

Senator John L. Valentine proposes the following substitute bill:

LOBBYIST DISCLOSURE AND REGULATION

ACT AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kevin S. Garn

Senate Sponsor: Scott K. Jenkins

7	Cosponsors:	Janice M. Fisher	Kraig Powell
8	Trisha S. Beck	Lorie D. Fowlke	Paul Ray
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15	James A. Dunnigan	Steven R. Mascaro	Larry B. Wiley
16	Rebecca P. Edwards	Marie H. Poulson	Carl Wimmer



LONG TITLE

General Description:

This bill amends the Lobbyist Disclosure and Regulation Act related to an expenditure by a lobbyist, principal, or government officer for the benefit of a public official.

Highlighted Provisions:

This bill:

- ▶ requires the disclosure of an expenditure or aggregate daily expenditure greater than \$10;
- ▶ prohibits a lobbyist, principal, or government officer from making an expenditure greater than \$10, except for food, a beverage, travel, lodging, or attendance at a meeting or activity;



- 29 ▶ repeals and amends definitions, including the definition of expenditure to exclude
- 30 certain items or items under certain circumstances;
- 31 ▶ amends the information a lobbyist files when registering;
- 32 ▶ changes a lobbyist's filing fee from \$25 to \$100;
- 33 ▶ requires a person to file a report electronically by the close of regular business
- 34 hours;
- 35 ▶ repeals a section establishing different reporting schedules; and
- 36 ▶ makes technical changes.

37 **Monies Appropriated in this Bill:**

38 None

39 **Other Special Clauses:**

40 None

41 **Utah Code Sections Affected:**

42 AMENDS:

43 **36-11-102**, as last amended by Laws of Utah 2009, Chapter 109

44 **36-11-103**, as last amended by Laws of Utah 2009, Chapters 356 and 360

45 **36-11-201**, as last amended by Laws of Utah 2009, Chapter 109

46 REPEALS AND REENACTS:

47 **36-11-304**, as last amended by Laws of Utah 2009, Chapter 109

48 REPEALS:

49 **36-11-201.3**, as enacted by Laws of Utah 2007, Chapter 233



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

52 Section 1. Section **36-11-102** is amended to read:

53 **36-11-102. Definitions.**

54 As used in this chapter:

55 (1) "Aggregate daily expenditures" means:

56 (a) for a single lobbyist, principal, or government officer, the total of all expenditures
57 made within a calendar day by the lobbyist, principal, or government officer for the benefit of
58 an individual public official;

59 (b) [~~when~~] for an expenditure [~~is~~] made by a member of a lobbyist group, the total of

60 all expenditures made within a calendar day by every member of the lobbyist group for the
61 benefit of an individual public official; or

62 (c) for a multiclient lobbyist, the total of all expenditures made by the multiclient
63 lobbyist within a calendar day for the benefit of an individual public official, regardless of
64 whether the expenditures were attributed to different clients.

65 (2) "Approved meeting or activity" means a meeting or activity:

66 (a) to which a legislator is invited; and

67 (b) attendance at which is approved by:

68 (i) the speaker of the House of Representatives, if the public official is a member of the
69 House of Representatives; or

70 (ii) the president of the Senate, if the public official is a member of the Senate.

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

74 (b) "Compensation" includes:

75 (i) a salary or commission;

76 (ii) a bonus;

77 (iii) a benefit;

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

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

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

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

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

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

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

89 ~~(2)~~ (5) "Executive action" means:

90 ~~(a) [nominations and appointments]~~ a nomination or appointment by the governor;

91 (b) the proposal, drafting, amendment, enactment, or defeat by a state agency of ~~[any]~~ a
 92 rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
 93 ~~[and]~~

94 (c) agency ratemaking proceedings~~[-]; or~~

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

96 ~~[(3)]~~ (6) (a) "Expenditure" means any of the items listed in this Subsection ~~[(3)]~~ (6)(a)
 97 when given to or for the benefit of a public official~~[-]~~ unless consideration of equal or greater
 98 value is received:

99 (i) a purchase, payment, or distribution~~[-];~~

100 (ii) a loan, gift, or advance[-];

101 (iii) a deposit, subscription, or forbearance[-];

102 (iv) services[-] or goods[-]~~unless consideration of equal or greater value is received;~~

103 ~~and];~~

104 (v) money;

105 (vi) real property;

106 (vii) a ticket or admission to a sporting, recreational, or artistic event; or

107 ~~[(ii)]~~ (viii) a contract, promise, or agreement, whether or not legally enforceable, to
 108 provide any ~~[of the items]~~ item listed in ~~[Subsection (3)(a)(i)]~~ Subsections (6)(a)(i) through
 109 (vii).

