

57 (B) the president of the Senate, if the public official is a member of the Senate; or

58 (b) (i) to which a public official who holds a position in the executive branch of state
59 government is invited; and

60 (ii) attendance at which is approved by the governor or the lieutenant governor.

61 (3) (a) "Compensation" means anything of economic value, however designated, that is
62 paid, loaned, granted, given, donated, or transferred to an individual for the provision of
63 services or ownership before any withholding required by federal or state law.

64 (b) "Compensation" includes:

65 (i) a salary or commission;

66 (ii) a bonus;

67 (iii) a benefit;

68 (iv) a contribution to a retirement program or account;

69 (v) a payment includable in gross income, as defined in Section 62, Internal Revenue
70 Code, and subject to Social Security deductions, including a payment in excess of the
71 maximum amount subject to deduction under Social Security law;

72 (vi) an amount that the individual authorizes to be deducted or reduced for salary
73 deferral or other benefits authorized by federal law; or

74 (vii) income based on an individual's ownership interest.

75 (4) "Compensation payor" means a person who pays compensation to a public official
76 in the ordinary course of business:

77 (a) because of the public official's ownership interest in the compensation payor; or

78 (b) for services rendered by the public official on behalf of the compensation payor.

79 (5) ~~Ĥ→~~ (a) ~~←Ĥ~~ "Donated time" means ~~Ĥ→~~ , **except as provided in**

79a **Subsection (5)(b), ~~←Ĥ~~ the time provided by a principal or lobbyist, or by an**
80 **employee or independent contractor of a principal or lobbyist at the direction of the principal or**
81 **lobbyist, without charge or at a reduced rate for the benefit of a prospective appointee.**

81a ~~Ĥ→~~ (b) **"Donated time" does not include time provided without charge by a principal or a**
81b **lobbyist in the principal's or lobbyist's capacity as a private citizen and not in the capacity of a**
81c **principal or lobbyist. ~~←Ĥ~~**

82 [~~5~~] (6) "Executive action" means:

83 (a) a nomination or appointment by the governor;

84 (b) the proposal, drafting, amendment, enactment, or defeat by a state agency of a rule
85 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

86 (c) agency ratemaking proceedings; or

87 (d) an adjudicative proceeding of a state agency.

150 the government officer's official capacity; or

151 (ii) an individual appointed to or employed in a full-time position by state or local
152 government, when acting within the scope of the individual's employment.

153 (b) "Government officer" does not mean a member of the legislative branch of state
154 government.

155 [~~(8)~~] (10) "Immediate family" means:

156 (a) a spouse;

157 (b) a child residing in the household; or

158 (c) an individual claimed as a dependent for tax purposes.

159 [~~(9)~~] (11) "Legislative action" means:

160 (a) a bill, resolution, amendment, nomination, veto override, or other matter pending or
161 proposed in either house of the Legislature or its committees or requested by a legislator; and

162 (b) the action of the governor in approving or vetoing legislation.

163 [~~(10)~~] (12) "Lobbying" means communicating with a public official for the purpose of
164 influencing the passage, defeat, amendment, or postponement of legislative or executive action.

165 [~~(11)~~] (13) (a) "Lobbyist" means:

166 (i) an individual who is employed by a principal; or

167 (ii) an individual who contracts for economic consideration, other than reimbursement
168 for reasonable travel expenses, with a principal to lobby a public official.

169 (b) "Lobbyist" does not include:

170 (i) a government officer;

171 (ii) a member or employee of the legislative branch of state government;

172 (iii) a person ~~H~~→ or principal ←~~H~~ while appearing at, or providing written comments to,
172a a hearing

173 conducted in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act or
174 Title 63G, Chapter 4, Administrative Procedures Act;

175 (iv) a person participating on or appearing before an advisory or study task force,
176 commission, board, or committee, constituted by the Legislature or any agency or department
177 of state government, except legislative standing, appropriation, or interim committees;

178 (v) a representative of a political party;

179 (vi) an individual representing a bona fide church solely for the purpose of protecting
180 the right to practice the religious doctrines of the church, unless the individual or church makes

181 an expenditure that confers a benefit on a public official;

