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SECRETARY OF STATE
STATE OF IDAHO

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

Section 1. That section 67-6602, Idaho Code, be, and the same is hereby amended to read as follows

§ 67-6602. DEFINITIONS.

As used in this chapter, the following terms have the following meanings:

(a) "Candidate" means an individual who has taken affirmative action to seek nomination or election to public office. An individual shall be deemed to have taken affirmative action to seek such nomination or election to public office when he first:

(1) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(2) Announces publicly or files for office.

(3) For purposes of this chapter, an incumbent shall be presumed to be a candidate in the subsequent election for his or her office. Contributions received by an incumbent candidate shall not be in excess of the prescribed contribution limits for the subsequent election by which the incumbent candidate's name would first appear on the ballot. An incumbent shall no longer be a candidate for his or her office after the deadline for the filing of a declaration of candidacy to first appear on the ballot for that office has expired.

(b) "Compensation" includes any advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge or transfer of money or anything of value, and any contract, agreement, promise or other obligation, whether or not legally enforceable, to do any of the foregoing, for services rendered or to be rendered, but does not include reimbursement of expenses if such reimbursement does not exceed the amount actually expended for such expenses and is substantiated by an itemization of such expenses.

(c) "Contribution" includes any advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, subscription or transfer of money or anything of value, and any contract, agreement, promise or other obligation, whether or not legally enforceable, to make a contribution, in support of or in opposition to any candidate, political committee or measure. Such term also includes personal funds or other property of a candidate or members of his household expended or transferred to cover expenditures incurred in support of such candidate but does not include personal funds used to pay the candidate filing fee. Such term also includes the rendering of personal and professional services for less than full consideration, but does not include ordinary home hospitality or the rendering of "part-time" personal services of the sort commonly performed by volunteer campaign workers or advisors or incidental expenses not in excess of twenty-five dollars (\$25.00) personally paid for by any volunteer campaign worker. "Part-time" services, for the purposes of this definition, means services in addition to

regular full-time employment, or, in the case of an unemployed person or persons engaged in part-time employment, services rendered without compensation or reimbursement of expenses from any source other than the candidate or political committee for whom such services are rendered. For the purposes of this act, contributions, other than money or its equivalent shall be deemed to have a money value equivalent to the fair market value of the contribution.

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

(e) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a measure.

(f)(1) "Electioneering communication" means any communication broadcast by television or radio, printed in a newspaper or on a billboard, directly mailed or delivered by hand to personal residences, or telephone calls made to personal residences, or otherwise distributed that:

(i) Unambiguously refers to any candidate; and

(ii) Is broadcasted, printed, mailed, delivered, made or distributed within thirty (30) days before a primary election or sixty (60) days before a general election; and

(iii) Is broadcasted to, printed in a newspaper, distributed to, mailed to or delivered by hand to, telephone calls made to, or otherwise distributed to an audience that includes members of the electorate for such public office.

(2) "Electioneering communication" does not include:

(i) Any news articles, editorial endorsements, opinion or commentary, writings, or letter to the editor printed in a newspaper, magazine, or other periodical not owned or controlled by a candidate or political party;

(ii) Any editorial endorsements or opinions aired by a broadcast facility not owned or controlled by a candidate or political party;

(iii) Any communication by persons made in the regular course and scope of their business or any communication made by a membership organization solely to members of such organization and their families;

(iv) Any communication which refers to any candidate only as part of the popular name of a bill or statute;

(v) A communication which constitutes an expenditure or an independent expenditure under this chapter.

(g) "Executive official" means:

(1) The governor, lieutenant governor, secretary of state, state controller, state treasurer, attorney general, superintendent of public instruction and any deputy or staff member of one (1) of those

individuals who, within the course and scope of his or her employment, is directly involved in major policy influencing decisions for the office;

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

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

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

(5) The membership and the executive or chief administrative officer of the Idaho public utilities commission, the Idaho industrial commission, and the Idaho state tax commission; and

(6) The members of the governing board of the state insurance fund, and the members of the governing board and the executive or chief administrative officer of the Idaho housing and finance association, the Idaho energy resources authority, and the Idaho state building authority.

