

1                                   **REGULATING GIFTS TO LEGISLATORS**  
2                                   **FROM LOBBYISTS**

3                                   2001 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Millie M. Peterson**

6 **This act modifies the Lobbyist Disclosure Act by prohibiting gifts to legislators during**  
7 **legislative sessions. The act defines "gift" and "legislative session."**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 ENACTS:

10           **36-11-304.1**, Utah Code Annotated 1953

11 *Be it enacted by the Legislature of the state of Utah:*

12           Section 1. Section **36-11-304.1** is enacted to read:

13           **36-11-304.1. Offering gift or loan during legislative sessions prohibited.**

14           (1) As used in this section:

15           (a) (i) "Gift" means money, real or personal property, food, beverage, subscriptions, a  
16 service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment,  
17 that is given and received without the giver receiving consideration of equal or greater value in  
18 return.

19           (ii) "Gift" includes tickets and other forms of passes granting entrance to sporting events,  
20 sporting facilities, ski slopes, and artistic and cultural events.

21           (iii) "Gift" does not mean:

22           (A) food, beverages, tickets, or other social events when the invitation to attend is  
23 extended to all legislators or the food or beverage is offered to all legislators; and

24           (B) a subscription to a newspaper, news magazine, or other news publication or legislative  
25 periodical.

26           (b) (i) "Legislative session" means the annual general session, any veto override session,  
27 and any special sessions called by the governor to convene the entire Legislature.

\*S B0093\*

28            (ii) "Legislative session" does not mean the Utah Senate when convened to transact  
29 executive business.

30            (c) "Subscription" means newspaper subscriptions, magazine subscriptions, and  
31 subscriptions to electronic services.

32            (2) A lobbyist, principal, or government officer may not offer to or give any public official  
33 or member of his immediate family any gift during a legislative session.

34            (3) A legislator may not accept any gift from a lobbyist, principal, or government office  
35 during a legislative session.

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**Legislative Review Note**  
**as of 12-27-00 1:51 PM**

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

**Office of Legislative Research and General Counsel**