

IN THE SENATE

SENATE BILL NO. 1156

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE SUNSHINE LAW; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6631, IDAHO CODE, TO PROVIDE FOR A FINANCIAL DISCLOSURE STATEMENT FOR PUBLIC OFFICERS AND CANDIDATES FOR PUBLIC OFFICE, TO PROVIDE A DUTY TO FILE, TO PROVIDE THE CONTENTS OF THE STATEMENT, TO PROVIDE PROCEDURES AND TO PROVIDE PENALTIES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 66, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-6631, Idaho Code, and to read as follows:

67-6631. FINANCIAL DISCLOSURE STATEMENT – DUTY TO FILE – CONTENTS. (1) As used in this section:

(a) "Business" means a corporation, partnership, limited liability company, sole proprietorship, firm, or organization operated for economic gain in the state of Idaho.

(b) "Candidate" means an individual who has filed a declaration of candidacy with the secretary of state to seek nomination or election as a public officer.

(c) "Employment" means rendering of services for compensation in the form of salary as an employee.

(d) "Financial interest" means a business for which an individual or his spouse is a trustee, director or general partner, or owns, or has entered into negotiations to own ten percent (10%) or more of the total outstanding equity, stock or securities issued by the business.

(e) "Person" means an individual subject to the provisions of this section.

(f) "Public officer" means a person who is the governor, lieutenant governor, state senator, state representative, attorney general, superintendent of public instruction, secretary of state, state controller, and state treasurer during the prior calendar year.

(2) In addition to other statements and reports required by law, each candidate who is not a public officer shall file with the secretary of state a financial disclosure statement on a form prescribed in this section within thirty (30) days of filing as a candidate for public office. Prior to January 31 of each year, each public officer shall file with the secretary of state a financial disclosure statement.

(3) The financial disclosure statement shall include, for any public officer and candidate and spouse of such public officer or candidate, the following information for the prior calendar year:

(a) The full name, mailing address and residence of each person covered in the disclosure statement, the name and address of the person's and spouse's place(s) of employment and the title of the position(s) held, except when the disclosure of such information would

1 jeopardize the safety of the person, public safety, or impact the security clearance of that
 2 person or their spouse.

3 (b) Sources of gross income from employment over ten thousand dollars (\$10,000)
 4 (actual dollar amount not required) to each person covered in the disclosure statement. In
 5 describing a law or other professional practice, consulting operation or similar business of
 6 the person, no disclosure of clients, patients or customers shall be required.

7 (c) A general description of real estate owned by the person in Idaho other than a
 8 personal residence including the county where the property is located. The general
 9 description shall be the type of property and does not require either a street or legal
 10 description.

11 (d) Other financial interests, as defined in this section, in Idaho valued at five thousand
 12 dollars (\$5,000) or more.

13 (e) Signature of the public officer or candidate under penalty of perjury that the foregoing
 14 information is true, correct and complete to the best of the public officer or candidate's
 15 knowledge.

16 (4) A complete financial disclosure statement shall be filed every year by public officers.
 17 A person who files a financial disclosure statement may file an amended statement at any time
 18 to reflect significant changed circumstances that occurred since the last statement was filed.

19 (5) The financial disclosure statement shall be as follows:

20 FINANCIAL DISCLOSURE STATEMENT 21 Office of the Secretary of State			
22Public Officer Filing (current office holder) 23 Incumbent in the following office:			
24Candidate Filing 25 Candidate for the following office:.....			
26 (Please complete, sign and date)			
27 REPORTING INDIVIDUAL			
28 FULL NAME	Last Name	First Name	Middle Name
29 MAILING 30 ADDRESS	31 Address		
	City	State	Zip Code
32 EMPLOYER	33 Name		
	Address		
	City	State	Zip Code
	Title or Position Held	Nature of Business or Occupation	
36 REPORTING INDIVIDUAL'S SPOUSE			

1	FULL NAME	Last Name	First Name	Middle Name
2	MAILING ADDRESS	Address		
3				
4		City	State	Zip Code
5	EMPLOYER	Name		
6		Address		
7		City	State	Zip Code
8		Title or Position Held	Nature of Business or Occupation	
9	(Each of the following require disclosure for reporting individual and spouse)			
10	Sources of gross income of \$10,000 or more			
11	(reporting individual and spouse – actual income amount not required)			
12	Real Estate in Idaho (other than personal residence-include county where located)			
13	Other Financial Interests in Idaho Valued at \$5,000 or More (actual value not required)			
14	(Signature and affirmation required of reporting individual only)			
15	I hereby swear or affirm under penalty of perjury that the foregoing information is true, correct			
16	and complete to the best of my knowledge.			
17	Signature		Date	
18	Printed Name			

19 (6) The secretary of state shall enforce the provisions of this section. A person who
 20 fails to timely file any financial disclosure statement shall be given fifteen (15) calendar days'
 21 written notice by the secretary of state to correct the matter before any penalties are imposed.

22 (7) The penalty for late filing of the report provided in this section shall be fifty dollars
 23 (\$50.00) per day until the disclosure statement is filed.