

Lobbying Amendments
 2025 GENERAL SESSION
 STATE OF UTAH
Chief Sponsor: Brady Brammer
 House Sponsor:

LONG TITLE

General Description:

This bill amends and enacts provisions relating to lobbying.

Highlighted Provisions:

This bill:

- defines terms;
- modifies and clarifies the definitions of lobbyist, lobbying, and a principal;
- prohibits consideration, a reward, or an incentive for lobbying that is contingent on certain government action and provides criminal and civil penalties for violation of the prohibition;
- replaces the offense of employing or soliciting a person to lobby for contingent compensation with the offense described in the preceding paragraph;
- creates an exception to the definition of "expenditure" in relation to certain sporting events, performances, or exhibitions of a state institution of higher education or a private, nonprofit institution of higher education;
- amends provisions relating to lobbying by a former state official;
- requires a municipality or county to disclose certain information regarding lobbying expenditures made by the municipality or county; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

36-11-102, as last amended by Laws of Utah 2024, Chapters 425, 438

36-11-201, as last amended by Laws of Utah 2023, Chapter 16

53-1-102, as last amended by Laws of Utah 2024, Chapter 425

31 **53-1-106**, as last amended by Laws of Utah 2024, Chapter 506
 32 **63G-23-102**, as last amended by Laws of Utah 2024, Chapter 158
 33 **67-24-103**, as enacted by Laws of Utah 2009, Chapter 360

34 ENACTS:

35 **10-8-1.8**, Utah Code Annotated 1953
 36 **17-15-34**, Utah Code Annotated 1953

37 REPEALS AND REENACTS:

38 **36-11-301**, as enacted by Laws of Utah 1991, Chapter 280

39

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

41 Section 1. Section **10-8-1.8** is enacted to read:

42 **10-8-1.8 . Disclosure of retention of a lobbyist.**

43 (1) A municipality that retains the services of a lobbyist, as defined in Section 36-11-102,
 44 shall:

45 (a) before the lobbyist performs any services for the municipality, post, on the
 46 municipality's website, the following information:

47 (i) the name of the lobbyist;

48 (ii) the agreement between the municipality and the lobbyist;

49 (iii) a description of the purpose for which the municipality retains the lobbyist; and

50 (iv) a description of the consideration, including the amount or value of the
 51 consideration, that the lobbyist has received, will receive, or may receive in
 52 exchange for the lobbyist's services to the municipality;

53 (b) post a link on the main page of the municipality's website to the information
 54 described in Subsection (1)(a), with the link entitled, "municipal expenditures for
 55 lobbying"; and

56 (c) maintain on the website the information described in Subsection (1)(a), with the link
 57 described in Subsection (1)(b), for at least one year after the day on which the
 58 municipality posts the information.

59 (2) Subsection (1) does not apply to lobbying provided to municipalities in general by the
 60 Utah League of Cities and Towns.

61 Section 2. Section **17-15-34** is enacted to read:

62 **17-15-34 . Disclosure of retention of a lobbyist.**

63 (1) A county that retains the services of a lobbyist, as defined in Section 36-11-102, shall:

64 (a) before the lobbyist performs any services for the county, post, on the county's

- 65 website, the following information:
- 66 (i) the name of the lobbyist;
- 67 (ii) the agreement between the county and the lobbyist;
- 68 (iii) a description of the purpose for which the county retains the lobbyist; and
- 69 (iv) a description of the consideration, including the amount or value of the
- 70 consideration, that the lobbyist has received, will receive, or may receive in
- 71 exchange for the lobbyist's services to the county;
- 72 (b) post a link on the main page of the county's website to the information described in
- 73 Subsection (1)(a), with the link entitled, "county expenditures for lobbying"; and
- 74 (c) maintain on the website the information described in Subsection (1)(a), with the link
- 75 described in Subsection (1)(b), for at least one year after the day on which the county
- 76 posts the information.
- 77 (2) Subsection (1) does not apply to lobbying provided to counties in general by the Utah
- 78 Association of Counties.

79 Section 3. Section **36-11-102** is amended to read:

80 **36-11-102 . Definitions.**

81 As used in this chapter:

- 82 (1) "Aggregate daily expenditures" means:
- 83 (a) for a single lobbyist, principal, or government officer, the total of all expenditures
- 84 made within a calendar day by the lobbyist, principal, or government officer for the
- 85 benefit of an individual public official;
- 86 (b) for an expenditure made by a member of a lobbyist group, the total of all
- 87 expenditures made within a calendar day by every member of the lobbyist group for
- 88 the benefit of an individual public official; or
- 89 (c) for a multiclient lobbyist, the total of all expenditures made by the multiclient
- 90 lobbyist within a calendar day for the benefit of an individual public official,
- 91 regardless of whether the expenditures were attributed to different clients.
- 92 (2) "Approved activity" means an event, a tour, or a meeting:
- 93 (a)(i) to which a legislator or another nonexecutive branch public official is invited;
- 94 and
- 95 (ii) attendance at which is approved by:
- 96 (A) the speaker of the House of Representatives, if the public official is a member
- 97 of the House of Representatives or another nonexecutive branch public official;
- 98 or

