



## Revolving Door Restrictions by State, 2019

Generally, a revolving door policy prohibits a former officeholder or governmental employee from lobbying the same governmental agency or the same official actions for a reasonable “cooling-off period” after leaving public office. Most states (33 states) have some form of revolving door policy that restricts lobbying activity for one year or less. More than a dozen states impose at least a two-year ban on lobbying by some or all of its officials. Five states have different cooling-off periods for different types of officials. A number of states, such as California, New Mexico, New York, Mississippi and Texas, impose a permanent ban for working on identical official actions and/or contracts that the government officer was personally and substantially involved in while in public service.

Some states apply revolving door restrictions only to the legislative branch (9 states), some apply the restrictions only to the executive branch (5 states), but most apply the restrictions to both branches of government (29 states). More than half the states (26 states) also apply some form of revolving door restrictions to senior-level government employees. Another 7 states have no revolving door policy at all.

The lobbying restrictions vary in how narrow they are. Most states with restrictions (24 states) only prohibit former officials and employees from contacting current people and agencies in the government through oral or written communications and appearances (“lobbying contacts”), but allow all other activities such as strategic work behind a lobbying campaign, negotiating contracts and so forth (“lobbying activities”). More than a dozen states have stricter restrictions that ban these lobbying activities to varying degrees.

### 1. Prohibition applies to legislative officeholders only (9 states)

Alaska (1-year restriction) [§24-45-121(c)]  
Connecticut (1-year restriction) [§§2-16a, 1-84b]  
Delaware (1-year restriction) [§ 5837]<sup>1</sup>  
Hawaii (1-year restriction) [§84-18]<sup>2</sup>  
Indiana (1-year restriction) [2-7-5-7]<sup>3</sup>  
Maine (1-year restriction) [§1024]  
Maryland (1-year restriction) [§5-504]  
Minnesota (1-year restriction) [Minn. H.R. 9.35]<sup>4</sup>  
North Carolina (6-month restriction) [§163A-308]

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<sup>1</sup> Delaware – limited to the members of the General Assembly.

<sup>2</sup> Hawaii – restriction applies only to involvement in any contract funded while serving in office.

<sup>3</sup> Indiana – limited to the members of the General Assembly.

<sup>4</sup> Minnesota – restriction only applies to Members of the Minnesota House of Representatives.

## 2. Prohibition applies to executive officeholders only (5 states)

Arkansas (1-year restriction) [§21-8-102]  
Nevada (1-year restriction) [§ 281A.550]<sup>5</sup>  
New Mexico (1-year restriction) [§10-16-8]  
Texas (2-year restriction) [§§572.054, 572.069]<sup>6</sup>  
Wisconsin (1-year restriction) [§19.45(8)]

## 3. Prohibition applies to both legislative and executive officeholders (29 states)

Alabama (2-year restriction) [§36-25-13]  
Arizona (1-year restriction) [§38-504(a)(b)]  
California (1-year restriction) [§87406(b)]  
Colorado (2-year restriction) [Colorado State Const. Article XXIX, Section 4]  
Florida (2-year restriction) [§112.313(9)]<sup>7</sup>  
Georgia (1-year restriction) [§ 21-5-75]  
Iowa (2-year restriction) [§§68B.5A, 68B.7]  
Kansas (1-year restriction on contract lobbying) [§46-233(b)(c)]  
Kentucky (1-year restriction for executive officeholders on particular matters, 2-year restriction for legislative officeholders on lobbying) [§§6.757, 11A.040]  
Louisiana (2-year restriction) [§42:1121]  
Massachusetts (1-year restriction) [§268A]<sup>8</sup>  
Mississippi (1-year restriction) [§25-4-105(2)(3)(e)]<sup>9</sup>  
Missouri (6-month – 1-year restriction) [§§105.454(5)(6), 105]<sup>10</sup>  
Montana (1-2 year restriction) [§§ 2-2-105(3), 5-7-310]<sup>11</sup>  
New Jersey (1-year restriction) [§ 52:13C-21.4]  
New York (2-year restriction) [§73(8)(a)]  
North Dakota (2-year restriction) [N.D. Const., Sec. 2]  
Ohio (1-year restriction) [§102.03(A)]<sup>12</sup>  
Oregon (through next legislative session – 2-year restriction) [§244.045(6)]<sup>13</sup>  
Pennsylvania (1-year restriction) [§1103(g)]  
Rhode Island (1-year restriction) [§36-14-5]  
South Carolina (1-year restriction) [§8-13-755]<sup>14</sup>  
South Dakota (2-year restriction) [§2-12-8.2]<sup>15</sup>  
Tennessee (1-year restriction) [§3-6-304(1)]

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5 Nevada - former public officers or employees of a board, commission, etc. shall not solicit or accept employment from a business or industry whose activities are governed by regulations adopted by the board, commission, etc.

