

HOUSE BILL NO. 149

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE WOLF

Introduced: 3/5/03

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring nonprofit corporations under the Alaska Net Income Tax Act to**
2 **provide prior public notice of lobbying expenditures and an annual report of lobbying**
3 **expenditures to the Department of Revenue; providing for a civil penalty for failure to**
4 **provide the notice; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 43.20 is amended by adding a new section to read:

7 **Sec. 43.20.025. Notice of lobbying expenditures by nonprofit corporations,**
8 **civil penalty, annual report.** (a) A nonprofit corporation exempt from tax liability
9 under this chapter and 26 U.S.C. 501(c)(3) shall provide adequate public notice prior
10 to a lobbying expenditure. A corporation subject to this section shall send to the
11 department a copy of the newspaper's certificate of publication with a copy of the
12 notice published and the dates of publication within seven days after the last
13 publication of the notice. For purposes of this subsection, adequate public notice is
14 required to be conducted by publication

1 (1) of a written notice of each lobbying expenditure over \$500 that
 2 identifies the nonprofit corporation by name, mailing address, and telephone number,
 3 describes the nature of the lobbying expenditure, including, with reasonable
 4 specificity, the activity proposed, the proposed budget, the location, and time period in
 5 which the lobbying activity will occur;

6 (2) of the notice not fewer than two times in eight days;

7 (3) in a newspaper of general circulation in the judicial district in
 8 which the nonprofit corporation is located, or if a newspaper is not published in that
 9 judicial district, in a newspaper published in the state and distributed in that judicial
 10 district; and

11 (4) not less than 14 days and not more than 30 days before the
 12 lobbying expenditure occurs.

13 (b) A nonprofit corporation exempt from tax liability under this chapter that
 14 violates (a) of this section is subject to a civil penalty of not more than \$100 a day for
 15 each day that the corporation fails to

16 (1) cause the timely publication of adequate public notice; or

17 (2) timely provide the department with a copy of the notice.

18 (c) A nonprofit corporation exempt from tax liability under this chapter shall
 19 file an annual report with the department of all lobbying expenditures made within the
 20 previous tax year. The report must provide the final actual expenditures made in
 21 relation to each lobbying activity, and must include copies of the adequate public
 22 notice provided for each lobbying expenditure as required by (a) of this section. The
 23 annual report shall be provided to the department at the same time as the nonprofit
 24 corporation's state corporate tax return.

25 (d) In this section, "lobbying expenditure" has the meaning given in 26 U.S.C.
 26 501(c)(3).

27 * **Sec. 2.** This Act takes effect January 1, 2004.