



## The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth

Laurie Flynn  
Chief Legal Counsel

August 22, 2011  
LAO/11-XX

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]:

I have received your request for an advisory opinion with regard to lobbying in Massachusetts. See G.L. c. 3, § 41. Specifically, you inquired whether you were required to register with this office as a lobbyist or whether you must register your company as a lobbyist entity.

In the request, you stated that you hold the position of Executive Director of the [REDACTED]. Additionally, you stated that you work as an independent contractor for [REDACTED] in the Executive Director role, where [REDACTED] is your sole client. Furthermore, you indicated in the request that you currently function as the sole proprietor of your own company, [REDACTED].

Pursuant to M.G.L. c. 3, § 39, a lobbyist entity is defined as follows:

an entity providing lobbyist services, consisting of at least 1 legislative or executive agent, including foreign or domestic corporation, association, sole proprietor, partnership, limited liability partnership or company, joint stock company, joint venture or any other similar business formation.

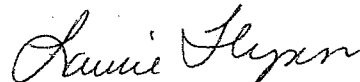
G.L. c. 3, § 39.

If lobbyist services are provided to a client by an entity or organization, where even a single executive or legislative agent may be employed to provide those services, the definition of a lobbyist entity is satisfied. Pursuant to Section 39, a sole proprietor structured organization providing lobbyist services to a client satisfies the definition of a lobbyist entity.

Although your company may also conduct business activities unrelated to lobbying, you, as the sole proprietor of the company, are providing lobbying services to [REDACTED]. While you state within the request that you provide in-house services to [REDACTED], you also indicated that you are not an employee of the organization but are retained as an independent contractor.

Whereas your organization employs at least one lobbyist and has contracted with [REDACTED] to provide lobbyist services, this office requires that you register your company as a lobbyist entity and yourself as a lobbyist sub-agent of the company. Additionally, you must submit all appropriate online disclosure reporting forms as required. See G.L.c. 3, § 43. Furthermore, an organization receiving lobbying services from a registered lobbyist entity would be considered a client and must also register with the Lobbyist Section. See G.L.c. 3, § 41.

Very truly yours,



Laurie Flynn  
Chief Legal Counsel