- 99 (B) the president of the Senate, if the public official is a member of the Senate or
100 another nonexecutive branch public official; or
- 101 (b)(i) to which a public official who holds a position in the executive branch of state
102 government is invited; and
- 103 (ii) attendance at which is approved by the governor or the lieutenant governor.
- 104 (3) "Board of education" means:
- 105 (a) a local school board described in Title 53G, Chapter 4, School Districts;
106 (b) the State Board of Education;
107 (c) the State Charter School Board created under Section 53G-5-201; or
108 (d) a charter school governing board described in Title 53G, Chapter 5, Charter Schools.
- 109 (4) "Capitol hill complex" means capitol hill, as defined in Section 63O-1-101.
- 110 (5)(a) "Compensation" means anything of economic value, however designated, that is
111 paid, loaned, granted, given, donated, or transferred to an individual for the provision
112 of services or ownership before any withholding required by federal or state law.
- 113 (b) "Compensation" includes:
- 114 (i) a salary or commission;
115 (ii) a bonus;
116 (iii) a benefit;
117 (iv) a contribution to a retirement program or account;
118 (v) a payment includable in gross income, as defined in Section 62, Internal Revenue
119 Code, and subject to social security deductions, including a payment in excess of
120 the maximum amount subject to deduction under social security law;
121 (vi) an amount that the individual authorizes to be deducted or reduced for salary
122 deferral or other benefits authorized by federal law; or
123 (vii) income based on an individual's ownership interest.
- 124 (6) "Compensation payor" means a person who pays compensation to a public official in
125 the ordinary course of business:
- 126 (a) because of the public official's ownership interest in the compensation payor; or
127 (b) for services rendered by the public official on behalf of the compensation payor.
- 128 (7) "Education action" means:
- 129 (a) the passage or defeat of a resolution, policy, amendment, or other official action for
130 consideration by a board of education;
131 (b) a nomination or appointment by an education official or a board of education;
132 (c) the passage or defeat of a vote on an administrative action taken by a vote of a board

- 133 of education; or
- 134 [~~(d) an adjudicative proceeding over which an education official has direct or indirect~~
- 135 ~~control;~~]
- 136 [(~~e~~) a purchasing or contracting decision;]
- 137 [(~~f~~) drafting or making a policy, resolution, or rule;]
- 138 [(~~g~~) (d) determining a rate or fee[~~;~~ ~~or~~] .
- 139 [(~~h~~) making an adjudicative decision.]
- 140 (8) "Education official" means:
- 141 (a) a member of a board of education; or
- 142 (b) an individual appointed to or employed in a position under a board of education, if
- 143 that individual:
- 144 (i) occupies a policymaking position[~~or makes purchasing or contracting decisions~~];
- 145 [(~~ii~~) drafts resolutions or policies or drafts or makes rules;]
- 146 [(~~iii~~) (ii) determines rates or fees; or
- 147 [(~~iv~~) (iii) makes decisions relating to an education budget or the expenditure of
- 148 public money[~~;~~ ~~or~~] .
- 149 [(~~v~~) makes adjudicative decisions; ~~or~~]
- 150 [(~~e~~) an immediate family member of an individual described in Subsection (8)(a) or (b).]
- 151 (9) "Event" means entertainment, a performance, a contest, or a recreational activity that an
- 152 individual participates in or is a spectator at, including a sporting event, an artistic event,
- 153 a play, a movie, dancing, or singing.
- 154 (10) "Executive action" means:
- 155 (a) a nomination or appointment by the governor;
- 156 (b) the action of the governor in approving or vetoing legislation;
- 157 [(~~b~~) (c) the [~~proposal, drafting, amendment, enactment,~~] passage or defeat by a state
- 158 agency of a rule, or an amendment to a rule, made in accordance with Title 63G,
- 159 Chapter 3, Utah Administrative Rulemaking Act; or
- 160 [(~~e~~) (d) agency ratemaking proceedings[~~;~~ ~~or~~] .
- 161 [(~~d~~) ~~an adjudicative proceeding of a state agency.~~]
- 162 (11) "Executive official" means:
- 163 (a) an individual elected to an executive office or appointed to fill a vacancy in an
- 164 executive office; or
- 165 (b) an individual appointed to or employed in a position in the executive branch of state
- 166 government, if that individual:

- 167 (i) occupies a policymaking position; or
- 168 (ii) determines rates or fees.
- 169 ~~[(11)]~~ (12)(a) "Expenditure" means any of the items listed in this Subsection ~~[(11)(a)]~~
- 170 (12)(a) when given to or for the benefit of a public official unless consideration of
- 171 equal or greater value is received:
- 172 (i) a purchase, payment, or distribution;
- 173 (ii) a loan, gift, or advance;
- 174 (iii) a deposit, subscription, or forbearance;
- 175 (iv) services or goods;
- 176 (v) money;
- 177 (vi) real property;
- 178 (vii) a ticket or admission to an event; or
- 179 (viii) a contract, promise, or agreement, whether or not legally enforceable, to
- 180 provide any item listed in Subsections ~~[(11)(a)(i) through (vii)]~~ (12)(a)(i) through
- 181 (vii).
- 182 (b) "Expenditure" does not ~~mean~~ include:
- 183 (i) a commercially reasonable loan made in the ordinary course of business;
- 184 (ii) a campaign contribution:
- 185 (A) reported in accordance with Title 20A, Chapter 11, Campaign and Financial
- 186 Reporting Requirements, Section 10-3-208, Section 17-16-6.5, or any
- 187 applicable ordinance adopted under Subsection 10-3-208(6) or 17-16-6.5(1); or
- 188 (B) lawfully given to a person that is not required to report the contribution under
- 189 a law or ordinance described in Subsection ~~[(11)(b)(ii)(A)]~~ (12)(b)(ii)(A);
- 190 (iii) printed informational material that is related to the performance of the recipient's
- 191 official duties;
- 192 (iv) a devise or inheritance;
- 193 (v) any item listed in Subsection ~~[(11)(a)]~~ (12)(a) if:
- 194 (A) given by a relative;
- 195 (B) given by a compensation payor for a purpose solely unrelated to the public
- 196 official's position as a public official;
- 197 (C) the item is food or beverage with a value that does not exceed the food
- 198 reimbursement rate, and the aggregate daily expenditures for food and
- 199 beverage do not exceed the food reimbursement rate; or
- 200 (D) the item is not food or beverage, has a value of less than \$10, and the

