

The BGA Integrity IndexSM

produced by

The Better Government Association

in cooperation with

Ford Motor Company Center
for Global Citizenship

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Table of Contents

1	Overview	1
2	Freedom of Information (FOI) Laws.....	7
3	Whistleblower Protection Laws	13
4	Campaign Finance Laws	17
5	Gifts, Trips and Honoraria Laws	24
6	Conflict of Interest Laws.....	27
7	Appendix: Expanded Charts.....	29

The BGA Integrity Index—Overall Ranking

State	FOI	Whistle-blower Protection	Campaign Finance	Gifts, Trips and Honoraria	Conflicts of Interest	Total (out of 500)	Percent Achieved	Rank
Wisconsin	50%	64%	66%	69%	88%	337%	67.4%	1
Rhode Island	63%	68%	52%	56%	80%	318%	63.6%	2
Kentucky	69%	57%	52%	65%	70%	312%	62.4%	3
Hawaii	44%	75%	65%	25%	92%	301%	60.1%	4
California	53%	82%	33%	50%	81%	300%	59.9%	5
Nebraska	88%	57%	59%	48%	48%	299%	59.9%	6
South Carolina	59%	50%	34%	67%	76%	286%	57.1%	7
West Virginia	72%	79%	52%	46%	37%	285%	56.9%	8
Texas	56%	71%	37%	31%	88%	284%	56.8%	9
Maryland	47%	71%	51%	44%	71%	284%	56.7%	10
Washington	69%	54%	42%	21%	98%	283%	56.6%	11
New Jersey	88%	71%	45%	21%	54%	279%	55.7%	12
Connecticut	53%	57%	60%	23%	80%	274%	54.7%	13
Ohio	34%	50%	48%	73%	66%	271%	54.2%	14
Massachusetts	31%	61%	72%	29%	75%	268%	53.6%	15
Colorado	47%	50%	45%	46%	76%	264%	52.8%	16
Minnesota	34%	57%	63%	58%	49%	261%	52.2%	17
Florida	56%	57%	66%	17%	64%	260%	52.0%	18
Oregon	66%	43%	40%	19%	82%	249%	49.8%	19
Arizona	9%	61%	74%	13%	91%	247%	49.5%	20
Kansas	41%	79%	43%	19%	65%	245%	49.0%	21
North Carolina	28%	64%	43%	25%	83%	243%	48.7%	22
Alaska	3%	75%	44%	25%	95%	242%	48.4%	23
Maine	41%	71%	72%	8%	49%	241%	48.2%	24
Oklahoma	38%	75%	53%	27%	48%	241%	48.1%	25
Georgia	63%	36%	37%	46%	49%	230%	46.0%	26
Utah	78%	75%	36%	40%	1%	229%	45.9%	27
Virginia	78%	0%	27%	31%	86%	222%	44.5%	28
New York	41%	50%	32%	13%	85%	220%	44.0%	29
Nevada	41%	57%	38%	27%	57%	219%	43.8%	30
Arkansas	75%	0%	46%	21%	75%	216%	43.3%	31
Michigan	66%	75%	50%	23%	1%	214%	42.8%	32
Mississippi	41%	57%	31%	25%	56%	209%	41.8%	33
Indiana	59%	50%	34%	10%	55%	209%	41.7%	34
Missouri	25%	61%	29%	17%	77%	208%	41.6%	35
New Hampshire	41%	50%	39%	42%	36%	208%	41.5%	36
Wyoming	9%	79%	46%	25%	45%	204%	40.8%	37
Delaware	31%	43%	33%	25%	70%	202%	40.4%	38
North Dakota	31%	61%	33%	25%	50%	199%	39.9%	39
Pennsylvania	3%	75%	45%	23%	48%	194%	38.8%	40
Illinois	47%	50%	36%	13%	44%	189%	37.9%	41
Idaho	50%	75%	41%	19%	1%	186%	37.1%	42
Iowa	53%	54%	36%	6%	34%	183%	36.5%	43
Tennessee	19%	39%	37%	35%	50%	180%	36.0%	44
Montana	9%	50%	47%	25%	48%	180%	35.9%	45
Louisiana	78%	0%	46%	15%	32%	171%	34.1%	46
Alabama	0%	39%	25%	6%	96%	167%	33.4%	47
New Mexico	53%	0%	41%	10%	61%	165%	33.1%	48
Vermont	63%	0%	66%	25%	1%	155%	31.0%	49
South Dakota	0%	39%	39%	0%	47%	125%	25.0%	50

Overview

The BGA Integrity Index is a measure of the relative strength of existing laws that promote integrity in each of the fifty states. The higher each state's score, the stronger its laws are and the better its citizens are protected. The BGA Integrity Index was conceived as a tool to describe the extent to which each state has protected itself against possible corruption and made its processes open and accountable to its citizens. It is hoped that the Index will increase the awareness of the importance of strong laws and help states foster a robust environment of integrity. Furthermore, the BGA Integrity Index provides concrete examples of states that have taken a tough line on promoting integrity and passed laws to protect the governmental process and citizens.

The purpose of the BGA Integrity Index is not to expose individual cases of corruption or brand certain states as lacking in integrity. Instead, the BGA Integrity Index is an effort to encourage and foster a high degree of integrity in state governments and encourage the reform of state laws that fall short in fully protecting transparency, accountability and strong limits.

Core Principles

Three key concepts are the basis for the BGA Integrity Index:

- ▲ **TRANSPARENCY** – “Blue skies” or “Sunshine” laws that require openness in government. The more open the operations of government are required to be the more likely its operations will be conducted with integrity.
- ▲ **ACCOUNTABILITY** – Penalty provisions for violations of statutory limits or transparency requirements give those laws teeth. Without tough penalties, transparency requirements and limits are merely aspirational.
- ▲ **LIMITS** – Limits are the only way to stop or minimize activity that undercuts the independence of governmental officials such as campaign contributions, gifts and honoraria. The likelihood of unethical behavior increases with the size of contributions, gifts and honoraria.

Transparency, Accountability and Limits (“TAL”) provide the underlying logic for the rankings of each of the integrity measures. This method is both simple and supportable: states with lower limits for gifts and contributions, tougher accountability provisions and broader transparency requirements have a heightened ability to combat and prevent corruption.

What Is The Better Government Association?

The Better Government Association (“BGA”) is a seventy-nine year old Chicago based civic watchdog group that fights waste, corruption and inefficiency in government. Over the years the BGA has exposed and fought against governmental corruption on the national, state and local level. To help achieve its goals of a cleaner, more ethical and efficient government the BGA utilizes investigative exposes, litigation and public policy studies to change public policy and spur changes in legislation so that government will better serve its citizens.

History: Why did we create the BGA Integrity Index?

As a civic watchdog group the BGA has frequently utilized Illinois’ Freedom of Information law (“FOI”) requests to further its investigative endeavors. However, over the years the BGA came to the conclusion that Illinois’ FOI law was much less effective than it could be because the law was so weak in terms of what it required out of state government.

In the summer of 2001 the BGA decided to test its assumption. Two BGA researchers found every FOI law in all fifty states. After reading all the statutes, the BGA research team selected measurable elements common to

the vast majority of the laws that were critical in giving the law meaning and validity. Within each element or criteria we created a scoring system, since modified slightly, and scored all the states. Unsurprisingly, Illinois received a rather low score. Surprisingly, a low score placed Illinois in the middle of the pack.

We started out with the fairly focused intention of comparing our state's FOI law with those of other states, in order to determine how our own might be improved, i.e., how to best increase transparency in state government. Having completed that task, however, we apprehended that we had created a tool that might be beneficial to those in other states who have goals similar to ours. At the same time, we began to discuss other fundamental values that are critical to the creation of an environment in which integrity is more likely and corruption less likely. To the concept of transparency, we added accountability and limits.

The BGA Integrity Index, then, gathers together those laws that have the potential to create an environment in which integrity is the rule. The assumption which underlies the BGA Integrity Index is that, where state laws create transparency, accountability and limits, such an environment is more likely to promote integrity and prevent corruption. The Index should provide a ready source of research for those wishing to quickly find laws that can be compared to laws in their own states.

Which Laws Are Ranked?