182 (vii) a newspaper, television station or network, radio station or network, periodical of
183 general circulation, or book publisher for the purpose of publishing news items, editorials,
184 other comments, or paid advertisements that directly or indirectly urge legislative or executive
185 action; ~~H→~~ [or] ~~←H~~

186 (viii) an individual who appears on the individual's own behalf before a committee of
187 the Legislature or an agency of the executive branch of state government solely for the purpose
188 of testifying in support of or in opposition to legislative or executive action ~~H→~~ [:] ; or

188a **(ix) an individual representing a business or industry, who:**

188b **(A) interacts with public officials, in their capacity as public officials, less than seven**
188c **days per year, while accompanied by a registered lobbyist; and**

188d **(B) does not make an expenditure for, or on behalf of, a public official in relation to the**
188e **interaction or during the period of interaction.** ~~←H~~

189 [~~(12)~~] (14) "Lobbyist group" means two or more lobbyists, principals, government
190 officers, or any combination of lobbyists, principals, and officers who each contribute a portion
191 of an expenditure made to benefit a public official or member of the public official's immediate
192 family.

193 (15) "Meeting" means a gathering of people to discuss an issue, receive instruction, or
194 make a decision, including a conference, seminar, or summit.

195 [~~(13)~~] (16) "Multiclient lobbyist" means a single lobbyist, principal, or government
196 officer who represents two or more clients and divides the aggregate daily expenditure made to
197 benefit a public official or member of the public official's immediate family between two or
198 more of those clients.

199 (17) "Prospective appointee" means an individual who is seeking to fill a midterm
200 vacancy for an elective office in the executive or legislative branch of state government.

201 [~~(14)~~] (18) "Principal" means a person that employs an individual to perform lobbying,
202 either as an employee or as an independent contractor.

203 [~~(15)~~] (19) "Public official" means:

204 (a) (i) a member of the Legislature;

205 (ii) an individual elected to a position in the executive branch of state government; or

206 (iii) an individual appointed to or employed in a position in the executive or legislative
207 branch of state government if that individual:

208 (A) occupies a policymaking position or makes purchasing or contracting decisions;

209 (B) drafts legislation or makes rules;

210 (C) determines rates or fees; or

211 (D) makes adjudicative decisions; or

212 (b) an immediate family member of a person described in Subsection [~~(15)~~] (19)(a).
 213 [~~(16)~~] (20) "Public official type" means a notation to identify whether a public official
 214 is:

215 (a) (i) a member of the Legislature;
 216 (ii) an individual elected to a position in the executive branch of state government;
 217 (iii) an individual appointed to or employed in a position in the legislative branch of
 218 state government who meets the definition of public official under Subsection [~~(15)~~]
 219 (19)(a)(iii); or

220 (iv) an individual appointed to or employed in a position in the executive branch of
 221 state government who meets the definition of public official under Subsection [~~(15)~~]
 222 (19)(a)(iii); or

223 (b) an immediate family member of a person described in Subsection [~~(15)~~] (19)(b).
 224 [~~(17)~~] (21) "Quarterly reporting period" means the three-month period covered by each
 225 financial report required under Subsection 36-11-201(2)(a).

226 [~~(18)~~] (22) "Related person" means a person, agent, or employee who knowingly and
 227 intentionally assists a lobbyist, principal, or government officer in lobbying.

228 [~~(19)~~] (23) "Relative" means a spouse, child, parent, grandparent, grandchild, brother,
 229 sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or
 230 spouse of any of these individuals.

231 (24) "Tour" means visiting a location, for a purpose relating to the duties of a public
 232 official, and not ~~§~~→ primarily ←~~§~~ for entertainment, including:

233 (a) viewing a facility;
 234 (b) viewing the sight of a natural disaster; or
 235 (c) assessing a circumstance in relation to which a public official may need to take
 236 action within the scope of the public official's duties.

237 Section 2. Section **36-11-103** is amended to read:

238 **36-11-103. Licensing requirements.**

239 (1) (a) Before engaging in any lobbying, a lobbyist shall obtain a license from the
 240 lieutenant governor by completing the form required by this section.

241 (b) The lieutenant governor shall issue licenses to qualified lobbyists.

242 (c) The lieutenant governor shall prepare a Lobbyist License Application Form that