- 201 aggregate daily expenditures do not exceed \$10;
- 202 (vi) food or beverage that is provided at an event, a tour, or a meeting to which the
203 following are invited:
- 204 (A) all members of the Legislature;
- 205 (B) all members of a standing or interim committee;
- 206 (C) all members of an official legislative task force;
- 207 (D) all members of a party caucus; or
- 208 (E) all members of a group described in Subsections [~~(11)(b)(vi)(A) through (D)~~]
209 (12)(b)(vi)(A) through (D) who are attending a meeting of a national
210 organization whose primary purpose is addressing general legislative policy;
- 211 (vii) food or beverage that is provided at an event, a tour, or a meeting to a public
212 official who is:
- 213 (A) giving a speech at the event, tour, or meeting;
- 214 (B) participating in a panel discussion at the event, tour, or meeting; or
- 215 (C) presenting or receiving an award at the event, tour, or meeting;
- 216 (viii) a plaque, commendation, or award that:
- 217 (A) is presented in public; and
- 218 (B) has the name of the individual receiving the plaque, commendation, or award
219 inscribed, etched, printed, or otherwise permanently marked on the plaque,
220 commendation, or award;
- 221 (ix) a gift that:
- 222 (A) is an item that is not consumable and not perishable;
- 223 (B) a public official, other than a local official or an education official, accepts on
224 behalf of the state;
- 225 (C) the public official promptly remits to the state;
- 226 (D) a property administrator does not reject under Section 63G-23-103;
- 227 (E) does not constitute a direct benefit to the public official before or after the
228 public official remits the gift to the state; and
- 229 (F) after being remitted to the state, is not transferred, divided, distributed, or used
230 to distribute a gift or benefit to one or more public officials in a manner that
231 would otherwise qualify the gift as an expenditure if the gift were given
232 directly to a public official;
- 233 (x) any of the following with a cash value not exceeding \$30:
- 234 (A) a publication; or

- 235 (B) a commemorative item;
- 236 (xi) admission to or attendance at an event, a tour, or a meeting, the primary purpose
237 of which is:
- 238 (A) to solicit a contribution that is reportable under Title 20A, Chapter 11,
239 Campaign and Financial Reporting Requirements, 2 U.S.C. Sec. 434, Section
240 10-3-208, Section 17-16-6.5, or an applicable ordinance adopted under
241 Subsection 10-3-208(6) or 17-16-6.5(1);
- 242 (B) to solicit a campaign contribution that a person is not required to report under
243 a law or ordinance described in Subsection [~~(11)(b)(xi)(A)~~] (12)(b)(xi)(A); or
- 244 (C) charitable solicitation, as defined in Section 13-22-2;
- 245 (xii) travel to, lodging at, food or beverage served at, and admission to an approved
246 activity;
- 247 (xiii) sponsorship of an approved activity;
- 248 (xiv) notwithstanding Subsection [~~(11)(a)(vii)~~] (12)(a)(vii), admission to, attendance
249 at, or travel to or from an event, a tour, or a meeting:
- 250 (A) that is sponsored by a governmental entity;
- 251 (B) that is widely attended and related to a governmental duty of a public official;
- 252 (C) for a local official, that is sponsored by an organization that represents only
253 local governments, including the Utah Association of Counties, the Utah
254 League of Cities and Towns, or the Utah Association of Special Districts; or
- 255 (D) for an education official, that is sponsored by a public school, a charter
256 school, or an organization that represents only public schools or charter
257 schools, including the Utah Association of Public Charter Schools, the Utah
258 School Boards Association, or the Utah School Superintendents Association;[
259 or]
- 260 (xv) travel to a widely attended tour or meeting related to a governmental duty of a
261 public official if that travel results in a financial savings to:
- 262 (A) for a public official who is not a local official or an education official, the
263 state; or
- 264 (B) for a public official who is a local official or an education official, the local
265 government or board of education to which the public official belongs[-] ;
- 266 (xvi) notwithstanding Subsection (12)(a)(vii), admission to, attendance at, or travel to
267 or from a sporting event provided by an institution of higher education described
268 in Subsection 53B-2-101(1), or by a private, nonprofit institution of higher