- ▲ **Freedom of Information Laws** – mandate public access to most government records and information. We ranked these laws based on response times to requests, appeals processes, that mandate expedited treatment for such cases and provisions for attorneys fees and penalties.
- ▲ **Whistleblower Laws** – provide protection to government employees who expose mismanagement, waste and corruption in their workplace. We ranked these laws based on the scope of whistleblowing activities protected, prohibitions on retaliatory conduct, scope of employee coverage, penalties, damages, posting of rights and appeals process.
- ▲ **Campaign Finance Laws** – place limits on campaign contributions, mandate disclosure of contributions and sometimes provide for public funding. We ranked these laws based on: limits on campaign contributions to candidates from individuals, candidates, family members, national political parties, PACs, corporations, labor unions and regulated entities; limits on campaign contributions to state political parties by individuals, PACs, corporations and labor unions; limits on solicitation for campaign contributions during legislative sessions; limits on solicitation and contributions by government employees; limits on anonymous contributions, contributions in another's name; strength of penalties for disclosure violations and contribution violations; and the availability of public funding of campaigns.
- ▲ **Gifts, Trips and Honoraria Laws** – are designed to limit the amounts of gifts and other things of value that can be given to lawmakers by members of the public and lobbyists. We ranked these laws based on the strength of their limits and disclosure requirements for gifts, trips and honoraria from the general public and lobbyists.
- ▲ **Conflict of Interest Disclosure Laws** – mandate that lawmakers publicly disclose their financial interests so the public can be aware if they have possible conflicts of interest in legislation they are voting on. This element of the BGA Integrity Index was borrowed from the Center for Public Integrity with their permission. The Center for Public Integrity ranked these laws based on their scope, accessibility to the public and penalty provisions.

Why Were These Laws Selected For Analysis?

The laws that were selected certainly do not represent all the laws that have an impact on integrity in state government. However, the BGA believes that the laws that were selected go to the heart of transparency, accountability and limits. The laws selected most directly represent efforts by the states to empower citizens to keep an eye on their government, keep influence peddling to a minimum and protect those who speak out and expose government mistakes and mismanagement. Future editions of the BGA Integrity Index may add other laws to the analysis, but the five types of laws selected thus far represent the core values that the BGA Integrity Index is attempting to measure.

Methodology

First, the BGA identified several types of laws that are critical to creating and maintaining a high level of integrity in state government. Next, all the relevant information about the laws in all the states was analyzed to determine content. After the analysis, the BGA identified the critical elements of the laws selected. Within each critical element the BGA surveyed the contents of the various state laws and created a scoring system based on the toughest provisions to the weakest provisions based on TAL. Laws that encouraged transparency, provided for meaningful accountability and called for strict limits scored higher than laws that discouraged transparency, provided for minimal accountability and loose limits.

Individual state's laws were scored depending on how strongly they correlate to best practices based on TAL. Best practices are defined as those existing state laws with the strongest/quickest disclosure requirements, the toughest penalties for non-compliance and the lowest limits for contributions/non-disclosure. Each measure and each state was ranked independently, and then a composite ranking was created to measure overall performance.

For all but one of the laws selected, the BGA researched the relevant laws, created a scoring system, scored each state's law and ranked the states based on the results. The scoring systems were constructed by BGA.¹

All rankings are based on existing laws that allow for comparison from state to state. Furthermore, by using state laws, the states' efforts can be measured longitudinally, taking into account that over time states will hopefully strengthen their laws and thus move up the rankings.

Analysis/Ranking

The scoring scale that the BGA chose to use was a five level system, 0, 1, 2, 3, 4, but occasionally we used a five level system that rose to 1 or 2 at quarter point or half point intervals. In the analysis of a particular type of law, the elements measured were almost always equally weighted, meaning no element was viewed as more important than any other element, and when that was not the case the different weighting was indicated by the different point total for a particular category or sub-category (i.e. the element was worth only two points instead of four).

For each individual type of law the states were ranked from highest to lowest based on their point totals. The point total for each state was then converted to a percentage grade by taking the points scored and dividing by the maximum possible points.

¹ For information on gifts, trips and honoraria laws the BGA relied on the Center For Public Integrity's research into the issue with their permission. Furthermore, the BGA adopted the Center For Public Integrity's research and ranking of conflicts of interest laws with their permission. For information on campaign finance laws the BGA relied on the Federal Election Commission's research into the issue. The BGA primarily relied on independent research in analyzing freedom of information laws and whistleblower laws. Except for conflicts of interest, the BGA created all the scoring systems.

For the overall BGA Integrity Index, each state's percentage scores in the five areas analyzed were added together and divided by five to give an average score. All the laws were weighted equally. The states were then ranked from best to worst based on their composite percentage score.

The BGA's scoring methodology was reviewed and approved by David Messick, Kaplan Professor of Ethics and Decision in Management, Co-Director, Ford Motor Company Center for Global Citizenship, Kellogg School of Management, Northwestern University.

Conclusion

The top five states in our survey were Wisconsin, Rhode Island, Kentucky, Hawaii and California. The bottom five states were Louisiana, Alabama, New Mexico, Vermont and South Dakota. The top five states tended to do well relative to their sister states across all the laws while the bottom five under-performed or failed miserably across all the laws we reviewed.

The top performing states are commended for their high performance relative to the rest of the states, but the BGA Integrity Index revealed a troubling trend, all states performed poorly in an absolute sense. The best state, Wisconsin, managed to come out first with an average score of 67.4%. When even the best state has such a low score it indicates that there is a lot of room for improvement all across the United States when it comes to laws that promote integrity and fight corruption.

Overall, the BGA Integrity Index reveals that states have taken a patchwork approach towards promoting integrity which indicates a lack of the proper amount of concern regarding integrity and corruption. The BGA hopes that this study will help spark a renewed focus and debate on these issues in all the states and ultimately lead to the improvement of the laws we reviewed.

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David Messick, Kaplan Professor of Ethics and Decision in Management, Co-Director, Ford Motor Company Center for Global Citizenship, Kellogg School of Management, Northwestern University

Freedom of Information (FOI) Laws in the USA

State	Total Points (out of 16)	Percent Achieved	Rank
Nebraska	14	88%	1
New Jersey	14	88%	1
Louisiana	12.5	78%	3
Utah	12.5	78%	3
Virginia	12.5	78%	3
Arkansas	12	75%	6
West Virginia	11.5	72%	7
Kentucky	11	69%	8
Washington	11	69%	8
Michigan	10.5	66%	10
Oregon	10.5	66%	10
Georgia	10	63%	12
Rhode Island	10	63%	12
Vermont	10	63%	12
Indiana	9.5	59%	15
South Carolina	9.5	59%	15
Florida	9	56%	17
Texas	9	56%	17
California	8.5	53%	19
Connecticut	8.5	53%	19
Iowa	8.5	53%	19
New Mexico	8.5	53%	19
Idaho	8	50%	23
Wisconsin	8	50%	23
Colorado	7.5	47%	25
Illinois	7.5	47%	25
Maryland	7.5	47%	25
Hawaii	7	44%	28
Kansas	6.5	41%	29
Maine	6.5	41%	29
Mississippi	6.5	41%	29
Nevada	6.5	41%	29
New Hampshire	6.5	41%	29
New York	6.5	41%	29
Oklahoma	6	38%	35
Minnesota	5.5	34%	36
Ohio	5.5	34%	36
Delaware	5	31%	38
Massachusetts	5	31%	38
North Dakota	5	31%	38
North Carolina	4.5	28%	41
Missouri	4	25%	42
Tennessee	3	19%	43
Arizona	1.5	9%	44
Montana	1.5	9%	44
Wyoming	1.5	9%	44
Alaska	0.5	3%	47
Pennsylvania	0.5	3%	47
Alabama	0	0%	49
South Dakota	0	0%	49

Detailed Methodology

Purpose Statement

Each of the fifty states have passed an open records or freedom of information act giving citizens access to public records. The opening provision of most of these acts provides that an open government is a critical element in achieving a successful democracy and that it is only when the public is given free access to government documents that the public can effectively oversee the activities of its elected leaders. Thus, the states have made it policy to promote a more open and better government by giving the public access to public records. The BGA has undertaken a comprehensive study analyzing the open records statutes of each of the fifty states in order to examine the effectiveness of each statute in promoting this policy.

