

1 192250-2 : n : 03/07/2018 : Ethics and Campaign Finance
2 Committee / mma

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4 HOUSE ETHICS AND CAMPAIGN FINANCE COMMITTEE SUBSTITUTE FOR
5 HB387

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10 SYNOPSIS: Under existing law, a member of the
11 Legislature may enter into a consulting arrangement
12 outside his or her regular scope of work while
13 serving in office.

14 This bill would require a member of the
15 Legislature who enters into a consulting
16 arrangement that is outside the member's scope of
17 work to notify the State Ethics Commission before
18 accepting compensation under the consulting
19 arrangement.

20 This bill would provide that the records
21 generated by this notification are public records.

22 This bill would also require the commission
23 to adopt rules.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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2 Relating to members of the Legislature; to add
3 Section 36-25-7.1 to the Code of Alabama 1975, to require a
4 member of the Legislature who enters into a consulting
5 arrangement that is outside the member's scope of work to
6 notify the State Ethics Commission before accepting
7 compensation under the consulting arrangement; to provide that
8 the records generated by this notification are public records;
9 and to authorize the commission to adopt rules.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 36-25-7.1 is added to the Code of
12 Alabama 1975, to read as follows:

13 §36-25-7.1

14 (a) As used in this section, consulting arrangement
15 means an agreement where a member of the Legislature promises
16 to provide specialized or expert advice in exchange for
17 compensation and the provision of such specialized or expert
18 advice is outside the scope of the member's regular profession
19 or line of business.

20 (b) Except as provided in subsection (e), a member
21 of the Legislature who enters into a consulting arrangement
22 may not accept compensation for that consulting arrangement
23 from any person or entity until the member has notified the
24 commission of the consulting arrangement.

25 (c) The member shall notify the commission of any
26 material change in a consulting arrangement subject to the
27 notification requirements of this section.

1 (d) Records generated to comply with the provisions
2 of this section are public records for purposes of Section
3 36-12-40.

4 (e) This section does not apply if a member is
5 providing a service that he or she is professionally licensed
6 to provide.

7 (f) The commission shall adopt rules to implement
8 this section, which may include a standard form used to notify
9 the commission under this section.

10 (g) Nothing in this section modifies the definition
11 of "thing of value" in Section 36-25-1 or modifies the
12 restrictions under Section 36-25-5.1.

13 Section 2. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.