

STAFF PROPOSED REVISIONS TO PD 02

As of 2/25/2020

Current law requires that state and local governments report expenditures for federal lobbying. The revisions in PD 02 that inserted new language about federal lobbying in 5-1-102(11)(iii) were intended to simply incorporate current law. However, this approach has caused concern and confusion, so staff offers the following revisions and policy options to address the concerns:

On page 3, lines 9 through 11, strike the new subsection (11)(a)(iii).

Amend 5-7-120 as follows:

5-7-120. Full disclosure of public expenditures on federal lobbying. (1)

Each quarter of a fiscal year that a state agency or a local government, as the terms are defined in 2-2-102, makes an expenditure for the services of a lobbyist to lobby an ~~elect~~ elected federal official or an appointee of an elected federal official, the state agency or local government shall make readily available for public inspection upon request a summary report itemizing each lobbying service provided and how much money was spent for each service.

(2) Each state agency and local government subject to subsection (1) shall:

(a) designate an office from which a copy of the report may be obtained; and

(b) post a copy of the report to the agency's or local government's website on the internet, if the agency or local government has a website.

(3) For purposes of this section:

~~(a) "expenditure"~~ "Expenditure" means a payment by the state agency or local government or a payment by a contractor of the state agency or local government; and

(b) "Lobbying" means the practice of promoting or opposing the introduction or enactment of federal legislation before the U.S. house of representatives or the U.S. senate [or to promote or oppose official action of any elected federal official or an appointee of an elected federal official].

Commented [SS1]: Depending on SAVA's choice pursuant to the comment below, this bracketed language would be stricken and "U.S. senator or U.S. representative" would be inserted.

Commented [SS2]: SAVA could choose to not include the bracketed language if the committee want to limit lobbying to promoting or opposing federal legislation.

If SAVA wants to delete the bracketed language, staff would also strike the related bracketed language in subsection (1). Additionally, the term "elected federal official" would be stricken from the definition section (5-7-102).