The Analysis

The BGA, in conducting this study, has analyzed the freedom of information acts in every state. There has been no analysis of case law or Attorney General Opinions. By assessing only the statutory language, very little interpretation of the law had to be conducted by BGA researchers in order to complete this study. This allowed the BGA to keep the analysis as objective as possible. In addition, as the primary source of law, citizens seeking to invoke their rights to examine public records will look to the statute for guidance, not secondary sources such as case law or Attorney General Opinions.

Methodology

The states were compared against each other. Each state was assessed against five criteria. The five criteria were broken into two categories—three procedural criteria and two penalty criteria. In each criterion there was a five level scoring system, usually a zero thorough four scale with one point intervals, but in some instances a zero thorough two scale with half point intervals. After each criterion was examined and scored, the scores were totaled for each state. Each state was then ranked according to its point total. The total possible points were 16.

The Criteria

The BGA used five criteria to assess each state. The criteria were chosen as an effort to conduct the most objective analysis of the law in each state. The procedural criteria are designed to assess the procedural guidelines in each state for obtaining public records, while the penalty criteria examine the punishment, if any, which is levied against an agency that wrongfully denies access to a public record.

The procedural criteria are as follows: (1) The amount of time a public agency or department has to respond to a citizen's request for a public document; (2) the process a citizen must go through to appeal the decision of an agency to deny the request for the public record; and (3) whether an appeal is expedited when it reaches the court system. The penalty criteria weigh: (1) whether the complaining party, upon receiving a favorable judgment in court, is awarded attorney fees and costs; and (2) whether the agency that has wrongfully withheld a record is subject to any civil or criminal punishment.

Three of the criteria, Response Time, Attorney's Fees & Costs and Sanctions were worth four points each. Two of the criteria, Appeals and Expedited Process, were assigned a value of two points each. Response Time, Attorney's Fees & Costs and Sanctions were assigned a higher value because of their greater importance. They determine how fast a requestor gets an initial answer, thus starting the process for an appeal if denied, and provide the necessary deterrent element to give FOI laws meaning and vitality. Appeals and Expedited Process, although important, are not as critical in vindicating the rights of citizens and journalists who are trying to keep a close eye on government operations.

In assessing the statutes, the BGA chose not to use exemptions from disclosure as a factor in its analysis. Most state statutes contain a provision that specifically defines what records are not subject to disclosure under the act. The BGA chose not to use exemptions in weighing the strengths and weaknesses of each state's statute because of the relative impossibility of counting each exemption. Furthermore, without a close analysis of how the exemption is interpreted judicially, it is impossible to determine the relative breadth or narrowness of an exemption. Accordingly, surveying statutes based on exemptions would be very difficult because, e.g., a state with few exemptions might exclude more records than a state with many exemptions if the first state were to interpret its exemptions very broadly and the second state were to interpret its exemptions very narrowly.

The Procedural Criteria:

The first three criteria that the BGA studied in assessing the strength of each state's open records act are procedural. The three criteria involve the process the requesting party must use to gain access to public records. The BGA's concern with these procedural requirements is that a lengthy and burdensome process is likely to discourage citizens from making requests and seeking enforcement of the statute, which will result in less disclosure of public information. Such a result would frustrate the policy of creating a better democracy through a more open government. The procedural criteria are as follows:

Response Time (4 points)

Response time is the period of time that an agency has to make an initial response to a request for a public record. A major area of concern is requests for time sensitive documents. The more time an agency has to respond to a citizen's request, the less effective the statute becomes. For instance, statutes that provide for very long response times, or do not provide a stated response time at all, do not create any statutory assurances for a requestor, such as a journalist, who is seeking a time sensitive document. Statutes in these states may allow an agency to stall in handing over the requested materials so that they are no longer useful, or the requestor simply gives up on the request. Either result frustrates the purposes of the open records act. Thus, state statutes received more points for quicker response times. Note: The BGA only examined the time an agency has to make an initial response to a request for documents. In many states, an agency can receive an extension of time to consider a request. Our analysis did not factor in possible time extensions.

States that failed to provide for a response time received a score of 0. A state received one point if its statute simply provided that response to a request must be made within a reasonable amount of time, or language similar to that effect. This ambiguous language may lead to excessive delays in processing a request. The lack of an

explicitly defined response time is of concern to the BGA. Receiving two points are states that have passed statutes requiring a response between 16 and 30 days. These states explicitly provide a response time, so that the requesting party is assured recognition of the request during a specified time period. However, 16 to 30 days is too broad of a response time. A state received three points if its statute required a response between 8 and 15 days. Four points were awarded if a state's statute required a response between 1 to 7 days.

Appeal (2 points)

The next procedural criteria used by the BGA to weigh the strength of each state's open records act was the appeals process a citizen can go through after being denied access to a record that is covered by the statute. If citizens are able to appeal in a cost and time efficient manner, in the forum of their choice, citizens are more likely to challenge an agency's denial. The BGA's method of grading this criterion is based on three elements: choice, cost and time. A petitioner should be able to choose the body that hears the appeal. The appeal process should also provide for administrative remedies to control the costs and time of appealing.

States with statutes that do not provide for an appeals process received a score of 0. These states fail to inform citizens that the denial may be reviewed, and may be reversed, by a higher authority. The law must explicitly explain the appeal process in order to fully inform citizens of their rights. State which require a citizen to appeal directly to a court of law, with no administrative remedy, receive a half point. Under these statutes, citizens are not able to choose the forum of their appeal. In addition, these states do not provide remedies that might reduce the cost of an appeal. Appealing directly to a court will assuredly be the most expensive and consume the most time. Citizens facing several years of litigation costing thousands of dollars are less likely to challenge a denial.

One point was awarded to states that require petitioners to first appeal to the director of the agency that denied them access, then to an ombudsman and only then to court. By requiring a petitioner to exhaust both administrative remedies before allowing access to the court system, these states provide the petitioner no choice of forum. Furthermore, appealing to both bodies may be burdensome on the petitioner. However, these states do provide for administrative remedies that may reduce the cost of the appeal if a favorable ruling can be achieved before resorting to court. By appealing first to the agency head and then to an ombudsman, there is a chance of getting a favorable decision in a cost and time efficient manner.

Statutes requiring the petitioner to appeal to a legislatively designated entity, either the head of the agency or an ombudsman or a choice of the two and then to court earned states one and a half points. These states only require the petitioner to exhaust one round of administrative remedies before entering the court system, which is less burdensome. Furthermore, by seeking some administrative remedy, there is the potential for a favorable ruling on the appeal before getting to court.

Finally, the states allowing citizens to pursue the channel of appeal of their choice received two points. These states pass each prong of the BGA's analysis. First, citizens have total control over the forum in which their appeal will be heard. Furthermore, these states provide for administrative remedies, which may result in a favorable ruling in the least expensive and time-consuming manner.

Expedited Process (2 points)

Expedited Process means that a case's priority on a court's docket will be put in front of other matters because of time concerns. The BGA examined each state statute to determine if a petitioner's appeal, in a court of law, would be expedited to the front of the docket so that it would be heard immediately. The focus was on the expedited process in courts, not in administrative hearings.

Expedited Process is a procedural feature that allows petitioners to have their grievances heard in a timely manner. Without an expedited process, it may be months or years before an appeal is heard and resolved in a congested court docket. As a result, the enormous costs of a lengthy court battle may prevent a citizen from challenging a denial. Furthermore, lengthy court battles will render time sensitive documents useless. Absent an expedited process, litigation may serve as tool to stall the production of records until the records are no longer of use, or until the citizen simply gives up on the request.

States that do not provide for an expedited process in their public record statute received a score of 0. These states do not provide any mandate to avoid the inherent problems that are associated with lengthy and costly litigation. Requiring a showing of special circumstances for an appeal to be expedited scored a half point. Such a requirement puts the burden of proof on the Petitioner rather than mandating an expedited process. Requiring an appeal to be expedited and heard 'as soon as practicable' earned states one point. While these states address the issue of an expedited process, and seemingly recognize its importance, they provide no meaningful mandate. Because these states leave the issue of an expedited process to the judge's discretion, an appeal still may not be heard for months.

