

2020 Lobbyist Registration Audit of Elizabeth Powers

FINDING(S)

- 1. Elizabeth Powers failed to maintain and provide sufficient support to determine the timeliness of the registration.**
- 2. Elizabeth Powers failed to complete the required lobbyist training.**

EMPLOYER(S)

- Innocence Project

REGISTRATION(S)

Elizabeth Powers registered as a lobbyist for one employer during 2020. Based on the documentation provided by the lobbyist, the audit cannot determine the timeliness of the lobbyist registration. Elizabeth Powers was employed by the Innocence Project as a state policy advocate. The position included lobbying duties in several jurisdictions. For the State of Tennessee, the lobbyist registered on January 22, 2020 and the employer registered on January 29, 2020, indicating a need to lobby in Tennessee had been identified. However, the lobbyist was unable to support when or how the determination was made to register in Tennessee. The lobbyist was also unable to provide records such as internal email or communications to indicate the purpose of the registration at the time reported above. As such, Elizabeth Power's registration could be timely for 2020 or if the decision was made prior to registration, it could be late. If the event requiring registration occurred on or prior to January 1, 2020, then Elizabeth Powers had to register by January 8, 2020, to be within seven days required by statute for the 2020 lobbyist registration year. As noted above, the lobbyist did not register until January 22, 2020. This would mean at the maximum the registration would be 14 days late from January 8, 2020.

Based on review of the Bureau of Ethics and Campaign Finance's lobbyist records, Elizabeth Powers paid all registration fees.

LOBBYING AGREEMENT(S)

Based on a review of the audit documentation provided, Elizabeth Powers was a direct employee of the employer. The employer had no employment contract with the lobbyist employee. However, per statements of the lobbyist, the employer, and review of the job description, it appears the terms of employment were within the statutes for lobbying activities, including having no terms for contingency payments based on lobbying success.

FAMILY OR BUSINESS ARRANGEMENTS WITH PUBLIC OFFICIALS

Elizabeth Powers reported no business or familial relationships with persons who were officials in the legislative branch or officials in the executive branch.

TRAINING

According to the Bureau of Ethics and Campaign Finance's lobbyist records, Elizabeth Powers did not complete required lobbyist training for the 2020 registration year. T.C.A. § 3-6-114(b) requires each registered lobbyist to complete an annual training course. When a lobbyist completes the training online, the system records the training on the web-based system. If the lobbyist attends the legislative ethics training, their name is recorded at the training event and then administratively entered into the system records. Based on the review of the system records, Elizabeth Powers did not complete the training online or by attendance during 2020. The Bureau of Ethics and Campaign Finance's lobbyist records indicate Elizabeth Powers paid all training fees.