Local & Education Lobbyists - Inviting Public Officials to Your Activity

(Updated May 14, 2019) DISCLAIMER: This resource is not a substitute for Utah Code, and it is not intended to be a comprehensive statement of law. This is used to give some examples but does not cover every scenario. For further legal information, please consult Utah Code (36-11a), other appropriate legal resources, or contact the Utah Lieutenant Governor's Office. Iobbyists@utah.gov (email) or 801-538-1041 (phone)

Who is a local lobbyist? (Click here for FAQs.) Is the activity a "meeting" or "tour" as defined* in Utah Code, Meeting or Tour Event or is the activity an "event" as defined* in Utah Code? "Meeting" means a gathering of people to discuss an "Event" means entertainment, a performance, a contest, or a recreational activity that an individual participates in or is a spectator at, including a sporting issue, receive instruction, or make a decision, including a conference, seminar, or summit, event, an artistic event, a play, a movie, dancing, or "Tour" means the visit of a location by a local official or education official, for a purpose relating to the singing duties of the local official or education official, and not primarily for entertainment, including: Not regulated by 36-11a but must Is the primary purpose of the event to Yes comply with campaign finance (a) viewing a facility; solicit campaign/political purpose (a) viewing a lociny,
(b) viewing the sight of a natural disaster; or
(c) assessing a circumstance in relation to which a local official or education official may need to take reporting requirements. contributions? Contact the Lt. Governor's Office. action within the scope of the local official's or education official's duties. Is the primary purpose of the event Yes Not regulated by lobbyist code charitable solicitation as defined in Is the meeting or tour sponsored by a (36-11a) 13-22-2? Allowed and no reporting governmental entity, a public school, a required *if* expenditures are admission to, attendance at, or charter school, or an organization that Yes No represents only local governmental travel to or from a tour or a entities, public schools, or meeting for a local official or charter schools? education official. Is the event sponsored by a (Including the groups listed below.*) governmental entity, a public school, a Allowed and no reporting charter school, or an organization that required *if* expenditures are admission to, attendance at, or Yes No represents only local governmental travel to or from an event for a local official or education official entities, public schools, or Is the meeting/tour widely attended charter schools? Yes Allowed (Including the groups listed below.*) and related to a governmental duty of No reporting required the public official? No No Is the event widely attended and Is this an expenditure between related to a governmental duty of the No reporting required Yes government officers or local officials public official? Allowed who are the same local government No reporting required No type (defined)? No Is this an expenditure between government officers or local officials Allowed No reporting required Allowed - Reporting required if who are the same local government Yes Are food/beverages the main and only expenditures exceed the food expenditures related to this activity? reimbursement rate * No Allowed - Reporting required if Yes Are food/beverages the main and only expenditures exceed the food expenditures related to this event? mbursement rate.* Do the only other expenditures fall into No one of these categories? Yes Allowed - Reporting required if ٠ Travel expenditures exceed \$10 Lodging Do the only other expenditures fall into Allowed - Reporting required if Admission to or attendance at a Yes one of these categories? expenditures exceed \$10. "tour" or "meeting" Travel (Admission to an "event" greater than \$10 is prohibited.) Lodging No No The expenditure is likely prohibited. It is likely prohibited to invite public officials to this event. ase contact the Lt. Governor's Office lobbyists@utah.gov ease contact the Lt. Governor's Office 801-538-1041 lobbyists@utah.gov 801-538-1041

*Defined Terms for Local Government and Board of Education Lobbyists (Utah Code Annotated 36-11a-101):

"Meeting" means a gathering of people to discuss an issue, receive instruction, or make a decision, including a conference, seminar, or summit.

"Tour" means the visit of a location by a local official or education official, for a purpose relating to the duties of the local official or education official, and not primarily for entertainment, including:

- (a) viewing a facility;(b) viewing the sight of a natural disaster; or
- (c) assessing a circumstance in relation to which a local official or education official may need to take action within the scope of the local official's or education official's duties.

"Event" means entertainment, a performance, a contest, or a recreational activity that an individual participates in or is a spectator at, including a sporting event, an artistic event, a play, a movie, dancing, or singing.

"Food reimbursement rate" means the total amount set by the director of the Division of Finance, by rule, under Section 63A-3-107, for in-state meal reimbursement, for an employee of the executive branch, for an entire day [\$43 as of May 2019].

"Same local government type" means

- for a county government, another county government;
- for a municipal government, another municipal government;
- for a local board of education, another local board of education;
- for a local district, another local district or a special service district; or
- for a special service district, another special service district or a local district.

A government officer or local official is not required to report an expenditure made by the government officer or local official to another government officer or local official if the government officer or local official making the expenditure is of the same local government type as the government officer or local official receiving the expenditure.

* When making expenditures, please keep the following in mind (per Utah Code 36-11a-101(8)(b)(x)(A)):

"Expenditure" does not mean admission to, attendance at, or travel to or from an event, a tour, or a meeting for a local official or education official that is sponsored by a governmental entity, a public school, a charter school, or an organization that represents only local governmental entities, public schools, or charter schools, including the:

- Utah Association of Counties
- Utah League of Cities and Towns
- Utah Association of Special Districts
- Utah Association of Public Charter Schools
- Utah School Boards Association
- Utah School Superintendents Association