

Tennessee Bureau of Ethics and Campaign Finance
Tennessee Ethics Commission
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**INSTRUCTIONS TO
DISCLOSURE OF CONSULTING AND
CAMPAIGN SERVICES FORM**

GENERAL INSTRUCTIONS

Purpose of form: The Disclosure of Consulting Services form is used to report to the Tennessee Ethics Commission those disclosures that are required by T.C.A. §§ 2-10-125 & 126. Effective August 15, 2022, this includes disclosure of contracts relating to both “consulting services” and “campaign services” pursuant to Public Chapter 1087 (2022).

Consulting Services: This form is to be used to disclose contracts by or between any person or entity (other than the state, a county, or a municipality) and:

- Any staff or employee of the general assembly
- Any member of a commission established by and responsible to the general assembly or either house of the general assembly;
- Any member or employee of a state regulatory commission (including, but not limited to, directors of the Tennessee regulatory authority); or
- Any member or employee of any executive department or agency or other state body in the executive branch

to pay a fee, commission, or any other form of compensation for consulting services. The term “consulting services” is defined by T.C.A. § 2-10-122, subsections (1) & (2).

Campaign Services: This form is also to be used to disclosed contracts by and between any person or entity (other than the state, a county, or a municipality) and:

- Any member of the general assembly, or,
- A staff person or employee of the general assembly

for the provision of campaign services to a candidate for state office. The term “campaign services” is defined by T.C.A. §§ 2-10-125(f) and 2-10-126(f).

Who must file the Disclosure form? Under T.C.A. § 20-10-125, any individual or business/other entity that contracts to PAY a fee, commission, or any other form of compensation for either consulting or campaign services must file a disclosure. In addition, under T.C.A. § 2-10-126, the individual who has contracted to RECEIVE the fee, commission, or any other form of compensation for either consulting or campaign services must also file a Disclosure.

What must be disclosed? Each form must be completed in its entirety by each filer. Each filer must disclose detailed information regarding the contract for services entered into by the filer, including the date of the contract, the amount of the fee or compensation received, the date(s) services are to begin or be rendered (or occurred if completed), and a detailed description of the services to be provided under the contract. Further, each filer must disclose the full name of each individual and/or entity through whom payment flowed to or from the filer. For example, if payment was made to an individual operating a sole proprietorship, the name of the individual must be reported in addition to the name of the business entity. In addition, for example, if payment flowed to or through a business entity, the name of the owner and/or

operator(s) of the business, and/or any other representative involved in the sales or performance of the contract must be identified, including any subcontractors, if known.

Deadline for filing the Disclosure form: The Disclosure of Consulting Services and Campaign Services form must be submitted to the Tennessee Ethics Commission within five (5) days of entering into any contract for either consulting services and/or campaign services. After the initial filing, this report must be updated annually within five (5) days of the initial contract date in each subsequent year in which the contract is in effect. (Public Chapter 37, 2023).

Pursuant to T.C.A. §§ 2-10-125(d)(1) and 2-10-126(d)(1), it is a Class A misdemeanor for any person or entity to knowingly failure to file the required disclosure. Pursuant to T.C.A. §§ 2-10-125(d)(2) and 2-10-126(d)(2), it is a Class C misdemeanor for any person or entity to file a required disclosure more than thirty (30) days past its due date. In the event that the Commission determines that any required report was not appropriately filed, or was filed more than 30 days past its due date, the Commission may refer the matter to the appropriate law enforcement agency for prosecution.

**Disclosure forms which are not completed in full will not be accepted by the
Tennessee Ethics Commission.**