States requiring a case to be heard within 11 to 30 days after filing received one and a half points. These states explicitly mandate a time limit and provide the petitioner with assurance of a speedy appeal. States received two points if they required a case to be heard within 11-20 days after filing.

Penalties

In the penalty category, the two criteria the BGA used to weigh the strength of each state's public records act focus on the penalties that are levied against an agency that has been found by a court of law to have violated the statute. The two penalty criteria are: (1) whether the court is required to award attorney's fees and court costs to the prevailing requestor; and (2) what sanctions, if any, the agency may be subject to for failing to comply with the law. These criteria are designed to assess the enforceability of a public records act. Penalties and sanctions provide incentives for agencies to comply with the law as well as a deterrent for violations. Without penalties, the procedural provisions mean very little.

Attorney's Fees & Costs (4 points)

The first penalty criteria the BGA used was whether petitioners were entitled to attorney's fees and court costs in the event they prevail in their action. Allowing for such an award serves two purposes. First, it assures petitioners that their expenses will be covered in the event they are successful in their appeal, encouraging people to challenge an agency's denial. Second, awarding fees and costs to the prevailing petitioner will provide a deterrent to agencies and promote compliance with the law.

The BGA's grading scale for fees and costs contains phrases that warrant explanation. The first is the difference between 'may' and 'shall.' 'May' means that fees and costs are to be awarded at the judge's discretion. 'Shall' means that fees and costs must be awarded to the prevailing petitioner. A statute that states fees and costs 'shall' be awarded will be stronger than a statute that provides fees and costs 'may' be awarded. The second is the difference between 'prevail' and 'substantially prevail.' 'Prevail' refers to a situation where the petitioner wins on all points, and is given access to all the records requested.

'Substantially prevail' refers to a situation where the petitioner wins on only some points, and loses on other points and the petitioner is only given access to some of the requested records. States that award fees and costs to petitioners that only substantially prevail will be stronger than those that require the petitioner to completely prevail in order to get fees and costs.

State statutes that do not provide that a prevailing petitioner could collect fees and costs received no points. These states provide little incentive for an agency to comply with the law. Furthermore, the citizens denied access to a record are less likely to appeal that denial to a court if they know that they will have to shoulder the burden of paying for the litigation.

Allowing recovery of fees and costs in the event the agency acted in an arbitrary and capricious manner and/or bad faith in denying the record earned states one point. To prove either is an extremely high burden of proof, and will only be discernable in the most extreme circumstances. Thus, for a majority of cases, fees and costs will not be available to the petitioner if this standard is applied.

States allowing an award of attorney fees and costs at the judge's discretion when the petitioner prevails received two points. These states provide no assurance that the fees will be awarded, however they leave the option open. Furthermore, these states require the petitioner to win on all points before a judge will even consider awarding fees and costs. States receiving three points also leave awarding fees and costs to the discretion

of the judge, however the petitioner must only substantially prevail before a judge may consider the awarding attorney fees and costs.

Four points were awarded to states that require an award of fees and costs to a prevailing petitioner. These states assure petitioners from the outset that they will have their expenses covered in the event that they win. Parties in these states are more likely to challenge a denial because they know their costs will be covered.

Sanctions (4 points)

The final criterion the BGA examined in assessing the strength of each state's open record act was sanctions. We looked to see whether there were provisions in the statutes that levied penalties against a state employee who was found by a court to be in violation of the statute. Without a sanctions provision, a public records statute means very little. By holding out the possibility that individuals will be held accountable for undermining the statute the law is more likely to achieve compliance.

States that do not specifically punish an agency for non-compliance with the statute received no points. These states lack a serious commitment to the policy underlying an open records act. One point was awarded to states with statutes that provide for either criminal or civil sanctions in the event there is a violation of the law. These states provide some incentive for compliance. The BGA gave two points for statutes that provided for both criminal and civil sanctions. These states exhibit a heightened commitment to enforcing their laws. Receiving three points are states that provide for criminal and/or civil sanctions and increase those sanctions for multiple offenses. These states recognize the problems with continued non-compliance. Finally, states that allowed for termination of an employee who violates the statute received four points. These states provide for the individual employee who has violated the statute to be held directly responsible for his or her wrongful conduct. While fines may be paid out of the agency budget, this provision mandates direct accountability and is most likely to result in compliance.

Best Practices

The BGA has read all 50 statutes that have been graded in this study. The five criteria and grading scale that has been used to rank the states have been derived directly from those 50 statutes. Among all 50 statutes, the BGA found provisions it feels would best promote the policy of requiring open government records. However, the BGA was unable to find a statute that exhibited all five of these provisions. The following is an example of a model statute:

Response Time:

An agency that receives in writing a request to examine any public records shall respond to such a request within seven working days. The response shall either communicate that access to the record will be granted or that access is denied.

Appeals:

Upon any denial of access to a government record, the requestor may appeal that denial to any of the following: court of competent jurisdiction, an open records commission, the Attorney General or the head of agency that has denied access.

Expedited Process:

A matter on appeal to a district court from a denial of access to a record shall be expedited on the court's docket and heard within seven days.

Attorney Fees & Costs

A petitioner who prevails or substantially prevails in a court of law against an agency that has denied access to an open record shall be awarded the costs of litigation and attorney fees.

Sanctions

Any person who is found in a court of law to have violated the statute may be subject to: A civil fine of \$1,000 for the first offense, increasing with each subsequent offense; and shall be guilty of a misdemeanor punishable by a fine or 90 days in jail or both, and may be subject to termination.

Whistleblower Protection Laws in the USA

State	Total Score (Out of 28)	Percent Achieved	Rank
California	23	82%	1
Wyoming	22	79%	2
West Virginia	22	79%	2
Kansas	22	79%	2
Alaska	21	75%	5
Pennsylvania	21	75%	5
Utah	21	75%	5
Hawaii	21	75%	5
Idaho	21	75%	5
Michigan	21	75%	5
Oklahoma	21	75%	5
New Jersey	20	71%	12
Maine	20	71%	12
Texas	20	71%	12
Maryland	20	71%	12
Rhode Island	19	68%	16
North Carolina	18	64%	17
Wisconsin	18	64%	17
North Dakota	17	61%	19
Massachusetts	17	61%	19
Arizona	17	61%	19
Missouri	17	61%	19
Mississippi	16	57%	23
Minnesota	16	57%	23
Nebraska	16	57%	23
Connecticut	16	57%	23
Florida	16	57%	23
Kentucky	16	57%	23
Nevada	16	57%	23
Iowa	15	54%	30
Washington	15	54%	30
Indiana	14	50%	32
New Hampshire	14	50%	32
Colorado	14	50%	32
Ohio	14	50%	32
South Carolina	14	50%	32
New York	14	50%	32
Montana	14	50%	32
Illinois	14	50%	32
Delaware	12	43%	40
Oregon	12	43%	40
South Dakota	11	39%	42
Alabama	11	39%	42
Tennessee	11	39%	42
Georgia	10	36%	45
Arkansas	0	0%	46
Louisiana	0	0%	46
New Mexico	0	0%	46
Vermont	0	0%	46
Virginia	0	0%	46

Detailed Methodology

Purpose Statement

Most of the fifty states have passed whistleblower laws that protect courageous public employees who publicly point out waste and fraud in government. Whistleblower laws were created largely as a response to retaliatory job actions such as discharge and transfers that were inflicted upon would be whistleblowers. From state to state the scope and level of protection vary considerably, but the beliefs underlying the laws are common and clear: the public interest is upheld by protecting whistleblowers, punishing those that retaliate against whistleblowers and compensating whistleblowers for any harm they suffer for protecting the public. The BGA has undertaken a comprehensive study analyzing the whistleblower protection laws in each of the fifty states in order to examine the strength of each statute.