(h) "Expenditure" includes any payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also includes a promise to pay, a payment or a transfer of anything of value in exchange for goods, services, property, facilities or anything of value for the purpose of assisting, benefiting or honoring any public official or candidate, or assisting in furthering or opposing any election campaign.

(i) "Independent expenditure" means any expenditure by a person for a communication expressly advocating the election, passage or defeat of a clearly identified candidate or measure that is not made with the cooperation or with the prior consent of, or in consultation with, or at the consent of, or in consultation with, or at the request of a suggestion of, a candidate or any agent or authorized committee of the candidate or political committee supporting or opposing a measure. As used in this subsection, "expressly advocating" means any communication containing a message advocating election, passage or defeat including, but not limited to, the name of the candidate or measure, or expression such as "vote for," "elect," "support," "cast your ballot for," "vote against," "defeat" or "reject."

(j) "Lobby" and "lobbying" each means attempting through contacts with, or causing others to make contact with, members of the legislature or legislative committees or an executive official, to influence the approval, modification or rejection of any legislation by the legislature of the state of Idaho or any committee thereof or by the governor or to develop or maintain relationships with, promote goodwill with, or entertain members of the legislature or executive officials. "Lobby" and "lobbying" shall also mean communicating with an executive official for

the purpose of influencing the consideration, amendment, adoption or rejection of any rule or rulemaking as defined in section 67-5201, Idaho Code, or any ratemaking decision, procurement, contract, bid or bid process, financial services agreement, or bond issue. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization; and provided that neither "lobby" nor "lobbying" includes communicating with an executive official for the purpose of carrying out ongoing negotiations following the award of a bid or a contract, communications involving ongoing legal work and negotiations conducted by and with attorneys for executive agencies, interactions between parties in litigation or other contested matters, or communications among and between members of the legislature and executive officials and their employees, or by state employees while acting in their official capacity or within the course and scope of their employment.

(k) "Lobbyist" includes any person who lobbies.

(l) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed, directly or indirectly, and all persons by whom he is compensated for acting as a lobbyist.

(m) "Measure" means any proposal, to be voted statewide, submitted to the people for their approval or rejection at an election, including any initiative, referendum, recall election for statewide or legislative district offices, or revision of or amendment to the state constitution. An initiative or referendum proposal shall be deemed a measure when the attorney general reviews it and gives it a ballot title. A recall shall be deemed a measure upon approval of the recall petition as to form pursuant to section 34-1704, Idaho Code.

(n) "Nonbusiness entity" means any group of two (2) or more individuals, corporation, association, firm, partnership, committee, club or other organization which:

(1) Does not have as its principal purpose the conduct of business activities for profit; and

(2) Received during the preceding or current calendar year contributions, gifts or membership fees, which in the aggregate exceeded ten percent (10%) of its receipts for such year.

(o) "Person" means an individual, corporation, association, firm, partnership, committee, political party, club or other organization or group of persons.

(p) "Person doing public business" means and includes (a) any person who is a contractor as defined in section 67-5716(6), Idaho Code, who has been awarded an acquisition contract under which the consideration to be paid to such contractor during the term of that contract could, under any set of conditions, equal or exceed two hundred fifty thousand dollars (\$250,000) and which contract is in effect and has not been terminated (b) any person who has been awarded a contract described in section 67-5711 under which the consideration to be paid to such contractor during the term of that contract could, under any set of conditions, equal or exceed two hundred fifty thousand dollars (\$250,000) and which contract is in effect and has not been terminated; and (c) any person who has submitted a bid as defined in section 67-5716(3), Idaho Code, or a bid

to perform a potential contract described in section 67-5711, Idaho Code, for which a contract has not yet been awarded.

(g) “Principal of a person doing public business” means any of the following with respect to a person doing public business which is a corporation, firm, partnership, or limited liability company organized for profit: (1) any individual who is a corporate officer or member of the board of directors; (2) any person who has an ownership interest of five percent or more; (3) any person with a voting interest of five percent or more; (4) any individual who is an employee with managerial or discretionary responsibilities with respect to the receipt or expenditure of State funds; (5) the spouse or child of an individual described in any of the preceding subparagraphs of this paragraph (6) any lobbyist employed by such corporation, firm, partnership or limited liability company; (7) any employee or contractor of such lobbyist engaged in lobbying on behalf of or for the benefit of the same employer; and (8) a political committee established, maintained or controlled by any person or individual described in any other subparagraph of this paragraph.