- 269 education in the state, if:
- 270 (A) the institution of higher education is competing in the sporting event; and
- 271 (B) the purpose of the public official attending the event is to build a relationship
- 272 between the institution of higher education and the public official; or
- 273 (xvii) notwithstanding Subsection (12)(a)(vii), admission to, attendance at, or travel
- 274 to or from a theatrical, musical, dancing, or other artistic performance, an art
- 275 exhibition, or another artistic event provided by an institution of higher education
- 276 described in Subsection 53B-2-101(1), or by a private, nonprofit institution of
- 277 higher education in the state, if:
- 278 (A) the institution is participating in the event; and
- 279 (B) the purpose of the public official attending the event is to build a relationship
- 280 between the institution of higher education and the public official.
- 281 ~~[(12)]~~ (13) "Food reimbursement rate" means the total amount set by the director of the
- 282 Division of Finance, by rule, under Section 63A-3-107, for in-state meal reimbursement,
- 283 for an employee of the executive branch, for an entire day.
- 284 ~~[(13)]~~ (14)(a) "Foreign agent" means an individual who engages in lobbying under
- 285 contract with a foreign government.
- 286 (b) "Foreign agent" does not include an individual who is recognized by the United
- 287 States Department of State as a duly accredited diplomatic or consular officer of a
- 288 foreign government, including a duly accredited honorary consul.
- 289 ~~[(14)]~~ (15) "Foreign government" means a government other than the government of:
- 290 (a) the United States;
- 291 (b) a state within the United States;
- 292 (c) a territory or possession of the United States; or
- 293 (d) a political subdivision of the United States.
- 294 (16) "Government action" means:
- 295 (a) an education action;
- 296 (b) an executive action;
- 297 (c) a legislative action; or
- 298 (d) a local action.
- 299 ~~[(15)]~~ (17)(a) "Government officer" means:
- 300 (i) an individual elected to a position in state or local government, when acting in the
- 301 capacity of the state or local government position;
- 302 (ii) an individual elected to a board of education, when acting in the capacity of a

- 303 member of a board of education;
- 304 (iii) an individual appointed to fill a vacancy in a position described in Subsection [
 305 ~~(15)(a)(i) or (ii)~~ (17)(a)(i) or (ii), when acting in the capacity of the position; or
- 306 (iv) an individual appointed to or employed in a full-time position by state
 307 government, local government, or a board of education, when acting in the
 308 capacity of the individual's appointment or employment.
- 309 (b) "Government officer" does not mean a member of the legislative branch of state
 310 government.
- 311 ~~[(16)]~~ (18) "Immediate family" means:
- 312 (a) a spouse;
- 313 (b) a child residing in the household; or
- 314 (c) an individual claimed as a dependent for tax purposes.
- 315 ~~[(17)]~~ (19) "Legislative action" means~~[:]~~
- 316 ~~[(a)]~~ the passage or defeat of a bill, resolution, amendment, nomination, veto override,
 317 appropriation, or other matter pending or proposed in either house of the Legislature
 318 or [its] the Legislature's committees, or requested by a legislator~~[: and]~~ .
- 319 ~~[(b)]~~ the action of the governor in approving or vetoing legislation.
- 320 (20) "Legislative official" means a member, or a member-elect, of the Senate or the House
 321 of Representatives.
- 322 ~~[(18)]~~ (21) "Lobbying" means communicating with a public official for the purpose of
 323 influencing ~~[a legislative action, executive action, local action, or education]~~ government
 324 action.
- 325 ~~[(19)]~~ (22)(a) "Lobbyist" means~~[:]~~ an individual who accepts or agrees to accept
 326 employment, payment, a reward, an incentive, something of value, or other
 327 consideration in exchange for lobbying.
- 328 ~~[(i)]~~ an individual who is employed by a principal; or]
- 329 ~~[(ii)]~~ an individual who contracts for economic consideration, other than
 330 reimbursement for reasonable travel expenses, with a principal to lobby a public
 331 official.]
- 332 (b) "Lobbyist" includes an individual who engages in lobbying on behalf of an entity in
 333 which the individual obtained a non-controlling ownership interest within the
 334 immediately preceding 18 months.
- 335 ~~[(b)]~~ (c) "Lobbyist" does not include:
- 336 (i) a government officer;

- 337 (ii) a member or employee of the legislative branch of state government;
- 338 (iii) an individual who, in exchange for lobbying, accepts or agrees to accept only
- 339 reimbursement for reasonable travel expenses;
- 340 ~~[(iii)]~~ (iv) a person, including a principal, while appearing at, or providing written
- 341 comments to, a hearing conducted in accordance with Title 63G, Chapter 3, Utah
- 342 Administrative Rulemaking Act, or Title 63G, Chapter 4, Administrative
- 343 Procedures Act;
- 344 ~~[(iv)]~~ (v) a person participating on or appearing before an advisory or study task force,
- 345 commission, board, or committee, constituted by the Legislature, a local
- 346 government, a board of education, or any agency or department of state
- 347 government, except legislative standing, appropriation, or interim committees;
- 348 ~~[(v)]~~ (vi) a representative of a political party;
- 349 ~~[(vi)]~~ (vii) an individual representing a bona fide church solely for the purpose of
- 350 protecting the right to practice the religious doctrines of the church, unless the
- 351 individual or church makes an expenditure that confers a benefit on a public
- 352 official;
- 353 ~~[(vii)]~~ (viii) a newspaper, television station or network, radio station or network,
- 354 periodical of general circulation, or book publisher for the purpose of publishing
- 355 news items, editorials, other comments, or paid advertisements that directly or
- 356 indirectly urge ~~[legislative action, executive action, local action, or education]~~
- 357 government action;
- 358 ~~[(viii)]~~ (ix) an individual who appears on the individual's own behalf before a
- 359 committee of the Legislature, an agency of the executive branch of state
- 360 government, a board of education, the governing body of a local government, a
- 361 committee of a local government, or a committee of a board of education, solely
- 362 for the purpose of testifying in support of or in opposition to ~~[legislative action,~~
- 363 ~~executive action, local action, or education]~~ government action; or
- 364 ~~[(ix)]~~ (x) an individual representing a business, entity, or industry, who:
- 365 (A) interacts with a public official, in the public official's capacity as a public
- 366 official, while accompanied by a registered lobbyist who is lobbying in relation
- 367 to the subject of the interaction or while presenting at a legislative committee
- 368 meeting at the same time that the registered lobbyist is attending another
- 369 legislative committee meeting; and
- 370 (B) does not make an expenditure for, or on behalf of, a public official in relation

371 to the interaction or during the period of interaction.

372 ~~[(20)]~~ (23) "Lobbyist group" means two or more lobbyists, principals, government officers,
 373 or any combination of lobbyists, principals, and government officers, who each
 374 contribute a portion of an expenditure made to benefit a public official or member of the
 375 public official's immediate family.

376 ~~[(21)]~~ (24) "Local action" means:

- 377 (a) an ordinance or resolution for consideration by a local government;
- 378 (b) a nomination or appointment by a local official or a local government;
- 379 (c) a vote on an administrative action taken by a vote of a local government's legislative
 380 body; or
- 381 ~~[(d) an adjudicative proceeding over which a local official has direct or indirect control;]~~
- 382 ~~[(e) a purchasing or contracting decision;]~~
- 383 ~~[(f) drafting or making a policy, resolution, or rule;]~~
- 384 ~~[(g)]~~ (d) determining a rate or fee~~[-or]~~ .
- 385 ~~[(h) making an adjudicative decision.]~~

386 ~~[(22)]~~ (25) "Local government" means:

- 387 (a) a county, city, or town;
- 388 (b) a special district governed by Title 17B, Limited Purpose Local Government Entities
 389 - Special Districts;
- 390 (c) a special service district governed by Title 17D, Chapter 1, Special Service District
 391 Act;
- 392 (d) a community reinvestment agency governed by Title 17C, Limited Purpose Local
 393 Government Entities - Community Reinvestment Agency Act;
- 394 (e) a conservation district governed by Title 17D, Chapter 3, Conservation District Act;
- 395 (f) a redevelopment agency; or
- 396 (g) an interlocal entity or a joint cooperative undertaking governed by Title 11, Chapter
 397 13, Interlocal Cooperation Act.

398 ~~[(23)]~~ (26) "Local official" means:

- 399 (a) an ~~[elected member of a local government]~~ individual elected to a local government
 400 office or appointed to fill a vacancy in a local government office; or
- 401 (b) an individual appointed to or employed in a position in a local government if that
 402 individual:
 403 (i) occupies a policymaking position~~[-or makes purchasing or contracting decisions];~~
 404 or

405 ~~[(ii) drafts ordinances or resolutions or drafts or makes rules;]~~
406 ~~[(iii)]~~ (ii) determines rates or fees~~[:or]~~ .
407 ~~[(iv) makes adjudicative decisions; or]~~
408 ~~[(e) an immediate family member of an individual described in Subsection (23)(a) or (b).]~~
409 ~~[(24)]~~ (27) "Meeting" means a gathering of people to discuss an issue, receive instruction, or
410 make a decision, including a conference, seminar, or summit.
411 ~~[(25)]~~ (28) "Multiclient lobbyist" means a single lobbyist, principal, or government officer
412 who represents two or more clients and divides the aggregate daily expenditure made to
413 benefit a public official or member of the public official's immediate family between
414 two or more of those clients.
415 ~~[(26)]~~ (29) "Principal" means a person that ~~[employs an individual to perform lobbying,~~
416 ~~either as an employee or as an independent contractor]~~ pays or provides, or agrees or
417 promises to pay or provide, employment, a reward, an incentive, something of value, or
418 other consideration to a person to engage in lobbying.
419 ~~[(27)]~~ (30) "Public official" means:
420 (a) an education official;
421 (b) an executive official;
422 (c) a legislative official;
423 (d) a local official; or
424 (e) an immediate family member of an official or individual described in Subsections
425 (30)(a) through (d).
426 ~~[(a)(i) a member of the Legislature;]~~
427 ~~[(ii) an individual elected to a position in the executive branch of state government; or]~~
428 ~~[(iii) an individual appointed to or employed in a position in the executive or~~
429 ~~legislative branch of state government if that individual:]~~
430 ~~[(A) occupies a policymaking position or makes purchasing or contracting~~
431 ~~decisions;]~~
432 ~~[(B) drafts legislation or makes rules;]~~
433 ~~[(C) determines rates or fees; or]~~
434 ~~[(D) makes adjudicative decisions;]~~
435 ~~[(b) an immediate family member of a person described in Subsection (27)(a);]~~
436 ~~[(e) a local official; or]~~
437 ~~[(d) an education official.]~~
438 ~~[(28)]~~ (31) "Public official type" means a notation to identify whether a public official is:

- 439 (a)(i) a member of the Legislature;
- 440 (ii) an individual elected to a position in the executive branch of state government;
- 441 (iii) an individual appointed to or employed in a position in the legislative branch of
- 442 state government who meets the definition of [~~public~~] legislative official[~~under~~
- 443 Subsection (27)(a)(iii)];
- 444 (iv) an individual appointed to or employed in a position in the executive branch of
- 445 state government who meets the definition of [~~public~~] executive official[~~under~~
- 446 Subsection (27)(a)(iii)];
- 447 (v) a local official, including a description of the type of local government for which
- 448 the individual is a local official; or
- 449 (vi) an education official, including a description of the type of board of education for
- 450 which the individual is an education official; or
- 451 (b) an immediate family member of an individual described in [~~Subsection (27)(a), (c),~~
- 452 ~~or (d)~~] Subsections (30)(a) through (d).

453 [~~(29)~~] (32) "Quarterly reporting period" means the three-month period covered by each

454 financial report required under Subsection 36-11-201(2)(a).

455 [~~(30)~~] (33) "Related person" means a person, agent, or employee who [~~knowingly and~~

456 ~~intentionally~~] assists a lobbyist, principal, or government officer in lobbying.

457 [~~(31)~~] (34) "Relative" means:

- 458 (a) a spouse;
- 459 (b) a child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law,
- 460 sister-in-law, nephew, niece, aunt, uncle, or first cousin; or
- 461 (c) a spouse of an individual described in Subsection [~~(31)(b)~~] (34)(b).

462 [~~(32)~~] (35) "Tour" means visiting a location, for a purpose relating to the duties of a public

463 official, and not primarily for entertainment, including:

- 464 (a) viewing a facility;
- 465 (b) viewing the sight of a natural disaster; or
- 466 (c) assessing a circumstance in relation to which a public official may need to take
- 467 action within the scope of the public official's duties.

468 Section 4. Section **36-11-201** is amended to read:

469 **36-11-201 . Lobbyist, principal, and government officer financial reporting**

470 **requirements -- Prohibition for related person to make expenditures.**

471 (1)(a)(i) Except as provided in Subsection (1)(a)(ii), a lobbyist shall file financial

472 reports with the lieutenant governor on or before the due dates specified in

- 473 Subsection (2).
- 474 (ii) A lobbyist who has not made an expenditure during a quarterly reporting period
475 is not required to file a quarterly financial report for that quarterly reporting period.
- 476 (iii) A lobbyist who is not required to file any quarterly reports under this section for
477 a calendar year shall, on or before January 10 of the following year, file a financial
478 report listing the amount of the expenditures for the entire preceding year as
479 "none."
- 480 (b) Except as provided in Subsection (1)(c), a government officer or principal that makes
481 an expenditure during any of the quarterly reporting periods under Subsection (2)(a)
482 shall file a financial report with the lieutenant governor on or before the date that a
483 report for that quarter is due.
- 484 (c)(i) As used in this Subsection (1)(c), "same local government type" means:
- 485 (A) for a county government, the same county government or another county
486 government;
- 487 (B) for a municipal government, the same municipal government or another
488 municipal government;
- 489 (C) for a board of education, the same board of education;
- 490 (D) for a local school board described in Title 53G, Chapter 4, School Districts,
491 the same local school board or another local school board;
- 492 (E) for a special district, the same special district or another special district or a
493 special service district;
- 494 (F) for a special service district, the same special service district or another special
495 service district or a special district; or
- 496 (G) for a participant in an interlocal agreement, another participant in the same
497 interlocal agreement.
- 498 (ii) A local official or an education official is not required, under this section, to
499 report an expenditure made by the local official or education official to another
500 local official or education official of the same local government type as the local
501 official or education official making the expenditure.
- 502 (2)(a) A financial report is due quarterly on the following dates:
- 503 (i) April 10, for the period of January 1 through March 31;
- 504 (ii) July 10, for the period of April 1 through June 30;
- 505 (iii) October 10, for the period of July 1 through September 30; and
- 506 (iv) January 10, for the period of October 1 through December 31 of the previous

- 507 year.
- 508 (b) If the due date for a financial report falls on a Saturday, Sunday, or legal holiday, the
509 report is due on the next succeeding business day.
- 510 (c) A financial report is timely filed if it is filed electronically before the close of regular
511 office hours on or before the due date.
- 512 (3) A financial report shall contain:
- 513 (a) the total amount of expenditures made to benefit any public official during the
514 quarterly reporting period;
- 515 (b) the total amount of expenditures made, by the type of public official, during the
516 quarterly reporting period;
- 517 (c) for the financial report due on January 10:
- 518 (i) the total amount of expenditures made to benefit any public official during the last
519 calendar year; and
- 520 (ii) the total amount of expenditures made, by the type of public official, during the
521 last calendar year;
- 522 (d) a disclosure of each expenditure made during the quarterly reporting period to
523 reimburse or pay for travel or lodging for a public official, including:
- 524 (i) each travel destination and each lodging location;
- 525 (ii) the name of each public official who benefitted from the expenditure on travel or
526 lodging;
- 527 (iii) the public official type of each public official named;
- 528 (iv) for each public official named, a listing of the amount and purpose of each
529 expenditure made for travel or lodging; and
- 530 (v) the total amount of expenditures listed under Subsection (3)(d)(iv);
- 531 (e) a disclosure of aggregate daily expenditures greater than \$10 made during the
532 quarterly reporting period including:
- 533 (i) the date and purpose of the expenditure;
- 534 (ii) the location of the expenditure;
- 535 (iii) the name of any public official benefitted by the expenditure;
- 536 (iv) the type of the public official benefitted by the expenditure; and
- 537 (v) the total monetary worth of the benefit that the expenditure conferred on any
538 public official;
- 539 (f) for each public official who was employed by the lobbyist, principal, or government
540 officer, a list that provides:

- 541 (i) the name of the public official; and
- 542 (ii) the nature of the employment with the public official;
- 543 (g) each bill or resolution, by number and short title, on behalf of which the lobbyist,
- 544 principal, or government officer made an expenditure to a public official;
- 545 (h) a description of each [~~executive~~] government action on behalf of which the lobbyist,
- 546 principal, or government officer made an expenditure to a public official;
- 547 (i) a description of each [~~local action or education~~] government action regarding which
- 548 the lobbyist, principal, or government officer made an expenditure to a local official
- 549 or education official;
- 550 (j) the general purposes, interests, and nature of the entities that the lobbyist, principal,
- 551 or government officer filing the report represents; and
- 552 (k) for a lobbyist, a certification that the information provided in the report is true,
- 553 accurate, and complete to the lobbyist's best knowledge and belief.
- 554 (4) A related person may not, while assisting a lobbyist, principal, or government officer in
- 555 lobbying, make an expenditure that benefits a public official under circumstances that
- 556 would otherwise fall within the disclosure requirements of this chapter if the expenditure
- 557 was made by the lobbyist, principal, or government officer.
- 558 (5) The lieutenant governor shall:
- 559 (a)(i) develop a preprinted form for a financial report required by this section; and
- 560 (ii) make copies of the form available to a lobbyist, principal, or government officer
- 561 who requests a form; and
- 562 (b) provide a reporting system that allows a lobbyist, principal, or government officer to
- 563 submit a financial report required by this chapter via the Internet.
- 564 (6)(a) A lobbyist and a principal shall continue to file a financial report required by this
- 565 section until the lobbyist or principal files a statement with the lieutenant governor
- 566 that:
- 567 (i)(A) for a lobbyist, states that the lobbyist has ceased lobbying activities; or
- 568 (B) for a principal, states that the principal no longer employs an individual as a
- 569 lobbyist;
- 570 (ii) in the case of a lobbyist, states that the lobbyist is surrendering the lobbyist's
- 571 license;
- 572 (iii) contains a listing, as required by this section, of all previously unreported
- 573 expenditures that have been made through the date of the statement; and
- 574 (iv) states that the lobbyist or principal will not make any additional expenditure that

575 is not disclosed on the statement unless the lobbyist or principal complies with the
576 disclosure and licensing requirements of this chapter.

577 (b) Except as provided in Subsection (1)(a)(ii), a lobbyist or principal that is required to
578 file a financial report under this section is required to file the report quarterly until the
579 lobbyist or principal files the statement required by Subsection (6)(a).

580 Section 5. Section **36-11-301** is repealed and reenacted to read:

581 **36-11-301 . Contingent consideration, reward, or incentive prohibited.**

582 It is unlawful for a lobbyist to solicit, accept, or agree to accept anything of value from a
583 person as consideration for, a reward for, or an incentive for, lobbying, if:

584 (1) the consideration, reward, or incentive is based on whether certain government action
585 occurs or does not occur; or

586 (2) the value of the consideration is based on the value of an appropriation.

587 Section 6. Section **53-1-102** is amended to read:

588 **53-1-102 . Definitions.**

589 (1) As used in this title:

590 (a) "Capitol hill complex" means capitol hill, as defined in Section 63O-1-101.

591 (b) "Commissioner" means the commissioner of public safety appointed under Section
592 53-1-107.

593 (c) "Department" means the Department of Public Safety created in Section 53-1-103.

594 (d) "Governor-elect" means an individual whom the board of canvassers determines to
595 be the successful candidate for governor after a general election for the office of
596 governor.

597 (e) "Law enforcement agency" means an entity or division of:

598 (i)(A) the federal government, a state, or a political subdivision of a state;

599 (B) a state institution of higher education; or

600 (C) a private institution of higher education, if the entity or division is certified by
601 the commissioner under Title 53, Chapter 19, Certification of Private Law
602 Enforcement Agency; and

603 (ii) that exists primarily to prevent and detect crime and enforce criminal laws,
604 statutes, and ordinances.

605 (f) "Law enforcement officer" means the same as that term is defined in Section
606 53-13-103.

607 (g) "Motor vehicle" means every self-propelled vehicle and every vehicle propelled by
608 electric power obtained from overhead trolley wires, but not operated upon rails,

- 609 except motorized wheel chairs and vehicles moved solely by human power.
- 610 (h) "Peace officer" means any officer certified in accordance with Title 53, Chapter 13,
611 Peace Officer Classifications.
- 612 (i) "Public official" means~~[the same as that term is defined in Section 36-11-102.]~~ :
- 613 (i) a member of the Legislature;
- 614 (ii) an individual elected to a position in the executive branch of state government;
- 615 (iii) an individual appointed to or employed in a position in the executive or
616 legislative branch of state government, if that individual:
- 617 (A) occupies a policymaking position;
- 618 (B) makes purchasing or contracting decisions;
- 619 (C) drafts legislation or makes rules;
- 620 (D) determines rates or fees; or
- 621 (E) makes adjudicative decisions;
- 622 (iv) an elected member of a local government, as defined in Section 36-11-102;
- 623 (v) an individual appointed to or employed in a position in a local government, as
624 defined in Section 36-11-102, if that individual:
- 625 (A) occupies a policymaking position;
- 626 (B) makes purchasing or contracting decisions;
- 627 (C) drafts ordinances or resolutions, or drafts or makes rules;
- 628 (D) determines rates or fees; or
- 629 (E) makes adjudicative decisions;
- 630 (vi) a member of a board of education, as defined in Section 36-11-102;
- 631 (vii) an individual appointed to or employed in a position under a board of education,
632 as defined in Section 36-11-102, if that individual:
- 633 (A) occupies a policymaking position;
- 634 (B) makes purchasing or contracting decisions;
- 635 (C) drafts resolutions or policies, or drafts or makes rules;
- 636 (D) determines rates or fees;
- 637 (E) makes decisions relating to an education budget or the expenditure of public
638 money; or
- 639 (F) makes adjudicative decisions; or
- 640 (viii) an immediate family member of an individual described in Subsections (1)(i)(i)
641 through (vii).
- 642 (j) "State institution of higher education" means the same as that term is defined in

643 Section 53B-3-102.

644 (k) "Vehicle" means every device in, upon, or by which any person or property is or may
645 be transported or drawn upon a highway, excepting devices used exclusively upon
646 stationary rails or tracks.