The Analysis

The BGA, in conducting this study, has analyzed the whistleblower statutes in every state. There has been no analysis of case law or Attorney General opinions. By assessing only the statutory language, very little interpretation of the law had to be conducted by BGA researchers to complete this study. This allowed for an analysis that is as objective as possible. In addition state employees seeking to protect their rights will look to the statute for guidance, not secondary sources such as case law or Attorney General opinions.²

The Criteria

The states were compared against each other. Each state was assessed against seven criteria—the scope of whistleblowing activities protected,

² In addition to thoroughly reviewing each individual statute, our researchers also relied on the following secondary sources: 1) Begg, Robert T., “Whistleblower Law and Ethics” (Appendix 8A, p. 205-39) Salkin, Patricia E. (ed.) *Ethical Standards in The Public Sector, A Guide for Government Lawyers, Clients, and Public Officials*. American Bar Association (1999); 2) Kohn, Stephen M. *Concepts and Procedures in Whistleblower Law*, Quorum Books (2001); 3) Callahan, S et. al, “The State of State Whistleblower Protection” *The American Business Law Journal* Fall, 2000.

prohibited retaliatory actions, posting of whistleblower rights, damages, penalties, scope of employees protected and avenues for relief. The criteria were chosen as an effort to conduct the most objective analysis of the law in each state and based on the laws themselves.

The Methodology

The BGA used the seven criteria to assess the strength of the laws in each state. Points were awarded based on a zero through four scoring system. The seven criteria were weighted equally. After each criterion was examined and points awarded, the scores were totaled for each state. Each state was then ranked according to its overall score. The total possible points were 28.

Whistleblowing Activity Covered (4 points)

The theory underlying whistleblower statutes is that citizens are ultimately benefited by protecting public employees that come forward to report instances of governmental waste or wrongdoing, thereby leading to the correction of the problems exposed by the whistleblower. States that protect the widest range of whistleblowing, reports to official agencies and the public generally through the press, received the highest scores.

States that had no provisions regarding whistleblowing activity that is protected or were silent on the issue received a score of 0. Statutes that restricted protection to whistleblowers that report problems to state agencies or law enforcement officials received a score of 2. Statutes that granted protection to any type of whistleblowing activity, including going directly to the press, received a score of 4.

Posting of Notice Requirement (4 points)

Statutes that require employers to notify their employees of their statutory whistleblower protection rights serve both to legitimize whistleblowing and, more importantly, to inform employees of available courses of action should their rights be violated.

States that had no whistleblower protection statute or failed to provide for posting received a score of 0. Statutes that had a posting requirement received a score of 4.

Employees Protected (4 points)

The scope of employees protected by whistleblower protection laws is very important. Statutes that cover the broadest range of state employees score better than statutes that cover narrower ranges. Employees not covered by whistleblower statutes are less likely to expose waste and fraud in government if they are not protected from retaliatory measures. An ideal statute should cover all state employees, from part-time workers to independent contractors. The more comprehensive the group is, the greater the number of people protected by the statute.

States that had no whistleblower protection statute or failed to provide for the scope of employees covered received a score of 0. Statutes that limited coverage to a state agency and/or political subdivisions received a score of 1. Statutes that covered multiple state agencies and political bodies received a score of 2. Statutes that covered all state employees received a score of 3. Statutes that covered all state employees and contractors received a score of 4.

Prohibited Retaliation (4 points)

This criteria refers to the range of state employer's retaliatory measures which whistleblower protection statutes prohibit. The more protective statutes protect whistleblowers by prohibiting the broadest possible range of retaliatory measures (i.e. discharge, transfer, etc.). The broader the range of specific retaliatory behavior that is prohibited, the greater the likelihood that an employer will not retaliate against a whistleblower, or if the employer does so the greater the likelihood that the aggrieved whistleblower will be able to vindicate his or her rights in court.

States that did not have a whistleblower statute or failed to define prohibited conduct received a score of 0. Statutes that only prohibit specific job actions received a score of 1. Statutes that only have a "catch-all" provision received a score of 2. "Catch-all" refers to generalized language such as "otherwise discriminate against the

employee.” Although “catch-all” provisions are broad, the lack of specifics can make it unclear what adverse job actions are prohibited and which are not. Statutes that prohibit specific job actions and have a “catch-all” provision received a score of 3. Statutes that prohibit specific job actions, have a “catch-all” provision and prohibit even threatening whistleblowers received a score of 4.

Appeal Process (4 points)

If a whistleblower has been retaliated against there should be some explicit guidance on the how the whistleblower can challenge the retaliatory job action, usually by seeking administrative review and/or going to court. Furthermore, statutes that provide for administrative relief are superior to statutes that only provide for going to court, because many employees may not be able to afford an attorney and it gives the responsible state agency a chance to correct its mistakes before rising to the level of litigation. Accordingly, a statute that requires whistleblowers to exhaust administrative remedies prior to filing their claim in court received a higher grade.

A state that had no whistleblower statute or failed to provide for an appeal process received a score of 0. A statute that only provided for resort to court received a score of 2. A statute that provided for administrative relief and/or resort to a court of law received a score of 4 out of 4.

Damages and Remedies (4 points)

Damage awards serve the purpose of compensating the aggrieved whistleblower for damage suffered for exercising their rights and protecting the public. In addition to making an aggrieved whistleblower whole, an ideal statute should also penalize the state agency for engaging in retaliatory measures against a whistleblower. Larger damage awards provide the whistleblower with incentive to bring forth his/her claim and further legitimize whistleblowing. In addition, the possibility of higher damage awards may dissuade state agencies from retaliating in the first place against whistleblowers.

States that had no whistleblower statute or did not specifically provide for damages received as score of 0. Statutes that provided only for normal civil damages and remedies (lost wages, benefits, reinstatement, etc.) received a score of 1. Statutes that provided for normal civil damages and remedies plus punitive damages received a score of 2. Punitive damages are damages that are not awarded to compensate the plaintiff for harm suffered but to punish the defendant for particularly egregious conduct. Statutes that provided for normal civil damages and remedies plus attorneys fees received a score of 3. Statutes that provided for normal civil damages and remedies plus punitive damages and attorneys fees received a score of 4.

Penalties (4 points)

Penalties imposed upon individual government employees who intentionally commit prohibited retaliation job actions against whistleblowers, above and beyond damage awards against the government agency, serve to provide even greater protection for whistleblowers and encourage them to vindicate their rights. The possibility of personal penalties provides another disincentive for managers in state agencies to punish whistleblowers. By specifically penalizing a violator, a statute should deter infractions of a whistleblower’s rights. The more severe the penalty the better the score of the statute.

A state that had no whistleblower statute or provided for no penalty received a score of 0. A statute that simply provided for internal disciplinary action received a score of 1. A statute that provided for suspension up to 30 days and/or a fine up to \$5,000 received a score of 2. A statute the provided for suspension in excess of 30 days and/or a fine greater than \$5,000 received a score of 3. A state that provided for criminal penalties received a score of 4.

Best Practices

The BGA has read all the statutes that have been graded in this study. The seven criteria and grading scales that have been used to rank the states have been derived directly from those statutes. Among all statutes, the BGA found provisions it feels would best promote the policy of protecting whistleblowers. However, the BGA was unable to find a statute that exhibited all of these provisions. The following is an example of a statute that would contain all the best practices:

Whistleblowing Activity Covered:

No supervisor or appointing authority of any state agency shall prohibit a state employee from or take any disciplinary action whatsoever against a state employee for the disclosure of any alleged prohibited activity under investigation or any related activity, or for the disclosure of information which the employee reasonably believes evidences: (1) a violation of any law, rule or regulation; or (2) mismanagement, a gross waste of funds or abuse of authority, or a substantial and specific danger to public health or safety, if the disclosure is not specifically prohibited by law. No supervisor or appointing authority of any state agency shall require any such employee to give notice to the supervisor or appointing authority prior to making any such disclosure.

Posting of Notice:

Every agency of state government shall post notice in the agencies place of business a notice that informs employees of their protections and obligations under the Whistleblower Act. The notice provided by the agency shall include: (1) a summary of the Whistleblower Act in concise and plain language; (2) a telephone number at the department or agency that employees may call if they have questions or wish to report a violation, condition or practice; and (3) the name of the person or person the department or agency has designated to receive written notifications.

Employees Protected:

“Employee” means a person who performs services for, and under the control and direction of, or contracts with, an agency or independent contractor for wages or other remuneration.