110 (b) "Expenditure" does not mean:

111 (i) a commercially reasonable loan made in the ordinary course of business;

112 (ii) a campaign contribution reported in accordance with Title 20A, Chapter 11,
 113 Campaign and Financial Reporting Requirements;

114 (iii) printed informational material that is related to the performance of the recipient's
 115 official duties;

116 (iv) a devise or inheritance;

117 (v) any item listed in Subsection ~~[(3)]~~ (6)(a) if:

118 (A) given by a relative;

119 ~~[(vi) a modest item of food or refreshment such as a beverage or pastry offered other~~
 120 ~~than as part of a meal, the value of which does not exceed \$5;]~~

121 ~~[(vii) a greeting card or other item of little intrinsic value that is intended solely for~~

122 presentation; or]

123 (B) given by a compensation payor for a purpose solely unrelated to the public

124 official's position as a public official; or

125 (C) (I) the item has a value of less than \$10; and

126 (II) the aggregate daily expenditures do not exceed \$10;

127 (vi) food or beverage that is provided at an event to which the following are invited:

128 (A) all members of the Legislature;

129 (B) all members of a standing or interim committee;

130 (C) all members of an official legislative task force;

131 (D) all members of a party caucus; or

132 (E) all members of a group described in Subsections (6)(b)(vi)(A) through (D) who are

133 attending a meeting of a national organization whose primary purpose is addressing general

134 legislative policy;

135 (vii) food or beverage that is provided at an event to a public official who is:

136 (A) giving a speech at the event;

137 (B) participating in a panel discussion at the event; or

138 (C) presenting or receiving an award at the event;

139 [(viii) plaques, commendations, or awards]

140 (viii) a plaque, commendation, or award presented in public and having a cash value

141 not exceeding \$50[-];

142 [(4) "Gift" is as defined in Section 36-11-304.]

143 (ix) admission to or attendance at an event, the primary purpose of which is:

144 (A) to solicit contributions reportable under:

145 (I) Title 20A, Chapter 11, Campaign and Financial Reporting Requirements; or

146 (II) 2 U.S.C. Sec. 434; or

147 (B) charitable solicitation, as defined in Section 13-22-2;

148 (x) travel to, lodging at, food or beverage served at, and admission to an approved

149 meeting or activity; or

150 (xi) sponsorship of an official event or official entertainment of an approved meeting

151 or activity.

152 [(5)] (7) (a) "Government officer" means:

153 (i) an individual elected to a position in state or local government, when acting within
154 the government officer's official capacity; or

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

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

159 ~~[(6)]~~ (8) "Immediate family" means:

160 (a) a spouse;

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

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

163 ~~[(7) "Interested person" means an individual defined in Subsections (10)(b)(iii) and
164 (viii).]~~

165 ~~[(8)]~~ (9) "Legislative action" means:

166 (a) ~~[bills, resolutions, amendments, nominations, and other matters]~~ a bill, resolution,
167 amendment, nomination, veto override, or other matter pending or proposed in either house of
168 the Legislature or its committees or requested by a legislator; and

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

170 ~~[(9)]~~ (10) "Lobbying" means communicating with a public official for the purpose of
171 influencing the passage, defeat, amendment, or postponement of legislative or executive action.