~~(g)~~ (r) “Political committee” means:

(1) Any person specifically designated to support or oppose any candidate or measure; or

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

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

~~(g)~~ (s) “Political treasurer” means an individual appointed by a candidate or political committee as provided in section 67-6603, Idaho Code.

~~(g)~~ (t) “Public office” means any state office or position, state senator, state representative, and judge of the district court that is filled by election.

Section 2. That section 67-6610A, Idaho Code, be, and the same is hereby amended to read as follows:

§ 67-6610A. ~~LIMITATIONS ON CONTRIBUTIONS.~~ LIMITATIONS ON AND PROHIBITED CONTRIBUTIONS.

(1) Except as provided in subsection (2) of this section, aggregate contributions for a primary election or a general election made by a corporation, political committee, other recognized legal entity or an individual, other than the candidate, to a candidate for the state legislature, and

political committees organized on the candidate's behalf shall be limited to an amount not to exceed ~~one thousand dollars (\$1,000)~~ five hundred dollars (\$500) for the primary election and an amount not to exceed ~~one thousand dollars (\$1,000)~~ five hundred dollars (\$500) for the general election. Aggregate contributions for a primary election or a general election by a corporation, political committee, other recognized legal entity or an individual, other than the candidate, to a candidate for statewide office and political committees organized on the candidate's behalf shall be limited to an amount not to exceed ~~five thousand dollars (\$5,000)~~ two thousand dollars (\$2,000) for the primary election and an amount not to exceed ~~five thousand dollars (\$5,000)~~ two thousand dollars (\$2,000) for the general election.

(2) Aggregate contributions for a primary election or for a general election made by a county central committee or by the state central committee of the political parties qualified under section 34-501, Idaho Code, to a candidate for the state legislature, and political committees organized on the candidate's behalf shall be limited to an amount not to exceed two thousand dollars (\$2,000) for the primary election and an amount not to exceed two thousand dollars (\$2,000) for the general election. Aggregate contributions for the primary election or the general election by the state central committee of the political parties qualified under section 34-501, Idaho Code, to a candidate for statewide office and political committees organized on the candidate's behalf shall be limited to an amount not to exceed ten thousand dollars (\$10,000) for the primary election and an amount not to exceed ten thousand dollars (\$10,000) for the general election.

(3) For purposes of this section "statewide office" shall mean an office in state government which shall appear on the primary or general election ballot throughout the state.

(4) Recall elections, for purposes of this section, shall be treated the same as general elections for contribution limits.

(5) Contributions other than money or its equivalent are deemed to have a monetary value equivalent to the fair market value of the contribution. Services or property or rights furnished at less than their fair market value for the purpose of assisting any candidate or political committee are deemed a contribution. A contribution of this kind shall be reported as an in-kind contribution at its fair market value and counts toward any applicable contribution limit of the contributor. Contributions shall not include the personal services of volunteers.

(6) The contribution limits for the state legislature shall apply to judicial district offices, city offices and county offices regulated by this chapter.

(7) For the purposes of contribution limits, the following apply:

(a) A contribution by a political committee with funds that have all been contributed by one (1) person who exercises exclusive control over the distribution of the funds of the political committee is a contribution by the controlling person.

(b) All contributions made by a person or political committee whose contribution or expenditure activity is financed, maintained or controlled by a trade association, labor union or collective bargaining organization shall be considered a contribution from such trade association, labor union or collective bargaining organization.

(c) Two (2) or more entities are treated as a single entity if the entities:

(i) Share the majority of members on their board of directors;

(ii) Share two (2) or more officers;

(iii) Are owned or controlled by the same majority shareholder or shareholders or persons;

(iv) Are in a parent-subsidiary relationship; or

(v) Have bylaws so stating.

(8) No person shall make any contribution to any candidate or political committee (other than a political committee specifically designated to, and which only receives contributions and makes expenditures to, support or oppose any measure), if such person has been a person doing public business or a principal of a person doing public business within the two-year period preceding the date of such contribution.

