

1 full consideration, but does not include ordinary home hospitality or the
2 rendering of "part-time" personal services of the sort commonly performed
3 by volunteer campaign workers or advisors or incidental expenses not in ex-
4 cess of twenty-five dollars (\$25.00) personally paid for by any volunteer
5 campaign worker. "Part-time" services, for the purposes of this definition,
6 means services in addition to regular full-time employment, or, in the case
7 of an unemployed person or persons engaged in part-time employment, services
8 rendered without compensation or reimbursement of expenses from any source
9 other than the candidate or political committee for whom such services are
10 rendered. For the purposes of this act, contributions, other than money or
11 its equivalent shall be deemed to have a money value equivalent to the fair
12 market value of the contribution.

13 (d4) "Election" means any general, special or primary election.

14 (e5) "Election campaign" means any campaign in support of or in opposi-
15 tion to a candidate for election to public office and any campaign in support
16 of, or in opposition to, a measure.

17 (f6) (1a) "Electioneering communication" means any communication
18 broadcast by television or radio, printed in a newspaper or on a bill-
19 board, posted on social media, sent by electronic mail, directly mailed
20 or delivered by hand to personal residences, or telephone calls made to
21 personal residences, or communication otherwise distributed that:

- 22 (i) Unambiguously refers to any candidate or measure; and
- 23 (ii) Is broadcasted, printed, mailed, delivered, made or dis-
24 tributed within ~~thirty (30) days before a primary election or~~
25 sixty (60) days before a primary or a general election; and
- 26 (iii) Is broadcasted to, printed in a newspaper, distributed to,
27 mailed to or delivered by hand to, telephone calls made to, emailed
28 to or otherwise distributed to an audience that includes members
29 of the electorate for such public office.

30 (2b) "Electioneering communication" does not include:

- 31 (i) Any news articles, editorial endorsements, opinion or com-
32 mentary, writings, or letters to the editor printed in a newspa-
33 per, magazine, or other periodical not owned or controlled by a
34 candidate or political party;
- 35 (ii) Any editorial endorsements or opinions aired by a broad-
36 cast facility not owned or controlled by a candidate or political
37 party;
- 38 (iii) Any communication by persons made in the regular course and
39 scope of their business or any communication made by a membership
40 organization solely to members of such organization and their fam-
41 ilies;
- 42 (iv) Any communication ~~which~~ that refers to any candidate only as
43 part of the popular name of a bill or statute;
- 44 (v) A communication ~~which~~ that constitutes an expenditure or an
45 independent expenditure under this chapter.

46 (g7) "Executive official" means:

47 (1a) The governor, lieutenant governor, secretary of state, state con-
48 troller, state treasurer, attorney general, superintendent of public
49 instruction and any deputy or staff member of one ~~(1)~~ of those individ-

1 uals who, within the course and scope of his or her employment, is di-
2 rectly involved in major policy influencing decisions for the office;

3 (2b) A state department or agency director, deputy director, division
4 administrator or bureau chief as established and enumerated in sections
5 67-2402 and 67-2406, Idaho Code;

6 (3c) The membership and the executive or chief administrative officer
7 of any board or commission that is authorized to make rules or conduct
8 rulemaking activities pursuant to section 67-5201, Idaho Code;

9 (4d) The membership and the executive or chief administrative officer
10 of any board or commission that governs any of the state departments
11 enumerated in section 67-2402, Idaho Code, not including public school
12 districts;

13 (5e) The membership and the executive or chief administrative officer
14 of the Idaho public utilities commission, the Idaho industrial commis-
15 sion, and the Idaho state tax commission; and

16 (6f) The members of the governing board of the state insurance fund, and
17 the members of the governing board and the executive or chief adminis-
18 trative officer of the Idaho housing and finance association, the Idaho
19 energy resources authority, and the Idaho state building authority.

20 (h8) "Expenditure" includes any payment, contribution, subscription,
21 distribution, loan, advance, deposit, or gift of money or anything of value,
22 and includes a contract, promise, or agreement, whether or not legally en-
23 forceable, to make an expenditure. The term "expenditure" also includes a
24 promise to pay, a payment or a transfer of anything of value in exchange for
25 goods, services, property, facilities or anything of value for the purpose
26 of assisting, benefiting or honoring any public official or candidate, or
27 assisting in furthering or opposing any election campaign. For the purpose
28 of making any reports required under this chapter, an expenditure is made at
29 the time the funds have been obligated or committed, whether by oral or writ-
30 ten agreement.

31 (i9) "Independent expenditure" means any expenditure by a person for
32 a communication expressly advocating the election, passage or defeat of a
33 clearly identified candidate or measure that is not made with the coopera-
34 tion or with the prior consent of, ~~or in consultation with, or at the con-~~
35 ~~sent of,~~ or in consultation with, or at the request of a or suggestion of, a
36 candidate or any agent or authorized committee of the candidate or political
37 committee supporting or opposing a measure. As used in this subsection, "ex-
38 pressly advocating" means any communication containing a message advocating
39 election, passage or defeat including, but not limited to, the name of the
40 candidate or measure, or expression such as "vote for," "elect," "support,"
41 "cast your ballot for," "vote against," "defeat" or "reject."

42 (j10) "Lobby" and "lobbying" each means attempting through contacts
43 with, or causing others to make contact with, members of the legislature or
44 legislative committees or an executive official, ~~to~~ influence the approval,
45 modification or rejection of any legislation by the legislature of the state
46 of Idaho or any committee thereof or by the governor or to develop or main-
47 tain relationships with, promote goodwill with, or entertain members of the
48 legislature or executive officials. "Lobby" and "lobbying" shall also mean
49 communicating with an executive official for the purpose of influencing the
50 consideration, amendment, adoption or rejection of any rule or rulemaking as

1 defined in section 67-5201, Idaho Code, or any ratemaking decision, procure-
2 ment, contract, bid or bid process, financial services agreement, or bond
3 issue. Neither "lobby" nor "lobbying" includes an association's or other
4 organization's act of communicating with the members of that association
5 or organization; and provided that neither "lobby" nor "lobbying" includes
6 communicating with an executive official for the purpose of carrying out
7 ongoing negotiations following the award of a bid or a contract, communica-
8 tions involving ongoing legal work and negotiations conducted by and with
9 attorneys for executive agencies, interactions between parties in litiga-
10 tion or other contested matters, or communications among and between members
11 of the legislature and executive officials and their employees, or by state
12 employees while acting in their official capacity or within the course and
13 scope of their employment.

14 (~~¶11~~) "Lobbyist" includes any person who lobbies.

15 (~~±12~~) "Lobbyist's employer" means the person or persons by whom a lob-
16 byist is employed, directly or indirectly, and all persons by whom he is com-
17 pensated for acting as a lobbyist.

18 (~~¶13~~) "Measure" means any proposal, ~~to be voted statewide,~~ submitted
19 to the people for their approval or rejection at an election, including any
20 initiative, referendum, recall election for local, statewide or legislative
21 district offices, or revision of or amendment to the state constitution. An
22 initiative or referendum proposal shall be deemed a measure when the attor-
23 ney general reviews it and gives it a ballot title. A recall shall be deemed
24 a measure upon approval of the recall petition as to form pursuant to section
25 34-1704, Idaho Code.

26 (~~¶14~~) "Nonbusiness entity" means any group of two (2) or more individu-
27 als, corporation, association, firm, partnership, committee, club or other
28 organization, formed for any purpose, which that is not a political commit-
29 tee as defined in this section and that:

30 (~~1a~~) Does not have as its principal purpose the conduct of business ac-
31 tivities for profit; and

32 (~~2b~~) Received during the preceding or current calendar year contribu-
33 tions, gifts or membership fees, which in the aggregate exceeded ten
34 percent (10%) of its total receipts for such year.

35 (~~±15~~) "Person" means an individual, corporation, association, firm,
36 partnership, committee, political party, club or other organization or
37 group of persons.

38 (~~¶16~~) "Political committee" means:

39 (~~1a~~) Any person specifically designated to support or oppose any candi-
40 date or measure; or

41 (~~2b~~) Any person who receives contributions and makes expenditures in
42 an amount exceeding five hundred dollars (\$500) in any calendar year
43 for the purpose of supporting or opposing one (1) or more candidates or
44 measures. Any entity registered with the federal election commission
45 shall not be considered a political committee for purposes of this chap-
46 ter.

47 (~~3c~~) A county, district or regional committee of a recognized politi-
48 cal party shall not be considered a political committee for the purposes
49 of this chapter unless such party committee has expenditures exceeding
50 five thousand dollars (\$5,000) in a calendar year.

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1 (~~¶~~17) "Political treasurer" means an individual appointed by a candi-
2 date or political committee as provided in section 67-6603, Idaho Code.

3 (~~¶~~18) "Public office" means any local or state office or position,
4 ~~state senator, state representative, and judge of the district court~~ that is
5 filled by election.