172 ~~[(10)]~~ (11) (a) "Lobbyist" means:

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

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

176 (b) "Lobbyist" does not include:

177 (i) a government officer;

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

179 (iii) ~~[any]~~ a person while appearing at, or providing written comments to, a hearing
180 conducted in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act or
181 Title 63G, Chapter 4, Administrative Procedures Act;

182 (iv) ~~[any]~~ a person participating on or appearing before an advisory or study task force,
183 commission, board, or committee, constituted by the Legislature or any agency or department

184 of state government, except legislative standing, appropriation, or interim committees;

185 (v) a representative of a political party;

186 (vi) an individual representing a bona fide church solely for the purpose of protecting
187 the right to practice the religious doctrines of the church, unless the individual or church makes
188 an expenditure that confers a benefit on a public official;

189 (vii) a newspaper, television station or network, radio station or network, periodical of
190 general circulation, or book publisher for the purpose of publishing news items, editorials,
191 other comments, or paid advertisements that directly or indirectly urge legislative or executive
192 action; or

193 (viii) an individual who appears on the individual's own behalf before a committee of
194 the Legislature or an agency of the executive branch [agency] of state government solely for the
195 purpose of testifying in support of or in opposition to legislative or executive action.

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

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

204 ~~[(13) "Person" includes individuals, bodies politic and corporate, partnerships,~~
205 ~~associations, and companies.]~~

206 (14) "Principal" means a person that employs an individual to perform lobbying, either
207 as an employee or as an independent contractor.

208 (15) "Public official" means:

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

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

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

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

214 (B) drafts legislation or makes rules;

- 215 (C) determines rates or fees; or
- 216 (D) makes adjudicative decisions; or
- 217 (b) an immediate family member of a person described in Subsection (15)(a).

- 218 (16) "Public official type" means a notation to identify whether a public official is:
- 219 (a) (i) a member of the Legislature;
- 220 (ii) an individual elected to a position in the executive branch of state government;
- 221 (iii) an individual appointed to or employed in a position in the legislative branch of
- 222 state government who meets the definition of public official under Subsection (15)(a)(iii); or
- 223 (iv) an individual appointed to or employed in a position in the executive branch of
- 224 state government who meets the definition of public official under Subsection (15)(a)(iii); or

- 225 (b) an immediate family member of a person described in Subsection (15)(b).

- 226 (17) "Quarterly reporting period" means the three-month period covered by each
- 227 financial report required under Subsection 36-11-201(2)(a).

- 228 (18) "Related person" means ~~[any]~~ a person, ~~[or]~~ agent, or employee ~~[of a person,]~~ who
- 229 knowingly and intentionally assists a lobbyist, principal, or government officer in lobbying.

- 230 (19) "Relative" means a spouse, child, parent, grandparent, grandchild, brother, sister,
- 231 parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or spouse
- 232 of any of these individuals.

233 ~~[(20) "Tangible personal property" means an item having a description that is consistent~~

234 ~~with the meaning of tangible personal property found in the Utah Constitution, Article XIII.]~~

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

236 **36-11-103. Licensing requirements.**

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

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

- 240 (c) The lieutenant governor shall prepare a Lobbyist License Application Form that
- 241 includes:

- 242 (i) a place for the lobbyist's name and business address;
- 243 (ii) a place for the ~~[name and business address of]~~ following information for each
- 244 principal for whom the lobbyist works or is hired as an independent contractor[;]:

- 245 (A) the principal's name;

- 246 (B) the principal's business address;
247 (C) the name of each public official that the principal employs and the nature of the
248 employment with the public official; and
249 (D) the general purposes, interests, and nature of the principal;
250 (iii) a place for the name and address of the person who paid or will pay the lobbyist's
251 registration fee, if the fee is not paid by the lobbyist;
252 (iv) a place for the lobbyist to disclose;
253 (A) any elected or appointed position that the lobbyist holds in state or local
254 government, if any; and
255 (B) the name of each public official that the lobbyist employs and the nature of the
256 employment with the public official, if any;
257 (v) a place for the lobbyist to disclose the types of expenditures for which the lobbyist
258 will be reimbursed; and
259 (vi) a certification to be signed by the lobbyist that certifies that the information
260 provided in the form is true, accurate, and complete to the best of the lobbyist's knowledge and
261 belief.
- 262 (2) Each lobbyist who obtains a license under this section shall update the licensure
263 information when the lobbyist accepts employment for lobbying by a new client.
- 264 (3) (a) Except as provided in Subsection (4), the lieutenant governor shall grant a
265 lobbying license to an applicant who:
266 (i) files an application with the lieutenant governor that contains the information
267 required by this section; and
268 (ii) pays a [~~\$25~~] \$100 filing fee.
- 269 (b) A license entitles a person to serve as a lobbyist on behalf of one or more principals
270 and expires on December 31 of each even-numbered year.
- 271 (4) (a) The lieutenant governor may disapprove an application for a lobbying license:
272 (i) if the applicant has been convicted of violating Section 76-8-103, 76-8-107,
273 76-8-108, or 76-8-303 within five years before the date of the lobbying license application;
274 (ii) if the applicant has been convicted of violating Section 76-8-104 or 76-8-304
275 within one year before the date of the lobbying license application;
276 (iii) for the term of any suspension imposed under Section 36-11-401;