(9) The provisions of this section are hereby declared to be severable and if any provision of this section or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this section.

Section 3. That section 67-6612, Idaho Code, be, and the same is hereby amended to read as follows:

§67-6612. CONTENTS OF REPORTS.

(a) A statement filed under sections 67-6607, 67-6608 or 67-6610, Idaho Code, shall set forth:

(1) Under contributions, a list of all the contributions received, including funds or property of the candidate used to cover expenditures. The statement shall list the full name, ~~and~~ complete address, employer's full name, and occupation of each person who contributed an aggregate amount of more than fifty dollars (\$50.00), and the amount contributed by that person. The statement may list as a single item the total amount of contributions of fifty dollars (\$50.00) or less each obtained in similar fashion.

(2) Under expenditures the name and address of each person to whom an expenditure was made in the amount of twenty-five dollars (\$25.00) or more, and the amount, date, and purpose of each such expenditure. Each expenditure in the amount of twenty-five dollars (\$25.00) or more shall be vouched for by a receipt or cancelled check or an accurate copy thereof. The statement may

list as a single item the total amount of expenditures less than twenty-five dollars (\$25.00) without showing the exact amount of or vouching for each such expenditure. Anything of value paid for or contributed by any person shall be listed both as an expenditure and as a contribution.

Section 4. That section 67-6623, Idaho Code, be, and the same is hereby amended to read as follows:

§67-6623. DUTIES OF SECRETARY OF STATE.

The secretary of state is charged with enforcement of the provisions of this act, and in addition to duties otherwise prescribed herein, it shall be his or her duty:

(a) To prescribe forms for statements and other information required to be filed by this act, and to furnish such forms and instruction manual to persons required to file such statements and information;

(b) To require all statements required to be filed by this act to be submitted to the Secretary of State in electronic, machine-readable form, in a format prescribed by the Secretary of State; to supply, upon request, to a person who is required to file statements the computer software necessary to accomplish such filing in electronic form, such software to permit persons required to file statements concerning contributions and expenditures easily to record such information, to allow the information so recorded to be transmitted immediately to the Secretary of State and to allow the Secretary of State to post the information on the Internet immediately upon receipt;

~~(b)~~(c) To provide methods (other than requiring a signature on the statement being filed) for verifying statements submitted to the Secretary of State, provided that any document verified under any such methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature;

~~(b)~~(d) To make statements and other information filed with ~~him~~ the Secretary of State available for public inspection and copying during regular office hours, and to make copying facilities available at a charge not to exceed actual cost;

(e) To make statements and other information filed with the Secretary of State accessible to the public on the Internet, including in downloadable, machine-readable, searchable form, not later than 24 hours after receipt by the Secretary of State;

~~(e)~~(f) To preserve such statements and other information for a period of ~~four (4)~~ at least twelve (12) years from date of receipt;

(d)(g) To make investigations with respect to statements filed under the provisions of this act, and with respect to alleged failures to file any statement required under the provisions of this act, and upon complaint by any person with respect to alleged violations of any part of this act;

(e)(h) To report suspected violations of law to the appropriate law enforcement authorities;

(f)(i) To prescribe and publish rules in accordance with the provisions of chapter 52, title 67, Idaho Code, and to take such other actions as may be appropriate to carry out the provisions of this act.

~~(g)(j) To prescribe methods of the filing of reports by electronic means.~~

Section 5. That section 67-6625, Idaho Code, be, and the same is hereby amended to read as follows:

