



WYOMING LEGISLATIVE SERVICE OFFICE

Fact Sheet

PUBLIC FUNDING OF GOVERNMENT ASSOCIATION MEMBERSHIP DUES

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This fact sheet was prepared for the 2025 Joint Corporations, Elections, and Political Subdivisions Interim Committee (Committee) to provide background information about other states' restrictions on the use of public dollars for government association membership dues in response to the Committee's request for more information during the May 8-9, 2025 meeting.

GOVERNMENT ASSOCIATIONS

Government associations are organizations that provide representation for different types and levels of government, including national, state, county, municipal, and special district associations. Government associations generally offer opportunities for networking and information sharing; professional development; consolidation of resources; compliance training; and participation in legislative activities, which may take the form of lobbying for specific actions of an appropriate legislative body. In addition to activities conducted as determined by each association, some associations have other statutorily required duties. For example, Wyoming Statute 9-2-1102 requires the Wyoming Police Chiefs Association, Wyoming Sheriffs Association, Wyoming Fire Chiefs Association, Wyoming Association of Municipalities or other municipal government association, and Wyoming County Commissioners Association or other county government association to serve as voting members on the Wyoming Department of Transportation Public Safety Communications Commission, whose purpose is improving public safety communications systems across Wyoming.

There are several government associations with county, municipal, and special district memberships in Wyoming. To highlight a few, the Wyoming Association of County Officers membership includes all 23 Wyoming counties;¹ the Wyoming Association of Municipalities has been providing services to local governments since 1928 and its membership spans Wyoming's

¹ Wyoming Association of County Officers, Membership Information, <https://wyowaco.org/membership-information/> (last visited June 20, 2025).

99 incorporated cities and towns;² and the Wyoming Association of Special Districts' membership includes approximately 120 special districts in the state representing 27 different types of special districts, including weed and pest control, rural health care, fire protection, and senior citizen districts.³

STATE RESTRICTIONS ON USE OF PUBLIC FUNDS FOR ASSOCIATIONS

Upon initial research, there does not appear to be any state that completely restricts the use of public dollars to pay local government association dues. That said, approximately one third of states do restrict the use of public dollars to pay for lobbying activities or memberships to associations that have paid lobbyists on staff, with variable exceptions and classifications of lobbying, while the remaining states do not have statutes forbidding the use of public funds for lobbying.⁴

Texas restricts state level agencies from using appropriated dollars to pay membership dues to any organization that pays any part of a lobbyist's salary⁵ and prohibits the use of local political subdivision public funds to compensate or reimburse lobbying activities over fifty dollars.⁶ New Hampshire's restrictions focus on distinguishing lobbying activities from other activities a member association conducts for public benefit by segregating funds so they are physically and financially separate.⁷ Colorado requires that local government-financed entities record for public inspection the name of individuals lobbying on behalf of an entity and the total amount expended annually,⁸ defining local government-financed entities as non-political subdivision organizations that derive any of their annual operating budget from dues, contributions, or other payments received from political subdivisions.⁹ Restrictions set by Connecticut, Florida, Illinois, and Iowa are specific to state executive agency funds and do not explicitly mention political subdivision funds or other funds.^{10,11,12,13} With regard to public employees, Oklahoma allows state officers and employees to lobby when required by their positions,¹⁴ while Indiana, Nebraska, and New Mexico do not

² Wyoming Association of Municipalities, Membership Directory, <https://wyomuni.org/about/membership-directory/> (last visited June 20, 2025).

³ Wyoming Association of Special Districts, Who We Are, <https://wyospecialdistricts.com/about-wasd/> (last visited June 20, 2025).

⁴ National Conference for State Legislatures, Limiting Public Funds for Lobbying (2021), <https://www.ncsl.org/ethics/limiting-public-funds-for-lobbying>

⁵ Tex. Gov. Code § 556.005.

⁶ Tex. Gov. Code § 305.026.

⁷ N.H. Rev. Stat. § 15:5.

⁸ C.R.S. § 29-1-902.

⁹ C.R.S. § 29-1-901.

¹⁰ Conn. Gen. Stat. § 1-101bb.

¹¹ Fla. Stat. § 11.062.

¹² Ill. Comp. Stat. § 170/11.3.

¹³ Iowa Code § 68B.8.