6 Texas – 2-year lobbying contact ban applicable to Former Board Members and Executive Directors and 2-year employment ban with people that contracts were negotiated with/procured for applicable to involved former officers.

7 Florida-restriction will be extended to 6 years on December 31, 2022 [§ 38, Art. 2 § 8].

8 Massachusetts – restriction applies only to issues upon which the official worked during the last two years while in office.

9 Mississippi –permanent restriction contracts upon which the officials worked while serving in office.

10 Missouri – 6-month restriction on registering as a lobbyist; 1-year restriction on performing any services for consideration to influence a decision related to a matter they over which they had supervisory power.

11 Montana – 1-year restriction for voluntary termination of employment.

12 Ohio – restriction applies to matters in which the public official participated in.

13 Oregon – 2-year restriction applies to public officials who invested public funds. Legislators are restricted through the next legislative session; this will be extended to 1 year as of January 1, 2020.

14 South Carolina – restriction applies only to issues upon which the official worked while serving in office.

15 South Dakota – restriction applies only to lobbying for a private entity.

Utah (1-year restriction) [§67-24-103]<sup>16</sup>  
Vermont (1-year restriction) [§266]<sup>17</sup>  
Virginia (1-year restriction) [§§2.2-3104, 30-103]  
Washington (1-2 year restriction) [§ 42.52.080]<sup>18</sup>  
West Virginia (1-year restriction) [§§6B-2-5(g), 6B-3-2]

#### **4. Prohibition also applies to staff in a decision-making capacity (26 states)**

Alabama (2-year restriction) [§36-25-13]  
Arizona (1-year restriction) [§38-504(a)(b)]  
Arkansas (1-year restriction) [§21-8-102]  
California (1-year restriction) [§87406(b)]  
Connecticut (1-year restriction) [§§2-16a, 1-84b]  
Florida (2-year restriction) [§112.313(9)]<sup>19</sup>  
Hawaii (1-year restriction) [§84-18]  
Iowa (2-year restriction) [§§68B.5A, 68B.7]  
Kentucky (1-year restriction for executive official only) [§11A.040]  
Louisiana (2-year restriction) [§42:1121]  
Massachusetts (1-year restriction) [§268A]<sup>20</sup>  
Mississippi (1-year restriction) [§25-4-105(2)(3)(e)]<sup>21</sup>  
Missouri (6-month – 1-year restriction) [§105.454(5)(6), 105]<sup>22</sup>  
Montana (1-year restriction) [§ 2-2-105(3)]  
New Jersey (1-year restriction) [§52:13C-21.4]  
New Mexico (1-year restriction) [§10-16-8]  
New York (2-year restriction) [§73(8)(a)]  
Ohio (1-year restriction) [§102.03(A)]<sup>23</sup>  
Pennsylvania (1-year restriction) [§1103(g)]  
South Carolina (1-year restriction) [§8-13-755]<sup>24</sup>  
South Dakota (2-year restriction) [§2-12-8.2]<sup>25</sup>  
Texas (2-year restriction) [§§572.054, 572.069]<sup>26</sup>  
Virginia (1-year restriction) [§2.2-3104, 30-103]

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<sup>16</sup> Utah - exceptions: lobbying on behalf of oneself or a business with which one is associated, unless the primary activity of the business is lobbying or governmental relations.

<sup>17</sup> Vermont - exceptions: lobbying solely by testifying before committees of the General Assembly and agencies [§262]

<sup>18</sup> Washington – 1 year restriction applies to employment with entities if the officials worked on contracts with them in the last two years while serving in office; 2-year restriction applies to interest in a contract or grant authorized or funded by legislative or executive action in which the former officer participated.

<sup>19</sup> Florida-restriction will be extended to 6 years on December 31, 2022 [§ 38, Art. 2 § 8].

<sup>20</sup> Massachusetts – restriction applies only to issues upon which the official worked during the last two years while in office.

<sup>21</sup> Mississippi – restriction only applies to contracts upon which the officials worked while serving in office.

<sup>22</sup> Missouri - 6-month restriction on registering as a lobbyist; 1-year restriction on performing any services for consideration to influence a decision related to a matter they over which they had supervisory power.

<sup>23</sup> Ohio – restriction applies to legislative officials lobbying the legislature; executive officials lobbying issues upon which they had worked while in office.

<sup>24</sup> South Carolina – restriction applies only to issues upon which the official worked while serving in office.

<sup>25</sup> South Dakota - restriction applies only to lobbying for a private entity.