277 (iv) if, within one year before the date of the lobbying license application, the applicant
278 has been found to have willingly and knowingly:

279 (A) violated this section or Section 36-11-201, 36-11-301, 36-11-302, 36-11-303,
280 36-11-304, 36-11-305, or 36-11-403; or

281 (B) filed a document required by this chapter that the lobbyist knew contained
282 materially false information or omitted material information; or

283 (v) if the applicant is prohibited from becoming a lobbyist under Title 67, Chapter 24,
284 Lobbying Restrictions Act.

285 (b) An applicant may appeal the disapproval in accordance with the procedures
286 established by the lieutenant governor under this chapter and Title 63G, Chapter 4,
287 Administrative Procedures Act.

288 (5) The lieutenant governor shall deposit license fees in the General Fund.

289 (6) A principal need not obtain a license under this section, but if the principal makes
290 expenditures to benefit a public official without using a lobbyist as an agent to confer those
291 benefits, the principal shall disclose those expenditures as required by Section 36-11-201.

292 (7) Government officers need not obtain a license under this section, but shall disclose
293 any expenditures made to benefit public officials as required by Section 36-11-201.

294 (8) Surrender, cancellation, or expiration of a lobbyist license does not absolve the
295 lobbyist of the duty to file the financial reports if the lobbyist is otherwise required to file the
296 reports by Section 36-11-201.

297 Section 3. Section **36-11-201** is amended to read:

298 **36-11-201. Lobbyist, principal, and government officer financial reporting**
299 **requirements -- Prohibition for related person to make expenditures.**

300 (1) (a) (i) [~~Each~~] A lobbyist shall file [~~quarterly~~] financial reports with the lieutenant
301 governor on or before the due dates [~~under~~] specified in Subsection (2)[~~(a)~~].

302 (ii) If [~~the~~] a lobbyist has not made an expenditure during the quarterly reporting
303 period, the lobbyist shall file a [~~quarterly~~] financial report listing the amount of expenditures as
304 "none."

305 (b) [~~Each~~] A government officer or principal that makes an expenditure during any of
306 the quarterly reporting periods under Subsection (2)(a) shall file a [~~quarterly~~] financial report
307 with the lieutenant governor on or before the date that a report for that quarter is due.

308 (2) (a) ~~[Quarterly expense reports shall be due]~~ A financial report is due quarterly on
309 the following dates:

310 (i) April 10, for the period of January 1 through March 31;

311 (ii) July 10, for the period of April 1 through June 30;

312 (iii) October 10, for the period of July 1 through September 30; and

313 (iv) January 10, for the period of October 1 through December 31 of the previous year.

314 (b) If the due date for a financial report falls on a Saturday, Sunday, or legal holiday,
315 the report ~~[shall be considered to be]~~ is due on the next succeeding business day.

316 (c) A financial report ~~[shall be considered]~~ is timely filed if it is ~~[(i) postmarked on its~~
317 ~~due date; or (ii)]~~ filed electronically before the close of regular office hours on or before the
318 due date.

319 (3) A ~~[quarterly]~~ financial report shall contain:

320 (a) the total amount of expenditures made to benefit any public official during the
321 quarterly reporting period;

322 (b) the total amount of expenditures made, by ~~[public official]~~ the type of public
323 official, during the quarterly reporting period;

324 (c) for the financial report due on January 10:

325 (i) the total amount of expenditures made to benefit any public official during the last
326 calendar year; and

327 (ii) the total amount of expenditures made, by ~~[public official]~~ the type of public
328 official, during the last calendar year;

329 (d) a disclosure of each expenditure made during the quarterly reporting period to
330 reimburse or pay for ~~[the]~~ travel or lodging ~~[expenses of]~~ for a public official, including ~~[for~~
331 ~~each trip]~~:

332 (i) ~~[the purpose and]~~ each travel destination ~~[of the trip]~~ and each lodging location;

333 (ii) the name of each public official ~~[that participated in the trip]~~ who benefitted from
334 the expenditure on travel or lodging;

335 (iii) the public official type of each public official named;

336 (iv) for each public official named, a listing of the amount and purpose of each
337 expenditure made for travel or lodging ~~[that benefitted the public official]~~; and

338 (v) the total amount of expenditures ~~[made to benefit each public official named]~~ listed

339 under Subsection (3)(d)(iv);

340 (e) a disclosure of ~~[each expenditure]~~ aggregate daily expenditures greater than \$10
341 made during the quarterly reporting period ~~[that was not disclosed under Subsection (3)(d), to~~
342 ~~be provided as follows:]~~ including:

343 ~~[(i) using Schedule A under Section 36-11-201.3, a disclosure of each of the following~~
344 ~~expenditures:]~~

345 ~~[(A) an expenditure made for the cost or value of admission to a sporting, recreational,~~
346 ~~or artistic event, whether as a spectator or a participant;]~~

347 ~~[(B) an expenditure made for a gift, if the aggregate daily expenditures benefitting the~~
348 ~~public official are greater than \$10;]~~

349 ~~[(C) an expenditure made for food or beverage, if the aggregate daily expenditures~~
350 ~~benefitting the public official are greater than \$25 unless the food or beverage is provided in~~
351 ~~connection with an event to which:]~~

352 ~~[(F) all of the members of the Legislature, a standing or interim committee or official~~
353 ~~legislative task force, or a party caucus are invited; or]~~

354 ~~[(H) all attendees from a house of the Legislature are invited, if the event is held in~~
355 ~~conjunction with a meeting of a regional or national organization the members of which are~~
356 ~~comprised of state legislatures or legislators; and]~~

357 ~~[(D) any expenditure not otherwise reported in Subsection (3)(d), or this Subsection~~
358 ~~(3)(e)(i), except for an expenditure for food and beverage provided in connection with an event~~
359 ~~to which:]~~

360 ~~[(F) all of the members of the Legislature, a standing or interim committee or official~~
361 ~~legislative task force, or a party caucus are invited; or]~~

362 ~~[(H) all attendees from a house of the Legislature are invited, if the event is held in~~
363 ~~conjunction with a meeting of a regional or national organization the members of which are~~
364 ~~comprised of state legislatures or legislators; and]~~

365 ~~[(ii) using Schedule B under Section 36-11-201.3, a disclosure of every expenditure not~~
366 ~~reported in Subsection (3)(d) or (3)(e)(i);]~~

367 (i) the date and purpose of the expenditure;

368 (ii) the location of the expenditure;

369 (iii) the name of any public official benefitted by the expenditure;

370 (iv) the type of the public official benefitted by the expenditure; and
371 (v) the total monetary worth of the benefit that the expenditure conferred on any public
372 official;

373 (f) for each public official who was employed by the lobbyist, principal, or government
374 officer ~~[or who performed work as an independent contractor for the lobbyist, principal, or~~
375 ~~government officer during the last year]~~, a list that provides:

376 (i) the name of the public official; and
377 (ii) the nature of the employment ~~[or contract]~~ with the public official;

378 (g) each bill or resolution, by number and short title, on behalf of which the lobbyist,
379 principal, or government officer made an expenditure to a public official ~~[for which a report is~~
380 ~~required by this section, if any]~~;

381 (h) a description of each executive action on behalf of which the lobbyist, principal, or
382 government officer made an expenditure to a public official ~~[for which a report is required by~~
383 ~~this section, if any]~~;

384 (i) the general purposes, interests, and nature of the ~~[organization or organizations]~~
385 entities that the lobbyist, principal, or government officer filing the report represents; and
386 (j) for a lobbyist, a certification that the information provided in the report is true,
387 accurate, and complete to the lobbyist's best knowledge and belief.