Prohibited Retaliation:

A public employer may not discharge, threaten or otherwise discriminate against an employee regarding the employee’s compensation, terms, conditions, location, or privileges of employment because of any actions undertaken by an employee pursuant to this statute.

Appeal Process:

Any employee who is discharged, threatened or otherwise discriminated against by his employer in violation of the provisions of this act may, after exhausting all available administrative remedies, bring a civil action, within ninety days of the date of the final administrative determination.

Damages and Remedies:

All remedies available in common law tort actions shall be available to prevailing plaintiffs. These remedies are in addition to any legal or equitable relief provided by this act or any other statute. The court may also order: (1) an injunction to restrain continued violation of this act; (2) the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position; (3) the reinstatement of full fringe benefits and seniority rights; (4) the compensation for lost wages, benefits and other remuneration; (5) the payment by the employer of reasonable costs, and attorney’s fees; and (6) punitive damages.

Penalties:

Any person who intentionally engages in acts of reprisal, retaliation, threats, coercion, or similar acts against a state employee or applicant for state employment for having made a protected disclosure, is subject to a fine not to exceed ten thousand dollars and imprisonment for a period not to exceed one year.

Campaign Finance Laws in the USA

State	Total (out of 16)	Percent Achieved	Rank
Arizona	11.81	74%	1
Massachusetts	11.53	72%	2
Maine	11.44	72%	2
Vermont	10.61	66%	4
Wisconsin	10.58	66%	4
Florida	10.58	66%	4
Hawaii	10.44	65%	7
Minnesota	10.06	63%	8
Connecticut	9.67	60%	9
Nebraska	9.42	59%	10
Oklahoma	8.50	53%	11
West Virginia	8.28	52%	12
Kentucky	8.25	52%	12
Rhode Island	8.25	52%	12
Maryland	8.08	51%	15
Michigan	7.94	50%	16
Ohio	7.67	48%	17
Montana	7.56	47%	18
Wyoming	7.39	46%	19
Louisiana	7.36	46%	19
Arkansas	7.31	46%	19
Pennsylvania	7.28	45%	22
Colorado	7.25	45%	22
New Jersey	7.17	45%	22
Alaska	7.03	44%	25
North Carolina	6.94	43%	26
Kansas	6.81	43%	26
Washington	6.72	42%	28
New Mexico	6.61	41%	29
Idaho	6.53	41%	29
Oregon	6.33	40%	31
New Hampshire	6.31	39%	32
South Dakota	6.17	39%	32
Nevada	6.03	38%	34
Tennessee	5.94	37%	35
Georgia	5.92	37%	35
Texas	5.92	37%	35
Illinois	5.83	36%	38
Iowa	5.78	36%	38
Utah	5.69	36%	38
Indiana	5.50	34%	41
South Carolina	5.39	34%	41
California	5.33	33%	43
North Dakota	5.28	33%	43
Delaware	5.25	33%	43
New York	5.11	32%	46
Mississippi	4.92	31%	47
Missouri	4.69	29%	48
Virginia	4.39	27%	49
Alabama	4.06	25%	50

Detailed Methodology

Purpose Statement

All fifty states have passed laws regulating monetary contributions to political campaigns as they may create conflicts of interest that prevent politicians from exercising their best/most honest judgment with regards to their duties. From state to state the regulations vary significantly, but the beliefs underlying the laws are common and clear: banning or limiting private campaign contributions and requiring disclosure where they are allowed will prevent certain abuses of authority, particularly with regards to undue influence by lobbyists.

The Analysis

The BGA, in conducting this study, has analyzed the limits and disclosure thresholds in every state as compiled by the Federal Election Commission³ (“FEC”). There has been limited analysis of the underlying statutes where the FEC’s language was unclear, and no analysis of case law or Attorney General Opinions. By assessing only the statutory language, very little interpretation of the law had to be conducted by BGA researchers to complete this study. This allowed for an analysis that is as objective as possible. In addition interested parties seeking to protect their rights will look to the statute for guidance, not secondary sources such as case law or Attorney General opinions.

Methodology

The states were compared against each other. Each state was assessed against four main categories—disclosure, solicitation and contribution limits, provisions for public financing of campaigns, and penalties for violation of disclosure or limitations provisions. Two of the four main cate-

³ The BGA relied primarily on the Federal Election Commission’s compilation of each state’s statutes and regulations that govern campaign finance issues. The Federal Election Commission’s website is located at www.fec.org. Excerpts of the Federal Election Commission’s publication *Campaign Finance Law 2000*, which contains the research on state campaign finance laws, are available on the website and the entire publication can be ordered on-line.

gories were ranked based on a single criterion, the third main category was ranked across eighteen sub-categories, and the fourth category was ranked across four sub-categories. Points were scored on a five level scoring system, usually at one point intervals, but sometimes at smaller intervals. After each criterion was examined and awarded points, the scores were totaled for each state. Each state was then ranked according to its overall score. The total possible points were 16.

The Criteria

The BGA used four categories to assess each state. The categories were chosen as an effort to conduct the most objective analysis of the law in each state and are based on the laws themselves. Each category was graded from zero to four, with four being the highest score. The four main categories are weighted equally. The sub-categories are each weighted equally within their respective categories.

Disclosure (4 points)

The first category is “disclosure”, which ranks disclosure thresholds for contributions to public officials. This category is the most widely adopted of any standard; it is most often used to identify conflicts of interest, though it cannot reveal the donor’s specific intention (i.e. a favorable vote on important legislation) and routinely allows for long gaps in required disclosure reports.

States that did not require disclosure received a score of 0. Statutes that required simple disclosure of contribution greater than \$100 received a score of 1. Statutes that required simple disclosure of contributions \$100 or less received a score of 2. Statutes that required itemized disclosures of contributions greater than \$100 received a score of 3. Statutes that required itemized disclosure of contributions \$100 or less received a score of 4.

Public Financing (4 points)

The second category is public financing, which ranks states according to the level to which they have provided the opportunity for state level candidates to primarily rely on public funds for their campaign efforts instead of private contributions. To the extent that a candidate can rely on public funding he or she will be less likely to feel any pressure, real or perceived, to vote or govern in a way that does not reflect their true views. Candidates that can rely on public funds will not be called on to perform favors for large private contributors nor “give them access” superior to other constituents. The scoring model was based on four main criteria, public funding of elections, scope of coverage of the public funding, prohibiting further private fundraising after receiving public funds and directing the public funds directly to the candidates. For purposes of our scoring system “state level candidates” means candidates for any state office (i.e. governor, attorney general, auditor, state legislator, etc.). “Statewide candidate” means governor and/or lieutenant governor. “Substantial public funding” means a system of public funding that does not provide for full public funding and/or does not have a ban on private fundraising after public funds have been received.

A state that did not provide for any sort of public funding or directed any public funding to political parties as opposed to candidates received a score of 0. Statutes that provided for substantial public funding for statewide candidates received a score of 1. Statutes that provided for substantial public funding for all state level candidates received a score of 2. Statutes that provided for full public funding, prohibition on any private fundraising after a candidate has received public funds and allows for statewide candidate participation received a score of 3. Statutes that provided for full public funding, prohibition on any private fundraising after a candidate has received public funds and allows for state level candidate participation received a score of 4.

Contribution & Solicitation Limits (4 points)

The third category is contribution and solicitation limits which ranks eighteen sub-categories. This category and its sub-categories are the most scattered from state to state. It seeks to analyze how well a state does in trying to impose limits on the methods by which candidates raise funds and how contributions are regulated, if at all. The stricter the limits are on solicitation the more likely candidates or incumbents will not use, or not be able to use, the power of their office to coerce contributions for fear of retaliation. Stricter limits on contributions limit the ability of wealthy individuals, unions or businesses from exerting influence over the decision making process of candidates and incumbents that is disproportionately large relative to the representation of the voting public.

▲ **Contributions by individuals (Type A)**

This area covers four sub-categories that measure contribution limits based on the status of the individual making the contribution. The four sub-categories are: 1) Contributions by individuals to candidates; 2) contributions by candidates to themselves; 3) contributions by family members, usually defined as a candidate's immediate family, to a candidate; and 4) contributions by individuals to state political parties. All four of these sub-categories are scored by the same grading system. Scores increase as the maximum limit for contributions decreases.

