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⌚ 02-05-99 3:22 PM ⌚

LOBBYIST REGISTRATION REQUIREMENTS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: R. Mont Evans

AN ACT RELATING TO LOBBYING; CREATING DIFFERENT CLASSES OF LOBBYING
LICENSES; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS:

36-11-103, as last amended by Chapter 162, Laws of Utah 1992

36-11-105, as enacted by Chapter 280, Laws of Utah 1991

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

Section 1. Section **36-11-103** is amended to read:

36-11-103. Lobbying license -- Application.

(1) Before engaging in any lobbying activities, a lobbyist shall ~~[register with]~~ obtain a license from the lieutenant governor by filing a written ~~[statement]~~ license application developed by the lieutenant governor that provides:

(a) ~~[his]~~ the lobbyist's name and business address;

(b) the name and business address of each principal for ~~[which he]~~ whom the lobbyist works or is hired as an independent contractor;

(c) the name and address of the person who paid or will pay ~~[his]~~ the lobbyist's registration fee, if the fee is not paid by the ~~[registrant himself]~~ lobbyist;

(d) ~~[any]~~ the elected or appointed position that ~~[he]~~ the lobbyist holds in state or local government, if any; ~~[and]~~

(e) the types of expenditures for which the lobbyist will be reimbursed; and

(f) whether the lobbyist is applying for a license to lobby the Legislature, the executive branch, or both.

(2) Each person who has ~~[registered in]~~ obtained a license under Subsection (1) shall

update ~~[his registration when he]~~ the license application information whenever the lobbyist accepts employment for lobbying by a new client.

(3) A principal is not required to register under Subsection (1), but if ~~[he]~~ the principal makes expenditures to benefit a public official without using a lobbyist as an agent to confer those benefits, ~~[he]~~ the principal shall disclose those expenditures in accordance with Sections 36-11-201 and 36-11-202.

(4) Government officers need not register under Subsection (1), but shall disclose expenditures made to benefit public officials in accordance with Sections 36-11-201 and 36-11-202.

Section 2. Section **36-11-105** is amended to read:

36-11-105. Licensing -- Fee -- Expiration -- Standards for disapproving an application.

(1) The lieutenant governor shall:

(a) develop a lobbying license form; and

(b) ensure that the form includes a place to identify whether the licensee is authorized to:

(i) lobby the Legislature;

(ii) lobby the executive branch; or

(iii) lobby both the Legislature and the executive branch.

~~[(1)]~~ (2) (a) The lieutenant governor shall grant a lobbying license granting the appropriate authority to ~~[an]~~ each applicant who:

(i) files an application with the lieutenant governor that contains the information required by Section 36-11-103; and

(ii) pays a \$25 filing fee.

(b) A license ~~[entitles a person to serve as a lobbyist]~~ grants the licensee the right to lobby the Legislature, the executive branch, or both on behalf of one or more principals ~~[and]~~.

(c) Each lobby license expires on December 31 of even-numbered years.

~~[(2)]~~ (3) (a) The lieutenant governor shall disapprove an application for a lobbying license if:

(i) the applicant has been convicted of violating Section 76-8-103, 76-8-104, 76-8-107, 76-8-108, 76-8-303, or 76-8-304; or

(ii) the applicant has had a civil penalty imposed upon him under this chapter for:

59 (A) violating Section 36-11-103, 36-11-201, or 36-11-202; or

60 (B) intentionally filing a document required by this chapter that contains materially false
61 information or omits material information.

62 (b) An applicant may appeal the disapproval in accordance with the procedures established
63 by the lieutenant governor under this chapter and Title 63, Chapter 46b, Administrative Procedures
64 Act.

65 [~~(3)~~] (4) The lieutenant governor shall deposit license fees in the General Fund.

Legislative Review Note

as of 1-27-99 8:00 AM

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

Office of Legislative Research and General Counsel