

Effective 5/12/2015

36-11-201 Lobbyist, principal, and government officer financial reporting requirements -- Prohibition for related person to make expenditures.

- (1)
 - (a)
 - (i) Except as provided in Subsection (1)(a)(ii), a lobbyist shall file financial reports with the lieutenant governor on or before the due dates specified in Subsection (2).
 - (ii) A lobbyist who has not made an expenditure during a quarterly reporting period is not required to file a quarterly financial report for that quarterly reporting period.
 - (iii) A lobbyist who is not required to file any quarterly reports under this section for a calendar year shall, on or before January 10 of the following year, file a financial report listing the amount of the expenditures for the entire preceding year as "none."
 - (b) A government officer or principal that makes an expenditure during any of the quarterly reporting periods under Subsection (2)(a) shall file a financial report with the lieutenant governor on or before the date that a report for that quarter is due.
- (2)
 - (a) A financial report is due quarterly on the following dates:
 - (i) April 10, for the period of January 1 through March 31;
 - (ii) July 10, for the period of April 1 through June 30;
 - (iii) October 10, for the period of July 1 through September 30; and
 - (iv) January 10, for the period of October 1 through December 31 of the previous year.
 - (b) If the due date for a financial report falls on a Saturday, Sunday, or legal holiday, the report is due on the next succeeding business day.
 - (c) A financial report is timely filed if it is filed electronically before the close of regular office hours on or before the due date.
- (3) A financial report shall contain:
 - (a) the total amount of expenditures made to benefit any public official during the quarterly reporting period;
 - (b) the total amount of expenditures made, by the type of public official, during the quarterly reporting period;
 - (c) for the financial report due on January 10:
 - (i) the total amount of expenditures made to benefit any public official during the last calendar year; and
 - (ii) the total amount of expenditures made, by the type of public official, during the last calendar year;
 - (d) a disclosure of each expenditure made during the quarterly reporting period to reimburse or pay for travel or lodging for a public official, including:
 - (i) each travel destination and each lodging location;
 - (ii) the name of each public official who benefitted from the expenditure on travel or lodging;
 - (iii) the public official type of each public official named;
 - (iv) for each public official named, a listing of the amount and purpose of each expenditure made for travel or lodging; and
 - (v) the total amount of expenditures listed under Subsection (3)(d)(iv);
 - (e) a disclosure of aggregate daily expenditures greater than \$10 made during the quarterly reporting period including:
 - (i) the date and purpose of the expenditure;
 - (ii) the location of the expenditure;
 - (iii) the name of any public official benefitted by the expenditure;

- (iv) the type of the public official benefitted by the expenditure; and
 - (v) the total monetary worth of the benefit that the expenditure conferred on any public official;
 - (f) for each public official who was employed by the lobbyist, principal, or government officer, a list that provides:
 - (i) the name of the public official; and
 - (ii) the nature of the employment with the public official;
 - (g) each bill or resolution, by number and short title, on behalf of which the lobbyist, principal, or government officer made an expenditure to a public official;
 - (h) a description of each executive action on behalf of which the lobbyist, principal, or government officer made an expenditure to a public official;
 - (i) the general purposes, interests, and nature of the entities that the lobbyist, principal, or government officer filing the report represents; and
 - (j) for a lobbyist, a certification that the information provided in the report is true, accurate, and complete to the lobbyist's best knowledge and belief.
- (4) A related person may not, while assisting a lobbyist, principal, or government officer in lobbying, make an expenditure that benefits a public official under circumstances that would otherwise fall within the disclosure requirements of this chapter if the expenditure was made by the lobbyist, principal, or government officer.
- (5) The lieutenant governor shall:
- (a)
 - (i) develop a preprinted form for a financial report required by this section; and
 - (ii) make copies of the form available to a lobbyist, principal, or government officer who requests a form; and
 - (b) provide a reporting system that allows a lobbyist, principal, or government officer to submit a financial report required by this chapter via the Internet.
- (6)
- (a) A lobbyist and a principal shall continue to file a financial report required by this section until the lobbyist or principal files a statement with the lieutenant governor that:
 - (i) states:
 - (A) for a lobbyist, that the lobbyist has ceased lobbying activities; or
 - (B) for a principal, that the principal no longer employs an individual as a lobbyist;
 - (ii) in the case of a lobbyist, states that the lobbyist is surrendering the lobbyist's license;
 - (iii) contains a listing, as required by this section, of all previously unreported expenditures that have been made through the date of the statement; and
 - (iv) states that the lobbyist or principal will not make any additional expenditure that is not disclosed on the statement unless the lobbyist or principal complies with the disclosure and licensing requirements of this chapter.
 - (b) Except as provided in Subsection (1)(a)(ii), a person that fails to renew the lobbyist's license or otherwise ceases to be licensed is required to file a financial report quarterly until the person files the statement required by Subsection (6)(a).

Amended by Chapter 296, 2015 General Session