647 (2) The definitions provided in Subsection (1) are to be applied throughout this title in
648 addition to definitions that are applicable to specific chapters or parts.

649 Section 7. Section **53-1-106** is amended to read:

650 **53-1-106 . Department duties -- Powers.**

651 (1) In addition to the responsibilities contained in this title, the department shall:

652 (a) make rules and perform the functions specified in Title 41, Chapter 6a, Traffic Code,
653 including:

654 (i) setting performance standards for towing companies to be used by the department,
655 as required by Section 41-6a-1406; and

656 (ii) advising the Department of Transportation regarding the safe design and
657 operation of school buses, as required by Section 41-6a-1304;

658 (b) make rules to establish and clarify standards pertaining to the curriculum and
659 teaching methods of a motor vehicle accident prevention course under Section
660 31A-19a-211;

661 (c) aid in enforcement efforts to combat drug trafficking;

662 (d) meet with the Division of Technology Services to formulate contracts, establish
663 priorities, and develop funding mechanisms for dispatch and telecommunications
664 operations;

665 (e) provide assistance to the State Commission on Criminal and Juvenile Justice and the
666 Utah Office for Victims of Crime in conducting research or monitoring victims'
667 programs, as required by Section 63M-7-507;

668 (f) develop sexual assault exam protocol standards in conjunction with the Utah Hospital
669 Association;

670 (g) engage in emergency planning activities, including preparation of policy and
671 procedure and rulemaking necessary for implementation of the federal Emergency
672 Planning and Community Right to Know Act of 1986, as required by Section
673 53-2a-702;

674 (h) implement the provisions of Section 53-2a-402, the Emergency Management
675 Assistance Compact;

676 (i) ensure that any training or certification required of a public official, as defined in

- 677 Section 53-1-102, or a public employee, as [~~those terms are~~] defined in Section
678 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification
679 Requirements, if the training or certification is required:
- 680 (i) under this title;
 - 681 (ii) by the department; or
 - 682 (iii) by an agency or division within the department;
 - 683 (j) employ a law enforcement officer as a public safety liaison to be housed at the State
684 Board of Education who shall work with the State Board of Education to:
 - 685 (i) support training with relevant state agencies for school resource officers as
686 described in Section 53G-8-702;
 - 687 (ii) coordinate the creation of model policies and memorandums of understanding for
688 a local education agency and a local law enforcement agency; and
 - 689 (iii) ensure cooperation between relevant state agencies, a local education agency,
690 and a local law enforcement agency to foster compliance with disciplinary related
691 statutory provisions, including Sections 53E-3-516 and 53G-8-211;
 - 692 (k) provide for the security and protection of public officials, public officials' staff, and
693 the capitol hill complex in accordance with the provisions of this part;
 - 694 (l) fulfill the duties described in Sections 77-36-2.1 and 78B-7-120 related to lethality
695 assessments; and
 - 696 (m) fulfill the duties described in Section 63L-13-201 related to restricted foreign
697 entities.
- 698 (2)(a) The department shall establish a schedule of fees as required or allowed in this
699 title for services provided by the department.
- 700 (b) All fees not established in statute shall be established in accordance with Section
701 63J-1-504.
- 702 (3) The department may establish or contract for the establishment of an Organ
703 Procurement Donor Registry in accordance with Section 26B-8-319.
- 704 Section 8. Section **63G-23-102** is amended to read:
- 705 **63G-23-102 . Definitions.**
- 706 As used in this chapter:
- 707 (1) "Public official" means, except as provided in Subsection (3), the same as that term is
708 defined in Section [~~36-11-102~~] 53-1-102.
 - 709 (2) "Public official" includes a judge or justice of:
 - 710 (a) the Utah Supreme Court;

- 711 (b) the Utah Court of Appeals;
712 (c) a district court;
713 (d) a juvenile court; or
714 (e) the Business and Chancery Court.

715 (3) "Public official" does not include a local official or an education official as defined in
716 Section 36-11-102.

717 Section 9. Section **67-24-103** is amended to read:

718 **67-24-103 . Qualified prohibitions on lobbyists -- Time limit -- Exceptions.**

719 (1) Except as provided in Subsection (2), a former state official [~~serving on or after May 12,~~
720 ~~2009,~~] may not become a lobbyist or engage in lobbying that would require registration
721 as a lobbyist under Title 36, Chapter 11, Lobbyist Disclosure and Regulation Act, for
722 one calendar year, beginning on the day the state official leaves office and ending on the
723 one-year anniversary of that day.

724 (2) This section does not apply if the former state official[-] :

725 (a) engages in lobbying on behalf of:

726 [(a)] (i) [~~himself~~] the former state official; or

727 [(b)] (ii) a business with which [~~he~~] the former state official is associated, unless the
728 primary activity of the business is lobbying or governmental relations[-] ; or

729 (b) lobbies only outside the branch of government where the former state official served.

730 Section 10. **Effective Date.**

731 This bill takes effect on May 7, 2025.