From: Yohey, Alissa [mailto:Alissa.Yohey@wilsonelser.com]
Sent: Monday, January 11, 2016 5:42 PM
To: Levine, Martin (JCOPE)
Cc: O'Brien, Alyssa
Subject: FW: JCOPE--Social Media

Hi Martin:

Please find below comments to the proposed advisory opinion on when social media activity would be considered lobbying as defined under the Lobbying Law, which we are forwarding to you on behalf of one of our clients. Please note that our client wishes to submit these comments anonymously. These comments are solely those of our client and in no way reflect the views or opinion of Wilson Elser on the proposed advisory opinion.

I appreciate your assistance with this matter. Should you have any questions or require anything further, please do not hesitate to contact me.

Thank you!

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- The proposed guidance would address when social media activity counts as lobbying
- Essentially, the guidance could require that organizations be required to report social media activity, including tweeting at elected officials or accounting for costs when lobbying messages are re-tweeted.
- This is problematic because:
    - It would sweep in a large amount of activity that is not always traceable to the organization
        - For instance, the commission is potentially proposing to have statements made on a personal social media page count as lobbying which would be largely invasive
    - It would potentially involve augmented costs when tweets are reposted
        - When a tweet is reposted or retweeted, the associated cost could be attributable to the original author, and not the reposting entity, which would mean that the author could potentially have to report an unwieldy amount of lobbying

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Thank you.