1	GIFTS TO PUBLIC OFFICIALS
2	1999 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Jordan Tanner
5	AN ACT RELATING TO LOBBYISTS; MODIFYING PROVISIONS GOVERNING GIFTS
6	FROM LOBBYISTS TO A PUBLIC OFFICIAL AND HIS FAMILY; AND MAKING
7	TECHNICAL CORRECTIONS.
8	This act affects sections of Utah Code Annotated 1953 as follows:
9	AMENDS:
10	36-11-304, as enacted by Chapter 192, Laws of Utah 1995
11	Be it enacted by the Legislature of the state of Utah:
12	Section 1. Section 36-11-304 is amended to read:
13	36-11-304. Offering gift or loan When prohibited.
14	(1) A lobbyist, principal, or government officer may not offer to or give any public official
15	or member of his immediate family any gift or loan if the public official has been, or is now, or in
16	the near future may be involved in any governmental action directly affecting the donor or lender.
17	(2) Subsection (1) does not apply to the following:
18	(a) an occasional nonpecuniary gift, having a value of not in excess of \$50 per individual;
19	(b) an award publicly presented in recognition of public services;
20	(c) any bona fide loan made in the ordinary course of business; or
21	(d) gifts to a relative.
22	(3) For the purposes of this section[:(a) "Gift"], "gift" means a transfer of real or [tangible]
23	personal property for less than fair and adequate consideration. It does not include plaques,
24	commendations, or awards.
25	[(b) "Tangible personal property" does not include the admission price for events, meals,
26	recreation, outings, or functions, and is intended to be interpreted consistent with the meaning of
27	tangible personal property found in the Utah Constitution Article XIII.]

H.B. 17 12-17-98 9:11 AM

## Legislative Review Note as of 12-7-98 10:47 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel