

HB 548 – AS INTRODUCED

2013 SESSION

13-0690  
10/09

HOUSE BILL           **548**

AN ACT               relative to ethics requirements and procedures for legislators and legislative employees.

SPONSORS:           Rep. Jasper, Hills 37; Rep. Wall, Straf 6; Rep. Burt, Hills 6

COMMITTEE:         Legislative Administration

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ANALYSIS

This bill establishes the ethics requirements and procedures for legislators and legislative employees separate from the requirements and procedures for the executive branch.

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Explanation:         Matter added to current law appears in ***bold italics***.  
                          Matter removed from current law appears [~~in brackets and struck through.~~]  
                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



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1           IV. “Family member” shall mean any person related to and living in the same domicile as  
2 the legislator or legislative employee, who shares a common economic interest in the expenses of  
3 daily living, including, but not limited to, a spouse, child, or parents.

4           V.(a) “Gift” means:

5                   (1) Money in any amount, whether in the form of cash, check, or any other negotiable  
6 or non-negotiable instrumentality for the transfer of money.

7                   (2) Any other tangible thing, intangible thing, service, or the use thereof having an  
8 individual value of greater than \$25.

9                   (3) Multiple tangible things, intangible things, services, or the use thereof having an  
10 individual value of less than \$25 with an aggregate value greater than \$250 from any single source  
11 during any calendar year.

12           (b) Notwithstanding subparagraph (a), “gift” shall not include:

13                   (1) A political contribution as defined in RSA 664.

14                   (2) A commercially reasonable loan, made in the ordinary course of business.

15                   (3) Repayment to an elected official, public official, public employee, constitutional  
16 official, or legislative employee of a bona fide loan made by such a person.

17                   (4) A ceremonial plaque, award, or other commemorative object, which is personally  
18 inscribed to the recipient and which has a value of \$150 or less.

19                   (5) Objects or services which primarily serve an informational purpose provided in  
20 the ordinary course of business, such as reports, books, maps, or charts.

21                   (6) Money in any form, an object, or any tangible or intangible thing or service of  
22 economic value, where the donor’s act of giving is purely private and personal in nature and the  
23 money, object, or tangible or intangible thing or service of economic value would have been given and  
24 received even if the person were not an elected official, public official, public employee, constitutional  
25 official, or legislative employee.

26                   (7) Wages, salary, benefits, mileage, or payment for expenses received by the person  
27 in his or her regular course of employment or business which is unrelated to the government position  
28 held.

29                   (8) Wages, salary, benefits, mileage, or payment for expenses paid to the person by  
30 the state, a county, or the United States of America related to performance of official duties.

31                   (9) Tickets or free admission from any source to a political, charitable, or ceremonial  
32 event provided that acceptance of any tickets or free admission as permitted by this subparagraph  
33 shall be limited to \$250 in the aggregate from any single source during any calendar year and:

34                   (A) The proceeds of the event are subject to the political contributions and  
35 expenditure reporting law, RSA 664, provided that the recipient reports the source of the tickets or  
36 free admission pursuant to RSA 14-C:5; or

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1           (B) The event is sponsored by a charitable organization that is registered with  
2 the division of charitable trusts, department of justice, or which is a charitable organization  
3 pursuant to section 501(c)(3) of the federal tax code, provided that the recipient reports the source of  
4 the tickets or free admission pursuant to RSA 14-C:5; or

5           (C) The event is primarily ceremonial or celebratory in nature and is public or, if  
6 by invitation only, is planned to have an attendance greater than 50 people, provided that the  
7 recipient reports the source of the tickets or free admission pursuant to RSA 14-C:5; or

8           (D) The event is published as an event open for attendance by any member or  
9 employee of the general court in the calendar of the senate or the house.

10           (10) An expense reimbursement.

11           (11) An honorarium.

12           (12) Meals and beverages having a value of more than \$25 consumed at a meeting or  
13 event, the purpose of which is to discuss official business, provided that acceptance of such meals and  
14 beverages as permitted by this subparagraph shall be reported pursuant to RSA 14-C: 5 and limited  
15 to \$250 in the aggregate from any single source during any calendar year.

16           (13) Monetary or non-monetary awards or recognition issued under the suggestion  
17 and extraordinary service award program under RSA 99-E.

18           VI. “Honorarium” means a payment in any form to a legislator or legislative employee for an  
19 appearance, speech, written article or other document, service as a consultant or advisor, or  
20 participation in a discussion group or similar activities. Honorarium does not include a payment for  
21 such activities for which the person is being compensated by the state, a county, the United States of  
22 America, or by any other employer or client, where the activity giving rise to the honorarium is not  
23 related to or associated with any public office or government employment.

24           VII. “Legislative employee” means any person employed by the legislative branch.

25           VIII. “Legislator” means a member of the general court.

26           IX. “Official business” means the discussion or transaction of legislative business, namely,  
27 any official action or non-action with regard to any potential pending or existing bill, resolution,  
28 amendment, report, or study, any other matter pending or proposed in a committee or in either  
29 house of the general court, or an issue of public policy which is or may be the subject of legislative  
30 attention, or any other matter which is within the official jurisdiction or cognizance of the general  
31 court.

32           X. “Political event” means an event of any kind or nature including, but not limited to,  
33 receptions, breakfasts, luncheons, dinners, dances, testimonials, or picnics, held for the sole purpose  
34 of raising political contributions.

35           XI. “Value” means the amount at which property or services would change hands between a  
36 willing buyer and a willing seller when neither is under any compulsion to buy or sell and both have  
37 reasonable knowledge of the relevant facts.

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1           14-C:3 Prohibition on Gifts; Duty to Report.

2           I. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or  
3 indirectly, to any legislator or legislative employee.

4           II. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or  
5 indirectly, to any family member, as defined in this chapter, of any legislator or legislative employee,  
6 with a purpose of influencing or affecting the official conduct of such legislator or employee.

7           III. It shall be unlawful for any legislator or legislative employee to solicit or to knowingly  
8 accept, directly or indirectly, any gift, as defined in this chapter, or to fail to meet the reporting  
9 requirements of this chapter.

10          14-C:4 Expense Reimbursement Requirements. A legislator or legislative employee who accepts  
11 expense reimbursement for the reasonable expenses for attendance, registration, travel, meals, and  
12 lodging for a bona fide conference, meeting, seminar, or educational or informational program, or an  
13 event to which the recipient is invited in his or her official capacity as a representative of the senate  
14 or the house of representatives of which the recipient is a member, which the person attends and  
15 that is related to the office, position, or employment held with the legislature shall attach to the  
16 disclosure report a copy of the agenda or an equivalent document which discloses the subjects  
17 addressed and the time schedule of all activities at the event. To the extent practicable, the recipient  
18 shall report the names of the sponsors of activities in cases where they are not indicated on the  
19 agenda or equivalent document.

20          14-C:5 Duty to Report and Reporting Deadlines.

21          I. A legislator or legislative employee who receives an honorarium, expense reimbursement,  
22 or tickets or free admission with a value of greater than \$25 to a political, charitable, or ceremonial  
23 event under RSA 14-C:2, V(b)(9)(A), (B), or (C) shall file a report with the secretary of state no later  
24 than the last day of the month following the month during which the, honorarium or expense  
25 reimbursement or tickets or free admission was received.

26          II. A legislator or legislative employee who consumes meals or beverages with a value of  
27 greater than \$25 at a meeting or event the purpose of which is to discuss official business pursuant  
28 to RSA 14-C:2, V(b)(12) shall file a report with the secretary of state no later than 10 days following  
29 the meeting or event at which the meals or beverages were consumed, which report shall be  
30 established by the secretary of state, shall be public, and shall contain the same information and  
31 affirmations required under RSA 14-C:6.

32          14-C:6 Form Established by the Secretary of State. The secretary of state shall establish a form  
33 for reporting of receipt of an honorarium or expense reimbursement, or other such report required by  
34 this chapter, which may be in paper or electronic form.

35          I. The report shall include at a minimum the following information, which shall be public:

36               (a) The full name, work address, work phone number, the office, appointment, or  
37 employment held by the person subject to the reporting requirement.

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1           (b) The full name, post office address, occupation, and principal place of business, if any,  
2 of the source of any reportable honorarium or expense reimbursement. When the source is a  
3 corporation or other entity, the name and work address of the person representing the corporation or  
4 entity in making the honorarium or expense reimbursement must be provided in addition to the  
5 name of the corporation or entity.

6           (c) The value of the honorarium or expense reimbursement. When the exact value is  
7 unknown, the person filing the report shall provide an estimate of the value of the gift or honorarium  
8 and identify the value as an estimate.

9           (d) A brief description of the service or event that gave rise to the honorarium or expense  
10 reimbursement. Reports of expense reimbursement or honorariums must include a copy of the  
11 agenda or an equivalent document which addresses the subjects addressed and the time schedule of  
12 all activities at the event. To the extent practicable, the recipient shall report the names of the  
13 sponsors of activities in cases where they are not indicated on the agenda or equivalent document.

14           (e) The date on which the honorarium or expense reimbursement was received.

15           (f) The following statement followed by a line for the person filing the form to sign and  
16 date the form: “I have read RSA 14-C and hereby swear or affirm that the foregoing information is  
17 true and complete to the best of my knowledge and belief.”

18           II. The secretary of state may also require information such as home phone numbers, home  
19 addresses, and other information helpful to the administration and enforcement of laws relating to  
20 honorariums or expense reimbursements. This information shall be non-public and shall not be  
21 subject to the provisions of RSA 91-A.

22           14-C:7 Forms; Place of Filing. The secretary of state shall furnish all forms required under this  
23 chapter. All persons filing a report under this chapter shall file with the secretary of state. The  
24 reports shall be held in the original form for 6 years from the date of filing, after which time they  
25 may be destroyed. The public information on the forms shall be available to the public in the form of  
26 a photocopy or an electronic record. The secretary of state shall, as soon as is practical, implement  
27 an electronic record keeping system that makes the public information in the reports required by  
28 this chapter available to the public through the Internet.

29           14-C:8 Penalty. Any person who knowingly fails to comply with the provisions of this chapter or  
30 knowingly files a false report shall be guilty of a misdemeanor. It shall be an absolute defense in any  
31 prosecution under this chapter that the person acted in reliance upon an advisory opinion on the  
32 subject issued under RSA 14-B:3, I(c).

33           14-C:9 Examination of Reports. It shall be the duty of the attorney general to examine the  
34 reports which are made under this chapter to the secretary of state and to compel such returns be  
35 made to comply with the law.

36           14-C:10 Limitations. This chapter shall not be construed to:

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1 I. Prevent receptions, breakfasts, luncheons, dinners, dances, or picnics or like events from  
2 being held for the sole purpose of raising political contributions, provided such contributions comply  
3 with and are reported as required by RSA 664.

4 II. Prohibit gifts or expense reimbursements made to the state of New Hampshire and  
5 accepted in accordance with the law.

6 14-C:11 Severability. If any provision of this chapter or the application thereof to any person or  
7 circumstances is held invalid, such invalidity shall not affect other provisions or applications of the  
8 chapter which can be given effect without the invalid provision or application, and to this end the  
9 provisions of this chapter are declared to be severable.

10 2 Legislative Ethics Committee; Advisory Opinions; Reference Changed. Amend RSA 14-B:3,  
11 I(c) to read as follows:

12 (c) Render an advisory opinion, in writing within a reasonable time, in response to a  
13 written request by a member, officer, or employee, concerning the application of any law, guideline,  
14 rule, or regulation within its jurisdiction to a specific factual situation pertinent to the conduct or  
15 proposed conduct of the person seeking the advisory opinion. Any advisory opinion concerning any  
16 person subject to the provisions of this chapter who acted in reliance thereon, shall be binding upon  
17 the committee, and it shall be an absolute defense in any complaint brought under this chapter or  
18 prosecution under RSA 15-A or RSA [~~15-B~~] **14-C** that the person complained against acted in  
19 reliance upon such advisory opinion.

20 3 Legislative Ethics Committee; Complaints; Reference Changed. Amend the introductory  
21 paragraph of RSA 14-B:4, I to read as follows:

22 I. Each complaint shall be submitted in writing and signed under oath by the complainant.  
23 The sworn complaint shall be filed confidentially with the committee and shall contain the name and  
24 address of the complainant. The legislator, officer, or employee of the legislature complained against  
25 shall be furnished with a copy of the complaint and a copy shall be sent to each member of the  
26 committee for review. The committee shall initiate a complaint on its own motion against any  
27 individual the committee determines has not complied with the provisions of RSA 15-A and RSA [~~15-~~  
28 ~~B~~] **14-C**. The committee shall promptly examine each sworn complaint and:

29 4 Lobbyist Registration; Reference Corrected. Amend the introductory paragraph of RSA 15:1,  
30 V(h) to read as follows:

31 (h) Communication made to the governor or to any member of the executive council,  
32 member of the general court, or public official as defined in RSA 15-B:2, [~~X~~] **IX** by an employee on  
33 behalf of his or her employer that would otherwise require registration under RSA 15:1, II, provided  
34 that the person making the communication:

35 5 Lobbyist Statements; References Added. Amend RSA 15:6 to read as follows:

36 15:6 Statements.

37 I. Each lobbyist shall file with the secretary of state itemized statements under oath of:

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1 (a) All fees received from any lobbying client that are related, directly or indirectly, to  
2 lobbying, such as public advocacy, government relations, or public relations services including  
3 research, monitoring legislation, and related legal work.

4 (b) All expenditures made from lobbying fees, including by whom paid or to whom  
5 charged.

6 (c) Any honorarium or expense reimbursement, as defined in RSA 15-B *or* ***RSA 14-C***, or  
7 political contribution, as defined in RSA 664, made by the lobbyist in his or her professional or  
8 personal capacity, on behalf of the lobbyist, the partnership, firm, or corporation or by the lobbyist on  
9 behalf of the client or employer or by a family member of the lobbyist. The statements shall be open  
10 to public inspection. For the purposes of this chapter, "family member" shall mean any person  
11 related to and living in the same domicile as the lobbyist, who shares a common economic interest in  
12 the expenses of daily living, including, but not limited to, a spouse, child, or parents.

13 II. Lobbyists shall file statements no later than the last Wednesday of each January, April,  
14 July, and October covering all fees received and expenditures, contributions, honorariums, or  
15 expense reimbursements made since the last required filing, from fees received at any time from a  
16 lobbying client or employer or from funds otherwise provided by the lobbyist, partnership, firm, or  
17 corporation, or from the client or employer.

18 III. In this chapter "value" means the amount at which property or services would change  
19 hands between a willing buyer and a willing seller when neither is under any compulsion to buy or  
20 sell and both have reasonable knowledge of the relevant facts.

21 IV. A lobbyist, in his or her professional or personal capacity, or a family member of a  
22 lobbyist making a contribution, honorarium, or expense reimbursement, in a form other than cash,  
23 check or negotiable instrument, to a person with a duty to report that contribution, honorarium, or  
24 expense reimbursement pursuant to RSA 15-B, ***RSA 14-C***, or RSA 664 shall provide the recipient  
25 with a written statement of the value of the contribution, honorarium, or expense reimbursement if  
26 the value is different than any price or value printed on the contribution, honorarium, or expense  
27 reimbursement or if the contribution, honorarium, or expense reimbursement does not have a price  
28 affixed to it.

29 V. The lobbyist statement shall be in the form prescribed by the secretary of state, may be in  
30 paper or electronic form, and shall include at a minimum:

31 (a) The full name of each lobbyist covered by the report.

32 (b) The name of the lobbyist partnership, firm, or corporation, if any.

33 (c) The business address and telephone number for the lobbyist, partnership, firm, or  
34 corporation.

35 (d) For each lobbying client, the full name and business address of the client, the scope of  
36 the representation or lobbyist services being paid for, the gross amount of all fees received from that  
37 client, not reduced by any expenses, that are related, directly or indirectly, to lobbying, such as



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1 public advocacy, government relations, or public relations services including research, monitoring  
2 legislation, and related legal work, a statement of the aggregate total of fees received that are  
3 related, directly or indirectly, to lobbying services during the calendar year, and a statement of any  
4 fee payment due, but not yet paid.

5 (e) For each honorarium or expense reimbursement made, that is reportable pursuant to  
6 RSA 15-B *or* RSA 14-C:

7 (1) The name of the client on whose behalf the expense reimbursement or  
8 honorarium was made, if any.

9 (2) The name of the person receiving the honorarium or expense reimbursement.

10 (3) A brief description of the event to which the honorarium or expense  
11 reimbursement relates.

12 (4) The value of the honorarium or expense reimbursement.

13 (f) For each political contribution made that is reportable pursuant to RSA 664:

14 (1) The name of the candidate.

15 (2) The office the candidate is seeking.

16 (3) The value of the contribution.

17 (4) If the contribution is an in-kind contribution, a brief description of the  
18 contribution.

19 (g) For all expenditures for salaries, benefits, support staff, and office expenses, related  
20 directly or indirectly to lobbying, a statement of the total aggregate expenses for salaries, support  
21 staff, and office expenses related directly or indirectly to lobbying shall satisfy the requirement that  
22 an itemized statement of these expenses be filed.

23 (h) The following statement followed by a line for each person filing the form to sign and  
24 date the form: "I have read RSA 15, RSA 15-B, *RSA 14-C*, and RSA 664 and hereby swear or affirm  
25 that the foregoing information is true and complete to the best of my knowledge and belief."

26 VI. The secretary of state shall maintain the statements required by this section for 6 years  
27 from the date of filing, after which time the statements may be destroyed. The public information on  
28 the forms shall be available to the public in the form of a photocopy or an electronic record. The  
29 secretary of state shall, as soon as is practical, implement an electronic record keeping system that  
30 makes lobbyist registration forms and fee and expense reports available to the public through the  
31 internet.

32 6 Corrupt Practices; References Added. Amend RSA 640:1 to read as follows:

33 640:1 Scope of Chapter. Nothing in this chapter shall be construed to prohibit the giving or  
34 receiving of campaign contributions made for the purpose of defraying the costs of a political  
35 campaign, or the giving or receiving of any other thing exempt from the prohibition on gifts pursuant  
36 to RSA 15-B *or* RSA 14-C. No person shall be convicted of an offense solely on the evidence that a  
37 campaign contribution, or any other thing exempt from the prohibition on gifts pursuant to RSA 15-

1 B *or RSA 14-C* was made to a public official, and that a vote, an appointment, or a nomination was  
2 subsequently made by the person to whose campaign or political party the contribution was made or  
3 who received the thing exempt from the prohibition on gifts pursuant to RSA 15-B *or RSA 14-C*.

4 7 Gifts, Honorariums, and Expense Reimbursements; Executive Branch; Definitions. Amend  
5 RSA 15-B:2 to read as follows:

6 15-B:2 Definitions. For the purposes of this chapter:

7 I. "Agency" means the executive branch and any department, division, board, commission, or  
8 equivalent entity of the executive branch.

9 II. "Constitutional official" means the secretary of state, the state treasurer, their deputies,  
10 assistants, and all employees of their departments.

11 III. "Elected official" means the governor, members of the executive council, ~~[members of the~~  
12 ~~general court,]~~ county commissioners, county sheriffs, county treasurers, county attorneys, registers  
13 of deeds, and registers of probate.

14 IV. "Expense reimbursement" shall mean any price, charge, fee, expense, or other cost which  
15 is waived, forgiven, reduced, prepaid, or reimbursed in any form for the reasonable expenses of  
16 attendance, registration, travel, meals, or lodging related to a bona fide conference, meeting, seminar  
17 or educational or informational program, when the source of such reimbursement is other than the  
18 state, a county, or the United States of America.

19 V.(a) "Gift" means:

20 (1) Money in any amount, whether in the form of cash, check or any other negotiable  
21 or non-negotiable instrumentality for the transfer of money.

22 (2) Any other tangible thing, intangible thing, service, or the use thereof having  
23 more than insignificant economic value. Any such item with a value of less than \$25 is presumed to  
24 be of insignificant economic value.

25 (b) Notwithstanding subparagraph (a), "gift" shall not include:

26 (1) A political contribution as defined in RSA 664.

27 (2) A commercially reasonable loan, made in the ordinary course of business.

28 (3) Repayment to an elected official, public official, public employee, *or*  
29 constitutional official~~[, or legislative employee]~~ of a bona fide loan made by such a person.

30 (4) A ceremonial plaque, award, or other commemorative object, which is personally  
31 inscribed to the recipient and which has inconsequential economic value. A ceremonial object or  
32 award with a value of \$150 or less is presumed to be of inconsequential economic value.

33 (5) Objects or services which primarily serve an informational purpose provided in  
34 the ordinary course of business, such as reports, books, maps, or charts.

35 (6) Money in any form, an object, or any tangible or intangible thing or service of  
36 economic value, where the donor's act of giving is purely private and personal in nature and the  
37 money, object, or tangible or intangible thing or service of economic value would have been given and

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1 received even if the person were not an elected official, public official, public employee, **or**  
2 constitutional official~~[, or legislative employee]~~.

3 (7) Wages, salary, benefits, mileage, or payment for expenses received by the person  
4 in his or her regular course of employment or business which is unrelated to the government position  
5 held.

6 (8) Wages, salary, benefits, mileage, or payment for expenses paid to the person by  
7 the state, a county, or the United States of America related to performance of official duties.

8 (9) Tickets or free admission to a charitable, ceremonial, or political event provided  
9 that:

10 (A) The proceeds of the event are subject to the political contributions and  
11 expenditure reporting law, RSA 664; or

12 (B) The event is sponsored by a charitable organization that is registered with  
13 the division of charitable trusts, department of justice, or which is a charitable organization  
14 pursuant to section 501(c)(3) of the federal tax code~~[; or]~~.

15 ~~[(C) The event is published as an event open for attendance by any member of  
16 the general court in the calendar of the senate or the house.]~~

17 (10) Meals, beverages, lodging, or transportation associated with attendance at:

18 (A) Any event for which the primary significance is ceremonial or celebratory,  
19 provided the event is public or, if by invitation only, is planned to have an attendance greater than  
20 50 people; or

21 (B) Any event where the person is attending in an official capacity representing  
22 the state and/or the senate, house, or the agency of which the person is a member.

23 (11) Expense reimbursement or an honorarium.

24 (12) Meals and beverages consumed at a meeting or event, the purpose of which is to  
25 discuss official business.

26 (13) Monetary or non-monetary awards or recognition issued under the suggestion  
27 and extraordinary service award program under RSA 99-E.

28 VI. "Honorarium" means a payment in any form to an elected official, public official, public  
29 employee, **or** constitutional official~~[, or legislative employee]~~ for an appearance, speech, written  
30 article or other document, service as a consultant or advisor, or participation in a discussion group or  
31 similar activities. Honorarium does not include a payment for such activities for which the person is  
32 being compensated by the state, a county, the United States of America, or by any other employer or  
33 client, where the activity giving rise to the honorarium is not related to or associated with any public  
34 office or government employment.

35 VII. "Family member" shall mean any person related to and living in the same domicile as  
36 the elected official, public official, public employee, **or** constitutional official~~[, or legislative employee]~~

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1 who shares a common economic interest in the expenses of daily living, including, but not limited to,  
2 a spouse, child, or parents.

3 VIII. [~~“Legislative employee” means any person employed by the legislative branch.~~

4 VIII a. [~~“Official business” means, for elected members of the general court and legislative  
5 employees, the discussion or transaction of legislative business, namely, any official action or non-  
6 action with regard to any potential pending or existing bill, resolution, amendment, report, or study,  
7 any other matter pending or proposed in a committee or in either house of the general court, or an  
8 issue of public policy which is or may be the subject of legislative attention, or any other matter  
9 which is within the official jurisdiction or cognizance of the general court.~~

10 IX.] “Public employee” means any person, including but not limited to a classified or non-  
11 classified employee or volunteer, who conducts state business on behalf of the governor, any  
12 executive branch official, agency, or the general court.

13 [X.] IX. “Public official” means a commissioned, unclassified, or nonclassified executive  
14 branch employee, but shall not include any commissioned, unclassified, or nonclassified employee  
15 elected by the legislature.

16 [XI.] X. “Value” means the amount at which property or services would change hands  
17 between a willing buyer and a willing seller when neither is under any compulsion to buy or sell and  
18 both have reasonable knowledge of the relevant facts.

19 8 Gifts, Honorariums, and Expense Reimbursements; Executive Branch; Prohibition. Amend  
20 RSA 15-B:3 to read as follows:

21 15-B:3 Prohibition on Gifts.

22 I. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or  
23 indirectly, to any elected official, public official, public employee, **or** constitutional official[~~or~~  
24 legislative employee].

25 II. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or  
26 indirectly, to any family member, as defined in this chapter, of any elected official, public official,  
27 public employee, **or** constitutional official[~~or legislative employee~~] with a purpose of influencing or  
28 affecting the official conduct of such official or employee.

29 III. No elected official, public official, public employee, **or** constitutional official[~~or~~  
30 legislative employee] shall knowingly accept, directly or indirectly, any gift, as defined in this  
31 chapter.

32 9 Gifts, Honorariums, and Expense Reimbursements; Executive Branch; Expense  
33 Reimbursement. Amend RSA 15-B:5 to read as follows:

34 15-B:5 Expense Reimbursement. An elected official, public official, public employee, **or**  
35 constitutional official[~~or legislative employee~~] may accept expense reimbursement for the  
36 reasonable expenses for attendance, registration, travel, meals, and lodging for a bona fide  
37 conference, meeting, seminar, or educational or informational program which the person attends and

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1 that is related to the office, position, or employment held with the state or county, provided that the  
2 person attaches to the disclosure report a copy of the agenda or an equivalent document which  
3 discloses the subjects addressed and the time schedule of all activities at the event. This provision  
4 shall not be construed to require reporting of an expense reimbursement made by an organization to  
5 which the state or county pays dues, when the prepayment, underwriting or reimbursement is  
6 provided because of the dues paid.

7 10 Gifts, Honorariums, and Expense Reimbursements; Executive Branch; Duty to Report.  
8 Amend RSA 15-B:6 to read as follows:

9 15-B:6 Duty to Report.

10 ~~[I.]~~ An elected official, public official, **or** public employee~~[-or legislative employee]~~ who  
11 receives an, honorarium or expense reimbursement shall file a report with the secretary of state no  
12 later than the last day of the month following the month during which the, honorarium or expense  
13 reimbursement was received.

14 ~~[H. An elected member of the general court or legislative employee who consumes meals or~~  
15 ~~beverages with a value of greater than \$25 at a meeting or event pertaining to official business~~  
16 ~~pursuant to RSA 15-B:2, V(b)(12) shall file a report with the secretary of state no later than 10 days~~  
17 ~~following the meeting or event at which the meals or beverages were consumed, which report shall~~  
18 ~~be established by the secretary of state, shall be public, and shall contain the same information and~~  
19 ~~affirmations required under RSA 15-B:7.]~~

20 11 Executive Branch Official; References Corrected. Amend RSA 21-G:21, II-a to read as  
21 follows:

22 II-a. "Executive branch official" means every elected official as defined by RSA 15-B:2, III,  
23 who holds an executive branch office, every public official as defined by RSA 15-B:2, ~~[X]~~ **IX**, every  
24 constitutional official as defined by RSA 15-B:2, II, and every public employee as defined by RSA 15-  
25 B:2, ~~[X]~~ **VIII**.

26 12 Executive Ethics; Simultaneous Employment; Reference Changed. Amend RSA 21-G:25, I to  
27 read as follows:

28 I. No person shall serve as a public employee, as defined by RSA 15-B:2, ~~[IX]~~ **VIII**, or serve  
29 as an appointee or volunteer for any multi-branch commission, committee, board, or similar  
30 governmental entity, and simultaneously be a person who has a duty to register as a lobbyist  
31 pursuant to RSA 15, or is employed by, or maintains an ownership interest in, any entity which  
32 employs a registered lobbyist.

33 13 Effective Date. This act shall take effect 60 days following its passage.