APS 2009 - State Lobbying Activities

PDF Version

Policy Profile

Policy Title:	State Lobbying Activities
APS Number:	2009
Effective:	January 7, 2010
Approved by:	President Bruce D. Benson
Responsible University Officer:	Vice President for Government Relations
Responsible Office:	Vice President for Government Relations
Policy Contact:	Office of Government Relations
Supersedes:	N/A
Last Reviewed/Updated:	October 15, 2014
Applies to:	University-wide

Policy Snapshot

Brief Description: Describes responsibilities and restrictions applicable to University employees with respect to state lobbying activities.

Reason for Policy: Establishes certain rights of and restrictions on University employees with respect to the lobbying activities covered by Title 24, Article 6, Part 3, C.R.S., but does not implement the reporting requirements of that statute.

I. Introduction

Title 24, Article 6, Part 3 of the Colorado Revised Statutes regulates state lobbyists, including lobbying by state officials and employees. This administrative policy statement establishes

certain rights of and restrictions on University employees with respect to the lobbying activities covered by Title 24, Article 6, Part 3, C.R.S., but does not implement the reporting requirements of that statute.

II. Policy Statement

A. No person may engage in state lobbying on behalf of the University except the following:
   1. the university president and chancellors;
   2. any university employee delegated by the president or the chancellors to engage in state lobbying on behalf of the university; or
   3. any individual retained by the University and authorized by the president to engage in state lobbying on behalf of the university.
B. Notwithstanding the forgoing, the chair of the University of Colorado Staff Council and the chair of the university faculty council may engage in state lobbying on behalf of their respective constituencies when acting in their capacities as elected representatives of their respective councils.
C. Any person who engages in state lobbying on behalf of the university must notify the Office of Government Relations and must comply with the reporting requirements of C.R.S. §§ 24-6-301 et seq. Guidance on such requirements may be obtained from the Office of Government Relations or the Office of University Counsel.
D. This administrative policy statement is not intended to restrict protected expression by university employees. Nor are employees restricted from identifying their profession and place of employment in the context of any private or personal state lobbying activities with state officials. However, in exercising this right, university employees must make it clear that they are not expressing an official position of the university.
E. *University funds* or other *university resources* may not be used for private or personal state lobbying. Any university employee who wishes to engage in private or personal state lobbying during ordinary working hours must take personal leave or, if there is no applicable policy on leave, must do so consistent with applicable university policies on conflict and commitment. Nothing in this paragraph, however, may be read to prohibit the individuals listed in paragraphs (1)(a), (1)(b), and (1)(c) of this policy from using *university funds* or *university resources* to engage in state lobbying consistent with their official duties.
F. The prohibitions of this policy shall not apply to student activities.

III. Related Policies, Procedures, Forms, Guidelines and Other Resources

A. Administrative Policy Statements (APS) and Other Policies
   - APS 2004-Federal Lobbing Activities
B. Guidelines
   - Guidelines on Inviting Government Officials to Campus
   - Campaign-Related Activities by Members of the University Community

IV. Definitions

Italicized terms used in this policy are defined in the Administrative Policy Statement Glossary except for terms relating specifically to this policy, in which case, they are listed below.

State lobbying communication means communicating directly, soliciting others to communicate directly, or any activities undertaken to prepare such direct communication in connection with the State Lobbying activities defined below. State lobbying communications include but are not limited to a transmittal of information, data, ideas, opinions, or anything of a similar nature orally, in writing, electronically or by any other means.

State lobbying means the following:

1. Engaging in a state lobbying communication with the state governor or lieutenant governor or their staff or with a member of the state general assembly or their staff for the purpose of:
    a. Aiding in or influencing the drafting, introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, or veto of any bill, resolution, amendment, nomination, appointment, or report, whether or not in writing, pending or proposed for consideration by either house of the general assembly or committee thereof, whether or not the general assembly is in session;
    b. Aiding in or influencing any other matter pending or proposed in writing for consideration by either house of the general assembly or a committee thereof, whether or not the general assembly is in session;
    c. Aiding in or influencing the convening of a special session of the general assembly or the specification of business to be transacted at such special session.
2. Engaging in a state lobbying communication with any state official, board, or commission, or any member of a board or commission, for the purpose of influencing the drafting, amendment, adoption, or defeat of any rule, standard, or rate if such official, board or commission has rule-making authority and jurisdiction over the subject matter of such rule, standard, or rate.

State lobbying **does not include** any state lobbying communication made by:

1. A university employee in response to a statute, rule, regulation, or order requiring such a communication;
2. A university employee who gives testimony before a committee of the general assembly or a rule-making board or commission as a result of a mandatory order or subpoena commanding that the employee appear or testify, or making the employee a respondent in an official proceeding before the committee, board, or commission;
3. A university employee in the course of his or her official duties for the purpose of providing information to a state official, board, or commission, or any member of a board or commission, provided that such employee has informed the president or a chancellor, or a designee of the president or a chancellor, and notifies the Office of Government Relations, in advance of such communication and provided that such communication is within the purview of the employee?s responsibilities;
4. A university faculty member regarding subject matter which is within the faculty member?s area of expertise or academic interest or which is related to a university course, provided that faculty member clarifies that he or she does not represent the views of the University and notifies the Office of Government Relations prior to the communication;

5. A university faculty member or student during an academic exercise related to a university course, provided that faculty member clarifies that the communication does not represent the views of the university and makes the Office of Government Relations aware of the activities prior to the communication.

V. History

Initial Policy effective January 7, 2010

Reviewed with minor cleanups, October 15, 2014

VI. Key Words

CRS 24-6-3, state, lobby, government, relation, amendment, rule, politics, legislation, legislator, house, senate, bills, act, governor, elected, official, senator, representative, capitol, capital

Attachments:
Video:
Images:
Groups audience:
Office of Policy and Efficiency (OPE)

Source URL: https://www.cu.edu/ope/policy/aps-2009-state-lobbying-activities