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FISCAL IMPACT REPORT

SPONSOR O'Neil **ORIGINAL DATE** 1/26/09
LAST UPDATED _____ **HB** 99
SHORT TITLE Prohibit Former Legislators As Lobbyists **SB** _____
ANALYST Wilson

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$0.1	\$0.1	\$0.1	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with SB 94 & SB 163

Relates to HB 151, HB 252, SB 49, SB 116, SB 139 & SB 140

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Secretary of State (SOS)

State Auditor (SA)

SUMMARY

Synopsis of Bill

House Bill 99 amends the Lobbyist Regulation Act by placing a three year moratorium on lobbying by former legislators.

The provisions of this bill apply to former legislators whose terms of office end on or after December 31, 2010.

FISCAL IMPLICATIONS

The Lobbyist Regulation Act is administered and enforced by the SOS who may refer matters to the AGO or a district attorney. These agencies might see an increase of work load.

There will also be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

SIGNIFICANT ISSUES

Many states and local governments impose similar moratoriums on lobbying by former legislators.

The AGO notes Section 10-16-8 of the Governmental Conduct Act currently places a similar moratorium on state public officials [excluding legislators] and employees; they are prohibited from representing anyone for pay “before the government agency” at which they formerly worked.

This bill simply extends the above statutory provision to legislators.

ADMINISTRATIVE IMPLICATIONS

The SOS and the AGO will be responsible for enforcing the provisions in this bill.

The affected agencies should be able to handle the enforcement of the provisions in this bill as part of ongoing responsibilities.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 99 conflicts with SB 94 & SB 163 prohibiting former legislators from accepting compensation as lobbyists for a period of one year after leaving office.

HB 99 relates to:

- HB 151, State Ethics Commission Act
- HB 252, Political Contributions to Candidates
- SB 49, Governmental Conduct Act For Public Officers
- SB 116, Limit Contributions to Candidates & PACs
- SB 139, State Ethics Commission Act
- SB 140, State Ethics Commission Act

DW/svb