

1 SB149
2 147954-1
3 By Senators Taylor and Beason
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 07-FEB-13

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8 SYNOPSIS: Under existing law, each registered
9 lobbyist and principal employing a lobbyist is
10 required to file a quarterly report containing, but
11 not limited to, the cost of items excluded from the
12 definition of a "thing of value" if the actual cost
13 expended during a 24-hour period is greater than
14 \$250.

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

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

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

1 This bill would include within the reporting
2 requirements expenditures made by lobbyists to
3 public employees and their family members.

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

7
8 A BILL
9 TO BE ENTITLED
10 AN ACT

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

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

26 "§36-25-19.

1 "(a) Every person registered as a lobbyist pursuant
2 to Section 36-25-18 and every principal employing any lobbyist
3 shall file with the commission a report provided by the
4 commission pertaining to the activities set out in that
5 section. The report shall be filed with the commission no
6 later than January 31, April 30, July 31, and October 31 for
7 each preceding calendar quarter, and contain, but not be
8 limited to, the following information:

9 "(1) The cost of those items excluded from the
10 definition of a thing of value which are described in
11 subparagraphs 12., 13., 14., 15., and 16. of paragraph b. of
12 subdivision (34) of Section ~~36-25-1(32)b.~~ 36-25-1 and which
13 are expended ~~within a 24-hour period~~ on a public official,
14 public employee, and members of his or her respective
15 household ~~in excess of two hundred fifty dollars (\$250)~~ with
16 the name or names of the recipient or recipients, the name of
17 the related public official or public employee if applicable,
18 a description of the item, the value, and the date of the
19 expenditure.

20 "(2) The nature and date of any financial
21 transaction between the public official, candidate, or member
22 of the household of such public official or candidate and the
23 lobbyist or principal of a value in excess of five hundred
24 dollars (\$500) in the prior quarter, excluding those financial
25 transactions which are required to be reported by candidates
26 under the Fair Campaign Practices Act as provided in Chapter
27 ~~22A (commencing with Section 17-22A-1)~~ 5 of Title 17.

1 "(3) A detailed statement showing the exact amount
2 of any loan that is not a thing of value given or promised to
3 a ~~public official, candidate,~~ public official, ~~or candidate,~~
4 public employee, or family member of a public official,
5 candidate, or public employee.

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

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

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

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