

IN THE SENATE

SENATE BILL NO. 1038

BY MALEPEAI, BOCK, STENNETT, WERK, BILYEU, LEFAVOUR, SCHMIDT

AN ACT

1 RELATING TO LOBBYING; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE
2 ADDITION OF A NEW SECTION 67-6617A, IDAHO CODE, TO PROHIBIT LOBBYING
3 AND REGISTRATION AS LOBBYISTS BY EXECUTIVE OFFICIALS OR LEGISLATORS
4 FOR A PERIOD OF ONE YEAR FROM TERMINATION OF OFFICE; AMENDING SECTION
5 67-6625, IDAHO CODE, TO PROVIDE PENALTIES FOR VIOLATING THE PROHIBITION
6 OF LOBBYING AND REGISTRATION AS LOBBYISTS BY EXECUTIVE OFFICIALS OR
7 LEGISLATORS FOR A PERIOD OF ONE YEAR FROM TERMINATION OF OFFICE AND TO
8 MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Chapter 66, Title 67, Idaho Code, be, and the same is
12 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
13 ignated as Section 67-6617A, Idaho Code, and to read as follows:

14 67-6617A. PROHIBITION FROM LOBBYING AND REGISTRATION. No executive
15 official nor member of the legislature shall register under section 67-6617,
16 Idaho Code, or request or accept employment, compensation or any other pe-
17 cuniary benefit for the purpose of lobbying as defined in section 67-6602,
18 Idaho Code, during or for a period of one (1) year from the date of termina-
19 tion of his or her membership or office.

20 SECTION 2. That Section 67-6625, Idaho Code, be, and the same is hereby
21 amended to read as follows:

22 67-6625. VIOLATIONS -- CIVIL FINE -- MISDEMEANOR PENALTY -- PROSECU-
23 TION -- LIMITATION -- VENUE. (a) Any person who violates the provisions of
24 sections 67-6603 through 67-6614A, 67-6617, 67-6617A, 67-6619, 67-6620,
25 67-6621(a), 67-6624, 67-6629 or 67-6630, Idaho Code, shall be liable for a
26 civil fine not to exceed two hundred fifty dollars (\$250) if an individual,
27 and not more than two thousand five hundred dollars (\$2,500) if a person
28 other than an individual. The burden of proof for such civil liability shall
29 be met by showing a preponderance of the evidence.

30 (b) Any person who violates section 67-6605 or 67-6621(b), Idaho Code,
31 and any person who knowingly and willfully violates sections 67-6603 through
32 67-6614A, 67-6617, 67-6617A, 67-6619, 67-6620, 67-6621(a), 67-6624,
33 67-6629 or 67-6630, Idaho Code, is guilty of a misdemeanor and, upon convic-
34 tion, in addition to the fines set forth in subsection (a) of this section,
35 may be imprisoned for not more than six (6) months or be both fined and im-
36 prisoned.

37 (c) The attorney general or the appropriate prosecuting attorney may
38 prosecute any violations of this ~~act~~ chapter.

39 (d) Prosecution for violations of this ~~act~~ chapter must be commenced
40 within two (2) years after the date on which the violation occurred.

1 (e) Venue for prosecution under the provisions of this chapter shall be
2 in the county of residence of the defendant if the defendant is a resident of
3 the state of Idaho, otherwise venue shall be in Ada county.

4 SECTION 3. An emergency existing therefor, which emergency is hereby
5 declared to exist, this act shall be in full force and effect on and after its
6 passage and approval.