388 ~~[(4) In reporting expenditures under this section for events to which all legislators are~~
389 ~~invited, each lobbyist, principal, and government officer:]~~

390 ~~[(a) may not divide the cost of the event by the number of legislators who actually~~
391 ~~attend the event and report that cost as an expenditure made to those legislators;]~~

392 ~~[(b) shall divide the total cost by the total number of Utah legislators and others invited~~
393 ~~to the event and report that quotient as the amount expended for each legislator who actually~~
394 ~~attended the event; and]~~

395 ~~[(c) may not report any expenditure as made to a legislator who did not attend the~~
396 ~~event.]~~

397 ~~[(5)]~~ (4) A related person may not, while assisting a lobbyist, principal, or government
398 officer in lobbying, make an expenditure that benefits a public official under circumstances
399 ~~[which]~~ that would otherwise fall within the disclosure requirements of this chapter if the
400 expenditure was made by the lobbyist, principal, or government officer.

401 ~~[(6)]~~ (5) The lieutenant governor shall:

402 (a) (i) develop a preprinted ~~[forms for all financial reports]~~ form for a financial report
403 required by this section; and

404 (ii) make copies of the ~~[forms]~~ form available to ~~[each person]~~ a lobbyist, principal, or
405 government officer who requests ~~[them]~~ a form; and

406 (b) provide a reporting system that allows a lobbyist, principal, or government officer
407 to submit a financial ~~[reports to be submitted]~~ report required by this chapter via the Internet.

408 ~~[(7)]~~ (6) (a) ~~[Each]~~ A lobbyist and ~~[each]~~ a principal shall continue to file ~~[the~~
409 quarterly] a financial ~~[reports]~~ report required by this section until the lobbyist or principal files
410 a statement with the lieutenant governor that:

411 (i) states:

412 (A) for a lobbyist, that the lobbyist has ceased lobbying activities; or

413 (B) for a principal, that the principal no longer employs an individual as a lobbyist;

414 (ii) in the case of a lobbyist, states that the lobbyist is surrendering the lobbyist's
415 license;

416 (iii) contains a listing, as required by this section, of all previously unreported
417 expenditures that have been made through the date of the statement; and

418 (iv) states that the lobbyist or principal will not make any additional expenditure that is
419 not disclosed on the statement unless the lobbyist or principal complies with the disclosure and
420 licensing requirements of this chapter.

421 (b) A ~~[lobbyist]~~ person that fails to renew the lobbyist's license or otherwise ceases to
422 be licensed ~~[shall be]~~ is required to file ~~[quarterly reports]~~ a financial report quarterly until the
423 ~~[lobbyist]~~ person files the statement required by Subsection ~~[(7)]~~ (6)(a).

424 Section 4. Section **36-11-304** is repealed and reenacted to read:

425 **36-11-304. Expenditures over \$10 prohibited -- Exceptions.**

426 (1) Except as provided in Subsection (2), a lobbyist, principal, or government officer
427 may not make or offer to make aggregate daily expenditures that exceed \$10.

428 (2) A lobbyist, principal, or government officer may make aggregate daily expenditures
429 that exceed \$10:

430 (a) for the following items, if the expenditure is reported in accordance with Section
431 36-11-201:

- 432 (i) food;
- 433 (ii) beverage;
- 434 (iii) travel;
- 435 (iv) lodging; or
- 436 (v) admission to or attendance at a meeting or activity that is not an approved meeting
- 437 or activity; or
- 438 (b) if the expenditure is made for a purpose solely unrelated to the public official's
- 439 position as a public official.

440 Section 5. **Repealer.**

441 This bill repeals:

442 Section **36-11-201.3, Expenditure reporting schedules.**

Fiscal Note**H.B. 267 1st Sub. (Buff) - Lobbyist Disclosure and Regulation Act
Amendments**2010 General Session
State of Utah

State Impact

Enactment of this bill will generate \$45,000 in Dedicated Credits for the Lt. Governor's Office in FY 2011 and every other year thereafter.

	<u>FY 2010 Approp.</u>	<u>FY 2011 Approp.</u>	<u>FY 2012 Approp.</u>	<u>FY 2010 Revenue</u>	<u>FY 2011 Revenue</u>	<u>FY 2012 Revenue</u>
Dedicated Credits	\$0	\$45,000	\$0	\$0	\$45,000	\$0
Total	\$0	\$45,000	\$0	\$0	\$45,000	\$0

Individual, Business and/or Local Impact

Lobbyists license fees increase \$75, payable every other year. No direct measurable costs and/or benefits to local governments.