

IN THE SENATE

SENATE BILL NO. 1235

BY BOCK, LEFAVOUR, BILYEU, MALEPEAI, SCHMIDT, WERK, STENNETT

AN ACT

RELATING TO LOBBYING; TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6617A, IDAHO CODE, TO PROHIBIT LOBBYING AND REGISTRATION AS LOBBYISTS BY EXECUTIVE OFFICIALS OR LEGISLATORS FOR A PERIOD OF ONE YEAR FROM TERMINATION OF OFFICE; AMENDING SECTION 67-6625, IDAHO CODE, TO PROVIDE PENALTIES FOR VIOLATING THE PROHIBITION OF LOBBYING AND REGISTRATION AS LOBBYISTS BY EXECUTIVE OFFICIALS OR LEGISLATORS FOR A PERIOD OF ONE YEAR FROM TERMINATION OF OFFICE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. SHORT TITLE. This act shall be known as the "Lobbyist Restriction Act."

SECTION 2. That Chapter 66, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-6617A, Idaho Code, and to read as follows:

67-6617A. PROHIBITION FROM LOBBYING AND REGISTRATION. No executive official nor member of the legislature shall register under section 67-6617, Idaho Code, or request or accept employment, compensation or any other pecuniary benefit for the purpose of lobbying as defined in section 67-6602, Idaho Code, during or for a period of one (1) year from the date of termination of his or her membership or office.

SECTION 3. That Section 67-6625, Idaho Code, be, and the same is hereby amended to read as follows:

67-6625. VIOLATIONS -- CIVIL FINE -- MISDEMEANOR PENALTY -- PROSECUTION -- LIMITATION -- VENUE. (a) Any person who violates the provisions of sections 67-6603 through 67-6614A, 67-6617, 67-6617A, 67-6619, 67-6620, 67-6621(a), 67-6624, 67-6629 or 67-6630, Idaho Code, shall be liable for a civil fine not to exceed two hundred fifty dollars (\$250) if an individual, and not more than two thousand five hundred dollars (\$2,500) if a person other than an individual. The burden of proof for such civil liability shall be met by showing a preponderance of the evidence.

(b) Any person who violates section 67-6605 or 67-6621(b), Idaho Code, and any person who knowingly and willfully violates sections 67-6603 through 67-6614A, 67-6617, 67-6617A, 67-6619, 67-6620, 67-6621(a), 67-6624, 67-6629 or 67-6630, Idaho Code, is guilty of a misdemeanor and, upon conviction, in addition to the fines set forth in subsection (a) of this section, may be imprisoned for not more than six (6) months or be both fined and imprisoned.

1 (c) The attorney general or the appropriate prosecuting attorney may
2 prosecute any violations of this ~~act~~ chapter.

3 (d) Prosecution for any violation of this ~~act~~ chapter must be commenced
4 within two (2) years after the date on which the violation occurred.

5 (e) Venue for prosecution under the provisions of this chapter shall be
6 in the county of residence of the defendant if the defendant is a resident of
7 the state of Idaho; otherwise, venue shall be in Ada county.

8 SECTION 4. An emergency existing therefor, which emergency is hereby
9 declared to exist, this act shall be in full force and effect on and after its
10 passage and approval.