

1 HB633
2 131664-1
3 By Representative Robinson (O)
4 RFD: Economic Development and Tourism
5 First Read: 24-MAY-11

8 SYNOPSIS: Under the recent revisions to the Ethics
9 Act, anything that is provided to a public official
10 by a governmental entity, or an entity that
11 supports governmental entities, is not considered a
12 "thing of value."

13 This bill would further amend the term
14 "thing of value" to provide that it would not apply
15 to things provided at certain municipality-owned,
16 public-private facilities so long as they are not
17 provided to a member of the Legislature, and other
18 conditions are satisfied.

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20 A BILL
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22 TO BE ENTITLED
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24 AN ACT
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Relating to the Alabama Ethics Act; to amend Section
36-25-1.5, Code of Alabama 1975, as added by Act 2010-762,
2010 Special Session; to provide for the definition of a thing
a value to exclude things provided at certain

municipality-owned, public-private facilities so long as they are not provided to a member of the Legislature and other conditions are satisfied.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-25-1.5 of the Code of Alabama 1975, as added by Act 2010-762, 2010 Special Session, is amended to read as follows:

"36-25-1.5.

"(a) Lobbying includes promoting or attempting to influence the awarding of a grant or contract with any department or agency of the executive, legislative, or judicial branch of state government.

"(b) Unless provided to a member of the Alabama Legislature, the term, thing of value, does not include any admission, hospitality, meals, food, or beverages that are provided at a public-private facility, provided that each of the following requirements are met:

"(1) No particular course of action is required as a condition to the receipt thereof.

"(2) The facility is owned by an Alabama municipality.

"(3) The facility is developed or constructed as
part of an economic or community development project.

"(4) The facility is leased to a for-profit business entity that makes rent payments to the owner and/or makes other payments to the owner that are affected by the revenues from the facility.

1 "(c) No member of the Legislature, for a fee,
2 reward, or other compensation, in addition to that received in
3 his or her official capacity, shall represent any person,
4 firm, corporation, or other business entity before an
5 executive department or agency."

6 Section 2. The provisions of this act are severable.
7 If any part of this act is ruled or declared invalid or
8 unconstitutional, that ruling or declaration shall not affect
9 the part which remains.

10 Section 3. All laws or parts of laws which conflict
11 with this act are repealed.

12 Section 4. This act shall become effective
13 immediately following its passage and approval by the
14 Governor, or its otherwise becoming law.