

1 SB95
2 125330-3
3 By Senators Taylor, Holtzclaw, Beason, Pittman, McGill, Allen,
4 Scofield, Williams, Ward, Brewbaker, Marsh and Brooks
5 RFD: Constitution, Campaign Finance, Ethics, and Elections
6 First Read: 01-MAR-11

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8 SYNOPSIS: Under existing law, each registered lobbyist
9 and principal employing a lobbyist is required to
10 file a quarterly report containing, but not limited
11 to, the cost of items excluded from the definition
12 of a "thing of value" if the actual cost expended
13 during a 24-hour period is greater than \$250.

14 Also, under existing law, any person who
15 expends more than \$250 in a calendar day on a
16 public official or public employee in negotiating a
17 contract or other financial transaction is required
18 to file a quarterly report detailing the
19 expenditure.

20 This bill would delete the 24-hour time
21 period and the \$250 minimum requirement.

22 This bill would require additional
23 information relating to each expenditure made by a
24 lobbyist.

25 This bill would include within the reporting
26 requirements expenditures made by lobbyists to
27 public employees and their family members.

1 This bill would also delete the calendar day
2 limitation and \$250 minimum requirement for reports
3 of expenditures made by non-lobbyists.
4

5 A BILL
6 TO BE ENTITLED
7 AN ACT
8

9 To amend Section 36-25-19, Code of Alabama 1975,
10 relating to quarterly reports filed by lobbyists and other
11 persons; to remove the \$250 and 24-hour limitation
12 requirements for items excluded from the definition of a thing
13 of value so as to require the reporting of those items
14 whatever the actual cost; to require additional information
15 relating to each expenditure made by a lobbyist; to include
16 within the reporting requirements expenditures made to public
17 employees and their family members; and to delete the calendar
18 day and \$250 limitations for reports of expenditures made by
19 non-lobbyists.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Section 36-25-19 of the Code of Alabama
22 1975, is amended to read as follows:

23 "§36-25-19.

24 "(a) Every person registered as a lobbyist pursuant
25 to Section 36-25-18 and every principal employing any lobbyist
26 shall file with the commission a report provided by the
27 commission pertaining to the activities set out in that

1 section. The report shall be filed with the commission no
2 later than January 31, April 30, July 31, and October 31 for
3 each preceding calendar quarter, and contain, but not be
4 limited to, the following information:

5 "(1) The cost of those items excluded from the
6 definition of a thing of value which are described in
7 paragraph b. of subdivision (33) of Section 36-25-1(32)b.
8 36-25-1 and which are expended ~~within a 24-hour period~~ on a
9 public official, public employee, and members of his or her
10 respective household ~~in excess of two hundred fifty dollars~~
11 ~~(\$250)~~ with the name or names of the recipient or recipients,
12 the name of the related public official or public employee if
13 applicable, a description of the item, the value, and the date
14 of the expenditure.

15 "(2) The nature and date of any financial
16 transaction between the public official, candidate, or member
17 of the household of such public official or candidate and the
18 lobbyist or principal of a value in excess of five hundred
19 dollars (\$500) in the prior quarter, excluding those financial
20 transactions which are required to be reported by candidates
21 under the Fair Campaign Practices Act as provided in Chapter
22 ~~22A (commencing with Section 17-22A-1)~~ 5 of Title 17.

23 "(3) A detailed statement showing the exact amount
24 of any loan given or promised to a ~~public official, candidate,~~
25 public official, or candidate, public employee, or family
26 member of a public official, candidate, or public employee.

1 "(4) A detailed statement showing any direct
2 business association or partnership with any public official,
3 candidate, public employee, or members of the household of
4 such public official, ~~or candidate,~~ or public employee;
5 provided, however, that campaign expenditures shall not be
6 deemed a business association or partnership.

7 "(b) Any person not otherwise deemed a lobbyist
8 pursuant to this chapter who negotiates or attempts to
9 negotiate a contract, sells or attempts to sell goods or
10 services, or engages or attempts to engage in a financial
11 transaction with a public official or public employee in ~~their~~
12 his or her official capacity and who ~~within a calendar day~~
13 ~~expends in excess of two hundred fifty dollars (\$250)~~ any
14 amount on such public employee, public official, and his or
15 her respective household shall file a detailed quarterly
16 report of the expenditure with the commission.

17 "(c) Any other provision of this chapter to the
18 contrary notwithstanding, no organization whose officer or
19 employee serves as a public official under this chapter shall
20 be required to report expenditures or reimbursement paid to
21 such officer or employee in the performance of the duties with
22 the organization."

23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.