

## CHAPTER 361

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**GOVERNMENT - STATE**

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**HOUSE BILL 06-1149**

BY REPRESENTATIVE(S) Carroll M., Weissmann, Buescher, Carroll T., Garcia, Green, Larson, Paccione, Penry, Romanoff, Todd, Witwer, Coleman, and Frangas;  
also SENATOR(S) Tupa, Bacon, Grossman, and Shaffer.

**AN ACT**

**CONCERNING DISCLOSURE OF ADDITIONAL INFORMATION TO BE SUBMITTED BY PROFESSIONAL LOBBYISTS IN CONNECTION WITH THEIR DISCLOSURE STATEMENTS FILED WITH THE SECRETARY OF STATE UNDER THE "COLORADO SUNSHINE ACT OF 1972", AND MAKING AN APPROPRIATION THEREFOR.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 24-6-301, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-6-301. Definitions - legislative declaration.** As used in this part 3, unless the context otherwise requires:

(5.5) "PRINCIPAL" MEANS ANY PERSON WHO EMPLOYS A LOBBYIST. IF AN ASSOCIATION, CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, OR ANY OTHER ORGANIZATION OR GROUP OF PERSONS OR FORM OF BUSINESS ENTITY ENGAGES A LOBBYIST, A PERSON SERVING AS AN OFFICER, EMPLOYEE, MEMBER, SHAREHOLDER, OR PARTNER OF THE ASSOCIATION, CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, OR OTHER ORGANIZATION OR GROUP OF PERSONS OR FORM OF BUSINESS ENTITY SHALL NOT BE CONSIDERED A PRINCIPAL.

**SECTION 2.** 24-6-301 (1.9)(a)(X), Colorado Revised Statutes, is amended, and the said 24-6-301 (1.9)(a) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

**24-6-301. Definitions - legislative declaration.** As used in this part 3, unless the context otherwise requires:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(1.9) (a) "Disclosure statement" means a written statement that contains:

(X) The nature of the legislation, standards, rules, or rates for which the disclosing person is receiving contributions or making expenditures for lobbying and, where known, the specific legislation, standards, rules, or rates. IN THE CASE OF SPECIFIC LEGISLATION, DISCLOSURE SHALL INCLUDE, DURING A REGULAR OR SPECIAL SESSION OF THE GENERAL ASSEMBLY, THE BILL NUMBER OF THE LEGISLATION, AND WHETHER THE DISCLOSING PERSON'S PRINCIPAL IS SUPPORTING, OPPOSING, AMENDING, OR MONITORING THE LEGISLATION IDENTIFIED AS OF THE TIME A DISCLOSURE STATEMENT IS REQUIRED TO BE FILED PURSUANT TO SECTION 24-6-302 (3), AFTER THE DISCLOSING PERSON IS RETAINED TO ADVOCATE OR MONITOR IN CONNECTION WITH THE LEGISLATION. THE DISCLOSURE STATEMENT SHALL SPECIFY THAT THE DISCLOSING PERSON'S REPRESENTATION IS ACCURATE AS OF THE DATE OF DISCLOSURE ONLY AND THAT SUCH REPRESENTATION IS NOT BINDING ON THE DISCLOSING PERSON AFTER SUCH DATE AND IS SUBJECT TO CHANGE SUBSEQUENT TO SUCH DATE AND PRIOR TO THE TIME THE NEXT DISCLOSURE STATEMENT IS DUE. IF A DISCLOSURE STATEMENT FROM A DISCLOSING PERSON DURING A REGULAR OR SPECIAL SESSION OF THE GENERAL ASSEMBLY FAILS TO SHOW ANY BILL NUMBERS OR NATURE OF THE LEGISLATION, AS APPLICABLE, THE DISCLOSING PERSON SHALL BE REQUIRED TO MAKE AN AFFIRMATIVE STATEMENT THAT HE OR SHE WAS NOT RETAINED IN CONNECTION WITH ANY LEGISLATION. NOTHING IN THIS SUBPARAGRAPH (X) SHALL REQUIRE ANY ADDITIONAL DISCLOSURE ON THE PART OF A DISCLOSING PERSON BEFORE THE NEXT APPLICABLE REPORTING DEADLINE PURSUANT TO SECTION 24-6-302 (3). FOR PURPOSES OF THIS SUBPARAGRAPH (X), "LEGISLATION" MEANS THE PROCESS OF MAKING OR ENACTING LAW IN WRITTEN FORM IN THE FORM OF CODES, STATUTES, OR RULES.

(XI) IF THE DISCLOSING PERSON'S PRINCIPAL IS AN INDIVIDUAL, THE NAME AND ADDRESS OF THE INDIVIDUAL AND A DESCRIPTION OF THE BUSINESS ACTIVITY IN WHICH THE INDIVIDUAL IS ENGAGED. IF THE DISCLOSING PERSON'S PRINCIPAL IS A BUSINESS ENTITY, A DESCRIPTION OF THE BUSINESS ENTITY IN WHICH THE PRINCIPAL IS ENGAGED AND THE NAME OR NAMES OF THE ENTITY'S CHIEF EXECUTIVE OFFICER OR PARTNERS, AS APPLICABLE. IF THE DISCLOSING PERSON'S PRINCIPAL IS AN INDUSTRY, TRADE, ORGANIZATION OR GROUP OF PERSONS, OR PROFESSIONAL ASSOCIATION, A DESCRIPTION OF THE INDUSTRY, TRADE, ORGANIZATION OR GROUP OF PERSONS, OR PROFESSION THAT THE DISCLOSING PERSON REPRESENTS.

(XII) A STATEMENT DETAILING ANY DIRECT BUSINESS ASSOCIATION OF THE DISCLOSING PERSON IN ANY PENDING LEGISLATION, MEASURE, OR QUESTION. FOR PURPOSES OF THIS SUBPARAGRAPH (XIII), A "DIRECT BUSINESS ASSOCIATION" MEANS THAT, IN CONNECTION WITH A PENDING BILL, MEASURE, OR QUESTION, THE PASSAGE OR FAILURE OF THE BILL, MEASURE, OR QUESTION WILL RESULT IN THE DISCLOSING PERSON DERIVING A DIRECT FINANCIAL OR PECUNIARY BENEFIT THAT IS GREATER THAN ANY SUCH BENEFIT DERIVED BY OR SHARED BY OTHER PERSONS IN THE DISCLOSING PERSON'S PROFESSION, OCCUPATION, OR INDUSTRY. A DISCLOSING PERSON SHALL NOT BE DEEMED TO HAVE A DIRECT PERSONAL RELATIONSHIP IN A PENDING BILL, MEASURE, OR QUESTION WHERE SUCH INTEREST ARISES FROM A BILL, MEASURE, OR QUESTION THAT AFFECTS THE ENTIRE MEMBERSHIP OF A CLASS TO WHICH THE DISCLOSING PERSON BELONGS.

**SECTION 3. Appropriation.** In addition to any other appropriation, there is

hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the fiscal year beginning July 1, 2006, the sum of thirty-six thousand four hundred dollars (\$36,400), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 4. Effective date.** This act shall take effect July 1, 2006.

**SECTION 5. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 7, 2006