States that had no limits received a zero. Statutes that provided for limits higher than \$2,500, but not unlimited, received a 1. Statutes that provided for limits of \$1,001 to \$2,500 received a score of 2. Statutes that provided for limits of \$501 to \$1,000 received a score of 3. States that provided for limits of \$500 or less received as score of 4.

▲ **Contributions by organizations (Type B)**

This area covers seven sub-categories that measure contribution limits based on the type of entity (non-natural person) making the contribution and in some instances the recipient of the contribution. The seven sub-categories are: 1) Political action committee ("PAC") contributions to candidates; 2) union contributions to candidates; 3) corporate contributions to candidates; 4) national party contributions to state parties; 5) PAC contributions to state parties; 6) union contributions to state parties; and 7) corporate contributions to state parties. All seven of these sub-categories are scored by the same grading system. Scores increase as the maximum limit for contributions decreases.

States that have no limits received a zero. States that provided for limits of more than \$2,500, but not unlimited, received a score of 1. Statutes that provided for limits of \$1,001 to \$2,500 received a score of 2. Statutes that provided for limits up to \$1,000 received a score of 3. Statutes that prohibited contributions outright received a score of four.

▲ **Contributions by parties (Type C)**

This area covers one sub-category, contributions by state political parties to candidates. Scores increase as the maximum limit for contributions decreases.

States that have no limits received a score of zero. Statutes that provided for limits greater than \$5,000, but not unlimited, received a score of 1. Statutes that provided for limits of \$1,001 to \$5,000 received a score of 2. Statutes that provided for limits up to \$1,000 received a score of 3. Statutes that prohibited such contributions received a score of four.

▲ **Contributions by regulated industries (Type D)**

This area covers one sub-category, contributions by regulated industries. Regulated industries are those businesses that are specifically regulated by the state to an extent greater than the normal business community. Regulated businesses are inherently more prone to feel pressure, real or perceived, when candidates, who may exert regulatory authority over them, solicit them for campaign contributions. Therefore, strict limits help protect these particularly vulnerable businesses from possible exploitation.

States that have no limits received a score of zero. Statutes provided limitations for specific regulated industries but not all received a score of 1. Statutes that provided for limits for all regulated industries received a score of 2. Statutes that prohibited contributions for specific regulated industries and limits for all others received a score of 3. Statutes that flatly prohibited contributions by all regulated industries received a score of 4.

▲ **Contributions during legislative session (Type E)**

This area covers one sub-category, contributions to state level legislators or statewide office holders during a legislative session. The reason behind regulating or prohibiting such contribu-

tion activity is that it results in or gives the appearance of resulting in quid pro quo exchanges of contributions for votes.

States with no limits received a score of zero. Statutes that provided for some sort of limits received a score of 1. Statutes that generally prohibited such contributions with limited exceptions received a score of 2. Statutes that prohibited such contributions by lobbyists and employers received a score of 3. Statutes that flatly prohibited all such contributions, regardless of source, received a score of 4.

▲ Solicitation by state employees / Anonymous contributions / Contributions in another's name (Type F)

This area covers three sub-categories, solicitation of state government employees by state government employees, anonymous contributions and contributions in another's name. State government employees may either be in a position to exert considerable pressure on those they solicit (i.e. chief of staff soliciting filing clerk for donations to incumbent governor's campaign) or conversely, they may be particularly vulnerable to solicitation (i.e. previous example from the file clerk's point of view). Accordingly, many states have attempted to remedy such situations by regulating or eliminating some or all solicitation by government employees from other government employees. Anonymous contributions are disfavored because the public will not be able to discern the identity of financial supporters of a particular candidate. Contributions in another's name are similarly frowned upon.

States that had no restriction on solicitation/anonymous contributions/contributions in another's name received a score of zero. States that allowed some such solicitation/anonymous contributions/contributions in another's name received a score of two. States that flatly prohibited such solicitation/anonymous contributions/contributions in another's name received a score of four.

▲ Contributions by state employees (Type G)

This area covers one sub-category, contributions by state employees. Some states have enacted restrictions on contributions by state employees so they are somewhat insulated from possible solicitation by higher ranking state employees, political appointees or campaign representatives for the officeholder under whom they serve.

States with no limits received a score of zero. Statutes that prohibit outright coercion of contributions received a score of one. Statutes that prohibited contributions by judges and their employees received a score of two. Statutes that prohibited contributions by judges, their employees and other select employees received a score of three. Statutes that flatly prohibited such contributions received a score of four.

A state's final score was computed by adding all the sub-category scores together and dividing by 18 for the average score across all sub-categories.

Penalties (4 points)

The fourth category is penalties, which contains four sub-categories. Each sub-category was worth one point. The total of all the sub-categories created the states overall category score. All the sub-categories were based on a five level scoring system that went from zero to one in quarter point intervals. The sub-categories were late filing fees, civil penalties, criminal penalties for disclosure violations and criminal penalties for contribution violations.

▲ Filing Fees (1 point)

Virtually every state requires that a candidate's political committee submit some sort of report to a state agency that contains records of contributions to and expenditures by the committee. Accordingly, most states have provisions in their campaign finance statutes that penalize committees and/or candidates for late filings. Many states have a per day penalty that is theoretically unlimited and others have a penalty that is capped at a definite amount. Because of this difference, scoring in this sub-category was based on a filing being 30 days late so the amount of the potential fee could be measured across all the states. Further, all potential filing penalties were based on the maximum possible penalty (i.e. using the higher to two possible amounts such as \$250 per day over \$100 per day) for states that had a range of possible per day penalties. Finally, the analysis was limited to candidate political committees and excluded PACs and other types of committees.

A state that had no explicit penalty for late filing received a score of 0. A statute that provided for a penalty between \$1 to \$1,000 or a variable amount received a score of .25. Variable amount refers to the situation where a statute does not call for a specific dollar amount for the penalty but a percentage of funds in a committee or some other non-determinate amount. A statute that provided for a penalty of \$1001 to \$7,500 received a score of .5. A statute that provided for a penalty of \$7501 or more received a score of .75. A statute that provided for a misdemeanor conviction received a score of 1.

▲ Civil Penalties (1 point)

Most states provide for civil penalties for violations of their campaign finance laws. Civil penalties are separate and distinct from criminal sanctions, although both can be in the form of a fine. This sub-category covered civil penalties for disclosure and/or contribution violations. If a state had different levels of civil penalties depending on the type of violation the harsher sanction was measured. No criminal sanctions were scored in this sub-category.

A state that did not specifically provide for civil penalties received a score of 0. A statute that provided for civil penalties of \$1 to \$500 or a variable amount received a score of .25. A statute that provided for civil penalties of \$501 to \$5,000 received a score of .5. A statute that provided for civil penalties of \$5001 to \$10,000 received a score of .75. A statute that provided for civil penalties in excess of \$10,000 received a score of 1.

▲ Criminal Penalties for Disclosure Violations (1 point)

This sub-category measured the strength of criminal sanctions that a state imposes on those who knowingly and intentionally violate the state's law on campaign disclosure. The stronger the criminal penalty, both in terms of designation (i.e. felony versus misdemeanor) and the size of a possible fine, the higher a state scored.

A state that did not provide for a criminal sanction or limited the penalty to a fine only received a score of 0. A statute that provided for a misdemeanor conviction only received a score of .25. A statute that provided for a misdemeanor conviction or a fine or both received a score of .5. A statute that provided for a felony conviction only received a score of .75. A statute that provided for a felony conviction or a fine or both received a score of 1.

▲ **Criminal Penalties for Contribution Violations (1 point)**

This sub-category measured the strength of criminal sanctions that a state imposes for those who knowingly and intentionally violate the state's law on campaign contributions. The stronger the criminal penalty, both in terms of designation (i.e. felony versus misdemeanor) and the size of a possible fine, the higher a state scored. This sub-category did not analyze criminal penalties for solicitation violations (i.e. prohibition on soliciting government workers, etc.), only violations of contribution limits and/or donations in another's name, and/or other contribution violations. If different criminal penalties were available for different types of contribution violations the harshest sanction was scored.

