

**LOBBYIST TRAINING**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael G. Waddoups**

House Sponsor: Rebecca D. Lockhart

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**LONG TITLE**

**General Description:**

This bill addresses lobbyist ethics training.

**Highlighted Provisions:**

This bill:

- ▶ provides that the lieutenant governor shall develop and maintain an ethics training course for lobbyists;
  - ▶ establishes procedures and requirements for the ethics training course for lobbyists;
  - ▶ provides penalties for a lobbyist who fails to complete the ethics training course;
- and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**36-11-401**, as last amended by Laws of Utah 2000, Chapter 338

ENACTS:

**36-11-307**, Utah Code Annotated 1953

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

Section 1. Section **36-11-307** is enacted to read:

30           **36-11-307. Ethics training course for lobbyists -- Internet availability -- Content --**  
31 **Participation tracking -- Penalty.**

32           (1) The lieutenant governor shall develop and maintain an ethics training course for  
33 lobbyists.

34           (2) The ethics training course shall include training materials and exercises that are  
35 available on the Internet to lobbyists and to the public.

36           (3) The ethics training course shall be designed to assist lobbyists in understanding and  
37 complying with current ethical and campaign finance requirements under state law, legislative  
38 rules, and federal law.

39           (4) The ethics training course shall include provisions for verifying when a lobbyist has  
40 successfully completed key training exercises.

41           (5) A lobbyist shall successfully complete the key training exercises of the ethics  
42 training course once each year.

43           (6) A lobbyist who does not complete the training required by this section is subject to  
44 a penalty as provided in Section 36-11-401.

45           Section 2. Section **36-11-401** is amended to read:

46           **36-11-401. Penalties.**

47           (1) Any person who willfully and knowingly violates Section 36-11-103, 36-11-201,  
48 36-11-301, 36-11-302, 36-11-303, 36-11-304, 36-11-305, or 36-11-403, is subject to the  
49 following penalties:

50           (a) an administrative penalty of up to \$1,000 for each violation; and

51           (b) for each subsequent violation of that same section within 24 months, either:

52           (i) an administrative penalty of up to \$5,000; or

53           (ii) suspension of the violator's lobbying license for up to one year, if the person is a  
54 lobbyist.

55           (2) Any person who willfully and knowingly fails to file a financial report required by  
56 this chapter, omits material information from a license application form or financial report, or  
57 files false information on a license application form or financial report, is subject to the

58 following penalties:

59 (a) an administrative penalty of up to \$1,000 for each violation; or

60 (b) suspension of the violator's lobbying license for up to one year, if the person is a  
61 lobbyist.

62 (3) Any person who willfully and knowingly fails to file a financial report required by  
63 this chapter on the date that it is due shall, in addition to the penalties, if any, imposed under  
64 Subsection (1) or (2), pay a penalty of up to \$50 per day for each day that the report is late.

65 (4) (a) When a lobbyist is convicted of violating Section 76-8-103, 76-8-107, 76-8-108,  
66 or 76-8-303, the lieutenant governor shall suspend the lobbyist's license for up to five years  
67 from the date of the conviction.

68 (b) When a lobbyist is convicted of violating Section 76-8-104 or 76-8-304, the  
69 lieutenant governor shall suspend a lobbyist's license for up to one year from the date of  
70 conviction.

71 (5) (a) Any person who willfully and knowingly violates Section 36-11-301,  
72 36-11-302, or 36-11-303 is guilty of a class B misdemeanor.

73 (b) The lieutenant governor shall suspend the lobbyist license of any person convicted  
74 under any of these sections for up to one year.

75 (c) The suspension shall be in addition to any administrative penalties imposed by the  
76 lieutenant governor under this section.

77 (d) Any person with evidence of a possible violation of this chapter may submit that  
78 evidence to the lieutenant governor for investigation and resolution.

79 (6) A lobbyist who does not complete the training required by Section 36-11-307 is  
80 subject to the following penalties:

81 (a) an administrative penalty of up to \$1,000 for each failure to complete the training  
82 required by Section 36-11-307; and

83 (b) for two or more failures to complete the training required by Section 36-11-307  
84 within 24 months, suspension of the lobbyist's lobbying license.

85 [~~6~~] (7) Nothing in this chapter creates a third-party cause of action or appeal rights.

