

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: Brad L. Dee

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Budgetary Procedures Act by amending the provisions for
11 restricting an agency from using state appropriated money to pay a lobbyist.

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

27 *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 ~~[(d) "Lobbyist"]~~ (b) "Contract lobbyist" means a person who is not an employee of an
40 agency who is hired as an independent contractor by the agency to communicate with
41 legislators or the governor for the purpose of influencing the passage, defeat, amendment, or
42 postponement of a legislative action or an executive action.

43 ~~[(b)]~~ (c) "Executive action" means action undertaken by the governor, including
44 signing or vetoing legislation, and action undertaken by any official in the executive branch of
45 state government.

46 ~~[(e)]~~ (d) "Legislative action" means action undertaken by the Utah Legislature or any
47 part of it.

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.