

1 **RESTRICTIONS ON LOBBYING EXPENDITURES -**

2 **PUBLIC EDUCATION**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Scott K. Jenkins**

6 House Sponsor: \_\_\_\_\_

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**LONG TITLE**

8 **General Description:**

9 This bill modifies the Budgetary Procedures Act by amending the provisions for  
10 restricting an agency from using state appropriated money to pay a lobbyist.  
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12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ amends the definition of agency to include a school, a school district, or a charter
- 15 school;
- 16 ▶ prohibits a school, a school district, or a charter school from expending state
- 17 appropriated money to pay a ~~§~~→ contract ←~~§~~ lobbyist; and
- 18 ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **63J-1-210**, as renumbered and amended by Laws of Utah 2009, Chapter 183

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



28 Section 1. Section **63J-1-210** is amended to read:

29 **63J-1-210. Restrictions on agency expenditures of money -- Lobbyists.**

30 (1) As used in this section:

31 (a) (i) "Agency" means [~~each~~]:

32 (A) a department, commission, board, council, agency, institution, officer, corporation,  
33 fund, division, office, committee, authority, laboratory, library, unit, bureau, panel, or other  
34 administrative unit of the state[~~;~~]; or

35 (B) a school, a school district, or a charter school.

36 (ii) "Agency" includes the legislative branch, the judicial branch, the Board of Regents,  
37 the board of trustees of each higher education institution, [~~each~~] or a higher education  
38 institution[~~, or a public education entity~~].

39 (b) "Executive action" means action undertaken by the governor, including signing or  
40 vetoing legislation, and action undertaken by any official in the executive branch of state  
41 government.

42 (c) "Legislative action" means action undertaken by the Utah Legislature or any part of  
43 it.

44 (d) ~~§~~ → Contract ← ~~§~~ "Lobbyist" means a person who is not an employee of an agency who  
44a is hired as an  
45 independent contractor by the agency to communicate with legislators or the governor for the  
46 purpose of influencing the passage, defeat, amendment, or postponement of a legislative action  
47 or an executive action.

48 (2) [~~A state~~] An agency [~~or entity~~] to which [~~monies are~~] money is appropriated by the  
49 Legislature may not expend any [~~monies~~] money to pay a ~~§~~ → contract ← ~~§~~ lobbyist.

50 (3) This section does not affect the provisions of Title 36, Chapter 11, Lobbyist  
51 Disclosure and Regulation Act.

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Legislative Review Note  
as of 1-21-11 3:25 PM

Office of Legislative Research and General Counsel