¹⁴ Okla. Stat. 74 § 4254.

consider public employees or public officials as lobbyists while acting in the scope of their duties.^{15,16,17}

STATE DEFINITIONS OF LOBBYING

Wyoming Statute 28-7-101(a) defines “lobby” or “lobbyist” as attempting to influence legislation. Many states include parameters or exceptions within definitions of “lobbying” or “lobbyist” to clarify what activities would not constitute lobbying or exclude public officials and their associations from the definitions.¹⁸ For example, North Dakota’s definition of lobbying exempts any person who is invited by a committee chairman to provide information¹⁹ and Idaho does not require individuals who limit their lobbying activities to appearances in public meetings or sessions of the legislature to register as lobbyists with the Idaho Secretary of State, among other exemptions.²⁰ Washington exempts an association’s or organization’s act of communicating with its members from its definition of lobbying.²¹ Alabama’s list of exemptions include people who appear before a legislative body to sell goods or services and members of organizations through payment of dues even when the organization engages in lobbying activities.²² As a final example, Montana’s definition of lobbying is:

“(11) ‘Lobbying’ means: (a)(i) the practice of promoting or opposing the introduction or enactment of legislation before the legislature or legislators; and (ii) the practice of promoting or opposing official action of any legislator or the legislature. (b) The term does not include: (i) actions described in (11)(a)(i) and (11)(a)(ii) when performed by a legislator, an elected state official, an appointed state official, an elected local official, an elected federal official, or an elected tribal official while acting in an official government capacity; or (ii) federal lobbying as described in [M.C.A.] 5-7-120.”²³

While Wyoming’s definition is broad, there are some parameters. W.S. 28-7-104 states that the statutory chapter regulating lobbyists does not apply to any public official²⁴ acting in an official capacity. The statute does not mention Wyoming public employees, however, the Office of the Attorney General provides guidance annually to agency heads clarifying the difference between

¹⁵ I.C. § 2-7-1-10(b)(1).

¹⁶ Neb. Rev. Stat. § 49-1434.

¹⁷ N.M. Stat. § 2-11-2(E).

¹⁸ National Conference for State Legislatures, How States Define Lobbying and Lobbyist (2025), <https://www.ncsl.org/ethics/how-states-define-lobbying-and-lobbyist>

¹⁹ N.D. Cent. Code § 54-05.1-02.

²⁰ Idaho Code § 67-6618(1).

²¹ Wash. Rev. Code § 42.17A.005(34).

²² Ala. Code § 36-25-1(21).

²³ M.C.A. § 5-7-102(11).

²⁴ The term “public official” is not defined in Wyoming Statute Title 28, Chapter 7 in the context of lobbying, but is defined as “an individual elected to a state or local office, or an individual who is appointed to fill a vacancy in a state or local office, whether or not the individual has yet assumed the office” by W.S. § 9-13-102(a)(xiv).

lobbying and providing programmatic information.²⁵ There is also a statutory financial parameter for individuals who attempt to influence legislation and receive reimbursement or compensation of more than five hundred dollars annually, and as such, are required to register with the Secretary of State's Office and list any organizations they represent.²⁶ As of June 30, 2025, 157 individuals were registered as lobbyists through the Secretary of State's Office for the period of May 1, 2025 through April 30, 2026.²⁷ Registered lobbyists listed several types of entities they represent, including trade organizations, special interest groups, private business industries, and government associations, like the Wyoming County Commissioners Association or the Wyoming Association of Municipalities. Other local government associations were not listed, like the Wyoming Association of Municipal Clerks and Treasurers or the Wyoming Association of County Officers, indicating that those organizations did not make payment to an individual exceeding five hundred dollars over an annual period to represent their interests via lobbying the legislature.

PREVIOUSLY PROPOSED LEGISLATION

Legislation has been previously proposed in Wyoming to restrict the use of public funds for government association membership dues but has not been enacted. Proposed 2025 HB 332 would have amended W.S. 18-3-522 to prohibit the use of county funds for membership in an association or organization of other counties or county officials.²⁸ Similarly, proposed 2021 SF 144 would have prohibited using tax revenue for lobbying-related expenses while providing exceptions to what may currently constitute lobbying. The definition of lobbying would have stayed largely the same, but the proposed legislation would have emulated exemptions used by other states like testifying before a governmental committee; providing data, education, proposed language, or information on proposed legislation; or conducting activities as a public official or public employee within the scope of their duties or informing the public regarding the impact of proposed measures on the official or employee's government operations or programs.²⁹

If you have any further questions, please do not hesitate to contact LSO Research at 777-7881.

²⁵ Office of the Attorney General, Memorandum on Lobbying to All Agency Heads, February 2024.

²⁶ W.S. § 28-7-101(b).

²⁷ Wyoming Secretary of State, Lobbyist List (2025), <https://lobbyist.wyo.gov/Lobbyist/Default.aspx>

²⁸ 2025 HB 332. Government membership and cooperation with associations. <https://www.wyoleg.gov/Legislation/2025/HB0332>

²⁹ 2021 SF 144. Public funds-lobbying. <https://www.wyoleg.gov/Legislation/2021/SF0144>