

57 (B) the president of the Senate, if the public official is a member of the Senate; or

58 (b) (i) to which a public official who holds a position in the executive branch of state
59 government is invited; and

60 (ii) attendance at which is approved by the governor or the lieutenant governor.

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

64 (b) "Compensation" includes:

65 (i) a salary or commission;

66 (ii) a bonus;

67 (iii) a benefit;

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

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

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

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

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

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

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

79 (5) "Donated time" means the time provided by a principal or lobbyist, or by an
80 employee or independent contractor of a principal or lobbyist at the direction of the principal or
81 lobbyist, without charge or at a reduced rate ~~§~~ → [§] ← ~~§~~ for the benefit of a prospective appointee.

82 [~~5~~] (6) "Executive action" means:

83 (a) a nomination or appointment by the governor;

84 (b) the proposal, drafting, amendment, enactment, or defeat by a state agency of a rule
85 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

86 (c) agency ratemaking proceedings; or

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

212 (b) an immediate family member of a person described in Subsection ~~[(15)]~~ (19)(a).
 213 ~~[(16)]~~ (20) "Public official type" means a notation to identify whether a public official
 214 is:

215 (a) (i) a member of the Legislature;
 216 (ii) an individual elected to a position in the executive branch of state government;
 217 (iii) an individual appointed to or employed in a position in the legislative branch of
 218 state government who meets the definition of public official under Subsection ~~[(15)]~~
 219 (19)(a)(iii); or

220 (iv) an individual appointed to or employed in a position in the executive branch of
 221 state government who meets the definition of public official under Subsection ~~[(15)]~~
 222 (19)(a)(iii); or

223 (b) an immediate family member of a person described in Subsection ~~[(15)]~~ (19)(b).
 224 ~~[(17)]~~ (21) "Quarterly reporting period" means the three-month period covered by each
 225 financial report required under Subsection 36-11-201(2)(a).

226 ~~[(18)]~~ (22) "Related person" means a person, agent, or employee who knowingly and
 227 intentionally assists a lobbyist, principal, or government officer in lobbying.

228 ~~[(19)]~~ (23) "Relative" means a spouse, child, parent, grandparent, grandchild, brother,
 229 sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or
 230 spouse of any of these individuals.

231 (24) "Tour" means visiting a location, for a purpose relating to the duties of a public
 232 official, and not ~~§~~→ primarily ←~~§~~ for entertainment, including:

233 (a) viewing a facility;
 234 (b) viewing the sight of a natural disaster; or
 235 (c) assessing a circumstance in relation to which a public official may need to take
 236 action within the scope of the public official's duties.

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

238 **36-11-103. Licensing requirements.**

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

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

242 (c) The lieutenant governor shall prepare a Lobbyist License Application Form that

- 274 (i) if the applicant has been convicted of violating Section 76-8-103, 76-8-107,
- 275 76-8-108, or 76-8-303 within five years before the date of the lobbying license application;
- 276 (ii) if the applicant has been convicted of violating Section 76-8-104 or 76-8-304
- 277 within one year before the date of the lobbying license application;
- 278 (iii) for the term of any suspension imposed under Section 36-11-401;
- 279 (iv) if, within one year before the date of the lobbying license application, the applicant
- 280 has been found to have willingly and knowingly:

281 (A) violated this section or Section 36-11-201, 36-11-301, 36-11-302, 36-11-303,

282 36-11-304, 36-11-305, or 36-11-403; or

283 (B) filed a document required by this chapter that the lobbyist knew contained

284 materially false information or omitted material information; or

285 (v) if the applicant is prohibited from becoming a lobbyist under Title 67, Chapter 24,

286 Lobbying Restrictions Act.

287 (b) An applicant may appeal the disapproval in accordance with the procedures

288 established by the lieutenant governor under this chapter and Title 63G, Chapter 4,

289 Administrative Procedures Act.

290 (5) The lieutenant governor shall deposit license fees in the General Fund as a

291 dedicated credit ~~§~~ [§] ~~←§~~ to be used by the lieutenant governor to administer the licensing

291a program

292 described in this section.

293 (6) A principal need not obtain a license under this section, but if the principal makes

294 expenditures to benefit a public official without using a lobbyist as an agent to confer those

295 benefits, the principal shall disclose those expenditures as required by Section 36-11-201.

296 (7) Government officers need not obtain a license under this section, but shall disclose

297 any expenditures made to benefit public officials as required by Section 36-11-201.

298 (8) Surrender, cancellation, or expiration of a lobbyist license does not absolve the

299 lobbyist of the duty to file the financial reports if the lobbyist is otherwise required to file the

300 reports by Section 36-11-201.

301 Section 3. Section 36-11-203 is enacted to read:

302 **36-11-203. Reporting requirements for donated time to benefit prospective**

303 **appointee.**

304 (1) Within one business day after the earlier of the day on which a lobbyist or principal

305 agrees to provide, or the day on which the lobbyist or principal begins to provide, donated time
 306 to a prospective appointee, the lobbyist or principal shall file a written report with the
 307 lieutenant governor that includes:

- 308 (a) the name, address, and telephone number of the lobbyist or principal;
 309 (b) the name of the prospective appointee;
 310 (c) the elective office for which the prospective appointee is seeking to be appointed;

311 and

- 312 (d) a statement that the lobbyist or principal has agreed to provide or begun to provide
 313 donated time to the prospective appointee.

314 (2) A lobbyist or principal described in Subsection (1) shall, within three business days
 315 after the day on which the lobbyist or principal provides donated time to a prospective
 316 appointee, file a written report with the lieutenant governor that includes:

- 317 (a) the name, address, and telephone number of the lobbyist or principal;
 318 (b) the name of the prospective appointee;
 319 (c) the elective office for which the prospective appointee is seeking to be appointed;
 320 (d) the number of hours of donated time, per day, that:

321 (i) the lobbyist or principal has provided to the prospective appointee; and

322 (ii) were not included in a previous report filed under this Subsection (2); and

323 (e) a description of the services provided to the prospective appointee during the
 324 donated time.

325 (3) The lieutenant governor shall:

326 (a) post each report described in this section on the lieutenant governor's website
 327 within one business day after the day on which the lieutenant governor receives the report; and

328 (b) ensure that an individual may view a report described in Subsection (3)(a) by

329 searching for the prospective appointee's name from ~~§~~→ the ←~~§~~ same location on the lieutenant
 329a governor's

330 website that an individual uses to search for the name of a reporting entity in order to view a
 331 financial statement filed by the reporting entity.

332 Section 4. Section **36-11-304** is amended to read:

333 **36-11-304. Expenditures over \$10 prohibited -- Exceptions.**

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