (Rule 9); motions or resolutions for a Special Order (Rules 9 and 13); special rules that debate on a pending measure shall cease at a certain hour and a vote be taken on the measure (Rule 20); propositions to suspend, modify, or amend any rule or any part thereof (Rule 35); all resolutions that may be referred to it (Rule 55). Also, the Committee on Rules shall render advisory opinions to any lobbyist who seeks advice about the rules relating to lobbying, and the committee shall make recommendations regarding the imposition of penalties prescribed for violations of the rules relating to lobbying. The Chairperson of the Committee on Rules shall have power to designate the Vice Chairperson of the Committee to act as Chairperson. Such designation shall be in writing and shall be filed with the Secretary of the Senate. The Committee on Rules shall not exceed 16 members.

House Rules.

Rule 1.

The Clerk shall on meeting days, thirty minutes before the session begins, clear the floor of the House of all unauthorized persons.

The proceedings of the House shall be public but no person shall be admitted to the floor of the House while the same is in session, except members of the Legislature, the officers and employees of the two Houses, the Governor and his or her representative, the Lieutenant Governor and his or her representative, legislative interns, news media representatives who shall be placed by the Clerk of the House, and other persons to whom the members, by unanimous vote, extend the privileges of the floor.

The families of the members of the House shall have the privilege of the floor on the first legislative day of any regular or special session.

When former members are admitted to the floor, they shall not engage in any lobbying activities. Former members who are either registered lobbyists or who are employed by

registered lobbyists shall not have privileges of the floor. Former members who lobby on the floor may be banned from the floor for the remainder of a session, subject to a recommendation from the Internal Affairs Committee.

Rule 45.

No lobbyist or lobbying group shall have food delivered to the Housemembership while the House is actually in Session.