<sup>26</sup> Texas – 2-year lobbying contact ban applicable to Former Board Members and Executive Directors and 2-year employment ban with people that contracts were negotiated with/procured for applicable to involved former employees

Washington (1-2 year restriction) [§42.52.080]<sup>27</sup>  
West Virginia (1-year restriction) [§6B-2-5(g)]  
Wisconsin (1-year restriction for executive official only) [§19.45(8)]

## 5. Prohibition against lobbying contacts only (24 states)

Alaska (1-year restriction) [§24-45-121(c)]  
Arizona (1-year restriction) [§38-504(a)(b)]  
California (1-year restriction) [§87406(b)]  
Colorado (2-year restriction) [Colorado State Const. Article XXIX, Section 4]  
Delaware (1-year restriction) [§ 5837]  
Florida (2-year restriction) [§112.313(9)]<sup>28</sup>  
Georgia (1-year restriction) [§ 21-5-75]  
Hawaii (1-year restriction) [§84-18]  
Kentucky (1-year restriction for executive officeholders, 2-year restriction for legislative officeholders) [§§6.757, 11A.040]  
Maine (1-year restriction) [§1024]  
Massachusetts (1-year restriction) [§268A]  
Montana (1-2 year restriction) [§ 2-2-105(3), § 5-7-310]<sup>29</sup>  
New Jersey (1-year restriction) [§52:13C-21.4]  
North Carolina (6-month restriction) [§163A-308]  
Ohio (1-year restriction) [§102.03(A)]  
Oregon (through next legislative session – 2-year restriction) [§244.045(6)]<sup>30</sup>  
Pennsylvania (1-year restriction) [§1103(g)]  
Rhode Island (1-year restriction) [§36-14-5]  
South Carolina (1-year restriction) [§8-13-755]<sup>31</sup>  
South Dakota (2-year restriction) [§2-12-8.2]<sup>32</sup>  
Texas (2-year restriction for former Board Members and Executive Directors) [§§572.054]  
Utah (1-year restriction) [§ 67-24-103]<sup>33</sup>  
Virginia (1-year restriction) [§§2.2-3104, 30-103]  
West Virginia (1-year restriction for legislative officeholders) [§§6B-3-2, 6B-2-5(g)]

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<sup>27</sup> Washington – 1 year restriction applies to employment with entities if the officials worked on contracts with them in the last two years while serving in office; 2-year restriction applies to interest in a contract or grant authorized or funded by legislative or executive action in which the former officer participated.

<sup>28</sup> Florida-restriction will be extended to 6 years on December 31, 2022 [§ 38, Art. 2 § 8].

<sup>29</sup> Montana – 1-year restriction for voluntary termination of employment.

<sup>30</sup> Oregon – 2-year restriction applies to public officials who invested public funds. Legislators are restricted through the next legislative session; this will be extended to 1 year as of January 1, 2020.

<sup>31</sup> South Carolina - restriction applies only to issues upon which the official worked while serving in office.

<sup>32</sup> South Dakota - restriction applies only to lobbying for a private entity.

<sup>33</sup> Utah - exceptions: lobbying on behalf of oneself or a business with which one is associated, unless the primary activity of the business is lobbying or governmental relations

## **6. Prohibition against other lobbying activities (13 states)**

Alabama (2-year restriction) [§36-25-13]<sup>34</sup>  
Arkansas (1-year restriction on regulatory matters) [§21-8-102]  
Iowa (2-year restriction) [§§68B.5A, 68B.7]<sup>35</sup>  
Kansas (1-year restriction on contracts issued) [§46-233(b)(c)]  
Louisiana (2-year restriction) [§42:1121]  
Maryland (1-year restriction) [§15-504]  
Mississippi (1-year restriction on new contracts) [§25-4-105(2)(3)(e)]  
Missouri (6-month – 1-year restriction) [§105.454(5)(6), 105]<sup>36</sup>  
New Mexico (1-year restriction) [§10-16-8]<sup>37</sup>  
North Dakota (2-year restriction) [N.D. Const., Sec. 2 “Lobbying and Conflicts of Interest”]  
Texas (2-year restriction for former executive officers and employees) [§572.069]  
Washington (1-2 year restriction on contracts issued) [§42.52.080]<sup>38</sup>  
Wisconsin (1-year restriction) [§19.45(8)]<sup>39</sup>

## **7. No revolving door policy (7 states)**

Idaho, Illinois, Michigan, Nebraska, New Hampshire, Oklahoma, and Wyoming

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<sup>34</sup> Alabama – prohibits “represent or serve for a fee.”

<sup>35</sup> Iowa – prohibits “act as a lobbyist.”

<sup>36</sup> Missouri - 6-month restriction on registering as a lobbyist; 1-year restriction on performing any services for consideration to influence a decision related to a matter they over which they had supervisory power.

<sup>37</sup> New Mexico – prohibits “represent for pay.”

<sup>38</sup> Washington – 1 year restriction applies to employment with entities if the officials worked on contracts with them in the last two years while serving in office; 2-year restriction applies to interest in a contract or grant authorized or funded by legislative or executive action in which the former officer participated.

<sup>39</sup> Wisconsin – prohibits “negotiating” legislative matters.