§ 67-6625. VIOLATIONS--CIVIL FINE--MISDEMEANOR PENALTY--
PROSECUTION--LIMITATION--VENUE

(a) Any person who violates the provisions of section 67-6603 through 67-6614A, 67-6617, 67-6619, 67-6620, 67-6621(a), 67-6624, 67-6629 or 67-6630, Idaho Code, shall be liable for a civil fine not to exceed ~~two hundred fifty dollars (\$250)~~ the greater of two thousand five hundred dollars or an amount equal to twice the amount of any contribution or expenditure involved in such violation if an individual; and not more than the greater of ~~two thousand five hundred dollars (\$2,500)~~ the greater of ten thousand dollars or an amount equal to twice the amount of any contribution or expenditure involved in such violation, if a person other than an individual. Any person who knowingly and willfully violates the provisions of section 67-6603 through 67-6614A, 67-6617, 67-6619, 67-6620, 67-6621(a), 67-6624, 67-6629 or 67-6630, Idaho Code, shall be liable for a civil fine not to exceed the greater of five thousand dollars or an amount equal to three times the amount of any contribution or expenditure involved in such violation if an individual; and not more than the greater of twenty thousand dollars or an amount equal to three times the amount of any contribution or expenditure involved in such violation, if a person other than an individual. The burden of proof for such civil liability shall be met by showing a preponderance of the evidence.

(b) Any person who violates section 67-6605, 67-6614 or 67-6621(b), Idaho Code, and any person who knowingly and willfully violates section 67-6603 through 67-6614A, 67-6617, 67-6619, 67-6620, 67-6621(a), 67-6624, 67-6629 or 67-6630, Idaho Code, is guilty of a misdemeanor and, upon conviction, in addition to the fines set forth in subsection (a) of this section, may be imprisoned for not more than six (6) months or be both fined and imprisoned.

(c) Any person who knowingly and willfully commits a violation of section 67-6605, 67-6610a, 67-6610c or 67-6614, which involves the making, receiving or reporting of any contribution or expenditure aggregating \$25,000 or more during a calendar year is guilty of a felony.

~~(e)~~(d) The attorney general or the appropriate prosecuting attorney may prosecute any violations of this act.

~~(e)~~(e) Prosecution for violation of this act must be commenced within two (2) years after the date on which the violation occurred.

~~(e)~~(f) Venue for prosecution under the provisions of this chapter shall be in the county of residence of the defendant if the defendant is a resident of the state of Idaho, otherwise venue shall be in Ada county.

Section 6. That section 18-1351, Idaho Code, be, and the same is hereby amended to read as follows:

§ 18-1351. BRIBERY AND CORRUPT PRACTICES--DEFINITIONS

Unless a different meaning plainly is required in this chapter:

(1) "Benefit" means gain or advantage, or anything regarded by the beneficiary as gain or advantage, including benefit to any other person or entity in whose welfare he is interested, but not an advantage promised generally to a group or class of voters as a consequence of public measures which a candidate engages to support or oppose. "Benefit" does not include an award with economic significance of five hundred dollars (\$500) or less given to a nonelected public servant by a nonprofit organization whose membership is limited to public servants as part of a public servant recognition program that is designed to recognize innovation and achievement in the workplace, provided that the organization discloses in advance on its website the nature of the program, the amount of the award, the names of any persons or entities that contributed to the award and the recipient of the award.

(2) "Confidential information" means knowledge gained through a public office, official duty or employment by a governmental entity which is not subject to disclosure to the general public and which, if utilized in financial transactions would provide the user with an advantage over those not having such information or result in harm to the governmental entity from which it was obtained.

(3) “Gift” means any item, good or service having monetary value including without limitation any loan, hospitality, discount, forbearance, services, training, transportation, food and beverage, lodging and meals, whether provided in kind, by purchase, payment in advance or reimbursement after the expense has been incurred.

(3)(4) “Government” includes any branch, subdivision or agency of the government of the state or any locality within it and other political subdivisions including, but not limited to, highway districts, planning and zoning commissions and cemetery districts, and all other governmental districts, commissions or governmental bodies not specifically mentioned in this chapter.

(4)(5) “Harm” means loss, disadvantage or injury, including loss, disadvantage or injury to any other person or entity in whose welfare he is interested.

(6) “Lobbyist” means any person engaged in lobbying (as defined in section 67-6602, Idaho Code).

(5)(7) “Official proceeding” means a proceeding heard or which may be heard before any legislative, judicial, administrative or other governmental agency or official authorized to take evidence under oath, including any referee, hearing examiner, commissioner, notary or other person taking testimony or deposition in connection with any such proceeding.

(6)(8) “Party official” means a person who holds an elective or appointive post in a political party in the United States by virtue of which he directs or conducts, or participates in directing or conducting party affairs at any level of responsibility.

(7)(9) “Pecuniary benefit” is any benefit to a public official or member of his household in the form of money, property or commercial interests, the primary significance of which is economic gain.

(8)(10) “Public servant” means any officer or employee of government, including legislators and judges, and any person participating as juror, advisor, consultant or otherwise, in performing a governmental function; but the term does not include witnesses.

(9)(11) “Administrative proceeding” means any proceeding, other than a judicial proceeding, the outcome of which is required to be based on a record or documentation prescribed by law, or in which law or regulation is particularized in application to individuals.

Section 7. That section 18-1356, Idaho Code, be, and the same is hereby amended to read as follows:

§ 18-1356. GIFTS TO PUBLIC SERVANTS ~~BY PERSONS SUBJECT TO THEIR~~
JURISDICTION

(1) Regulatory and law enforcement officials. No public servant in any department or agency exercising regulatory functions, or conducting inspections or investigations, or carrying on civil or criminal litigation on behalf of the government, or having custody of prisoners, shall solicit, accept or agree to accept any pecuniary benefit from a person known to be subject to such regulation, inspection, investigation or custody, or against whom such litigation is known to be pending or contemplated.

(2) Officials concerned with government contracts and pecuniary transactions. No public servant having any discretionary function to perform in connection with contracts, purchases, payments, claims or other pecuniary transactions of the government shall solicit, accept or agree to accept any pecuniary benefit from any person known to be interested in or likely to become interested in any such contract, purchase, payment, claim or transaction.

(3) Judicial and administrative officials. No public servant having judicial or administrative authority and no public servant employed by or in a court or other tribunal having such authority, or participating in the enforcement of its decisions, shall solicit, accept or agree to accept any pecuniary benefit from a person known to be interested in or likely to become interested in any matter before such public servant or a tribunal with which he is associated.

(4) Legislative and executive officials. No legislator or public servant shall solicit, accept or agree to accept any pecuniary benefit in return for action on a bill, legislation, proceeding or official transaction from any person known to be interested in a bill, legislation, official transaction or proceeding.

(5) Legislators and employees of legislature. No lobbyist shall give to any member, officer or employee of the legislature, and no member, officer or employee of the legislature shall solicit, accept or agree to accept from any one lobbyist any gift with a value exceeding fifty dollars, or during any one calendar year, gifts with an aggregate value exceeding fifty dollars.

~~(5)(6)~~ Exceptions. This section shall not apply to:

(a) fees prescribed by law to be received by a public servant, or any other benefit for which the recipient gives legitimate consideration or to which he is otherwise legally entitled; or

(b) except in the case of members, officers and employees of the legislature, gifts or other benefits conferred on account of kinship or other personal, professional or business relationship independent of the official status of the receiver; or

(c) trivial benefits not to exceed a value of fifty dollars (\$50.00) incidental to personal, professional or business contacts and involving no substantial risk of undermining official impartiality, provided that gifts to members, officers and employees of the legislature shall be subject to subsection 5 of this section. or

~~(d) benefits received as a result of lobbying activities that are disclosed in reports required by chapter 66, title 67, Idaho Code. This exception shall not apply to any activities prohibited by subsections (1) through (4) of this section.~~

~~(6)(7)~~ Offering benefits prohibited. No person shall knowingly confer, or offer or agree to confer, any benefit prohibited by the foregoing subsections.

~~(7)(8)~~ Grade of offense. An offense under this section is a misdemeanor and shall be punished as provided in this chapter.

Section 8. A new section 74-407 is added to Chapter 4, Title 74 of the Idaho Code, to read as follows:

§74-407. POST-EMPLOYMENT RESTRICTIONS ON PUBLIC OFFICIALS.

Any person who is a public official of the State of Idaho or of any agency, commission or other governmental body of the State of Idaho (including without limitation members, officers and employees of the State legislature) and who, within one year after that person leaves office or employment, knowingly receives compensation for making, with the intent to influence, any communication to or appearance before any public official of the State of Idaho or of any agency, commission or other governmental body of the State of Idaho, in connection with any matter on which such former public official seeks action by a public official of the State of Idaho or of any agency, commission or other governmental body of the State of Idaho in his or her official capacity, is guilty of a felony.