A state that did not provide for a criminal sanction or limited the penalty to a fine only received a score of 0. A statute that provided for a misdemeanor conviction only received a score of .25. A statute that provided for a misdemeanor conviction or a fine or both received a score of .5. A statute that provided for a felony conviction only received a score of .75. A statute that provided for a felony conviction or a fine or both received a score of 1.

Best Practices

The BGA has read all of the Federal Election Commission's research into state level campaign finance laws. The four main criteria, the sub-criteria and grading scale that has been used to rank the states have been derived directly from the 50 states. Among all 50 states, the BGA found provisions it feels would best promote the policy of fair and open elections. However, the BGA was unable to find a state that contained all the best practices. The following is an example of a statute that contains all the best practices:

Disclosure:

All campaign contributions, including in-kind contributions, will be disclosed. All contribution disclosures will be itemized.

Public Financing:

All candidates for elected office are eligible to receive public funding for their primary and general election campaigns. To qualify for public funds, prospective candidates must raise the requisite number of qualifying contributions for the office they seek to obtain. Once candidates have raised the required number of qualifying contributions, they will be eligible for public funding of their primary and general election campaigns on the condition that they agree to forgo any further private fundraising.

Contribution Limits:

▲ **By Individuals:**

Contributions by individuals to state candidates and state political parties are limited to \$500.

▲ **By Organizations:**

Contributions by non-natural persons to state candidates and state political parties are prohibited.

▲ **By State Political Parties:**

Contributions by state political parties to state candidates are limited to \$1,000.

▲ **By Regulated Industries:**

Contributions by regulated industries are prohibited.

▲ **During Legislative Session:**

All state legislators and officers are prohibited from accepting contributions during legislative sessions.

▲ **Solicitation by State Employees:**

State employees are prohibited from soliciting campaign contributions from other state employees.

▲ **Anonymous Contributions:**

Anonymous contributions are prohibited.

▲ **Contributions In Another's Name:**

Contributions in another's name are prohibited.

▲ **Contributions By State Employees:**

Judges, judicial employees and board of ethics officers and employees are prohibited from making campaign contributions.

Penalties:

▲ **Filing Fees:**

A late filing fee of \$200 per day shall be assessed for required reports that are not filed by the designated time. Further, the treasurer of an organization required to file is subject to a misdemeanor conviction if the filing is 30 days or more overdue.

▲ **Civil Penalties:**

Any person or organization found to have violated any of the laws regulating campaign finance and ethics is subject to a penalty not to exceed \$25,000.

▲ **Criminal Penalties For Disclosure Violations:**

Any person who intentionally and willfully violates any provision of law regarding campaign finance disclosures is subject to a fine not to exceed \$10,000 or a felony or both.

▲ **Criminal Penalties For Contribution Violations:**

Any person who intentionally and willfully violates any provision of law regarding campaign contribution limitations is subject to a fine not to exceed \$10,000 or a felony or both.

Gifts, Trips and Honoraria Laws in the USA

States	Total Points (out of 48)	Percent Achieved	Rank
Ohio	35	73%	1
Wisconsin	33	69%	2
South Carolina	32	67%	3
Kentucky	31	65%	4
Minnesota	28	58%	5
Rhode Island	27	56%	6
California	24	50%	7
Nebraska	23	48%	8
Colorado	22	46%	9
Georgia	22	46%	9
West Virginia	22	46%	9
Maryland	21	44%	12
New Hampshire	20	42%	13
Utah	19	40%	14
Tennessee	17	35%	15
Texas	15	31%	16
Virginia	15	31%	16
Massachusetts	14	29%	18
Nevada	13	27%	19
Oklahoma	13	27%	19
Alaska	12	25%	21
Delaware	12	25%	21
Hawaii	12	25%	21
Mississippi	12	25%	21
Montana	12	25%	21
North Carolina	12	25%	21
North Dakota	12	25%	21
Vermont	12	25%	21
Wyoming	12	25%	21
Connecticut	11	23%	30
Michigan	11	23%	30
Pennsylvania	11	23%	30
Arkansas	10	21%	33
New Jersey	10	21%	33
Washington	10	21%	33
Idaho	9	19%	36
Kansas	9	19%	36
Oregon	9	19%	36
Florida	8	17%	39
Missouri	8	17%	39
Louisiana	7	15%	41
Arizona	6	13%	42
Illinois	6	13%	42
New York	6	13%	42
Indiana	5	10%	45
New Mexico	5	10%	45
Maine	4	8%	47
Alabama	3	6%	48
Iowa	3	6%	48
South Dakota	0	0%	50

Detailed Methodology

Purpose Statement

All fifty states have passed laws limiting the soliciting, offering or accepting of gifts, trips and honoraria as they may create conflicts of interest that prevent public figures from exercising their best/most honest judgment with regards to their duties. From state to state the limitations and loopholes vary considerably, but the beliefs underlying the laws are common and clear: banning or limiting gifts, trips and honoraria and requiring disclosure where it is allowed will prevent certain abuses of authority, particularly with regards to undue influence by lobbyists. The BGA has undertaken a comprehensive study analyzing the laws governing gifts, trips and honoraria of each of the fifty states in order to examine the effectiveness of each statute in promoting this policy.

The Analysis

The BGA, in conducting this study, has analyzed the limits and disclosure thresholds in every state using the Center For Public Integrity's research into the area of gifts, trips and honoraria.⁴ There has been limited analysis of statutes where the Center's research was unclear, and no analysis of case law or Attorney General Opinions. By assessing only the statutory language, very little interpretation of the law had to be conducted by BGA researchers to complete this study. This allowed for an analysis that is as objective as possible. In addition, individuals who are concerned about these issues will look to the statute for guidance, not secondary sources such as case law or Attorney General opinions.

⁴ The BGA relied on the Center For Public Integrity's State Projects compilation of each state's statutes and regulations that govern gifts, trips and honoraria. The Center For Public Integrity agreed to let the BGA use their research in its efforts to rank gifts, trips and honoraria laws. The Center For Public Integrity's website is located at www.publicintegrity.org/dtaweb/home.asp.

Methodology

The states were compared against each other. Each state was assessed against three main categories—gifts, trips and honoraria. The three main categories were each divided into four identical sub-categories for scoring purposes – overall limits, overall disclosures required and lobbyist specific limits and disclosures. The points were based on a zero to four scoring system. After each criterion was examined and awarded points, the scores were totaled for each state. Each state was then ranked according to its overall score. The total possible points were 48.

The Criteria

The BGA used three categories to assess each state. The categories were chosen as an effort to conduct the most objective analysis of the law in each state and based on the laws themselves. Each category was composed of four sub-categories and was graded from zero to four, with four being the highest score. The three main categories were weighted equally. The sub-categories were each weighted equally under each category. In situations where loopholes were available for any given sub-category the BGA graded the sub-category as if the loophole provision were in effect. For example, if a state law limits gifts to state legislators to \$250 for activities related to legislative activities but has no limits for gifts not related to legislative activities (i.e. the loophole), the BGA scored the laws as if it had no limits. The BGA adopted this scoring stance based on the assumption that public figures who want to thwart regulations or laws would usually take a loophole if it is available to them.

Gifts (16 points)

The first category is gifts, which describes limits on and disclosures of any non-cash items of value given to public officials by someone who might benefit by the provision of a gift. This category identifies an area where conflicts routinely occur.

Trips (16 points)

The second category is trips, which refers to the reimbursement or waiver of fees related to travel, including but not limited to hotel stays, entertainment and recreation expenses, and airline or train tickets. An example would be an all expenses paid trip to lecture at a conference in Hawaii.

Honoraria (16 points)

The third category is honoraria, which refers to speaking fees or awards for service. An example of abuse in this category comes from the federal level, where former House speaker James Wright was routinely paid huge sums of money for speaking to lobbyists, who covered the expense by “buying” signed copies of his book for all of their members.

Scoring within the sub-categories

All of the sub-categories were scored on the same scale, with the strictest limits and lowest thresholds for disclosure getting the highest scores.

Limits (4 points)

The stricter the limit on gifts, trips or honoraria the better a state scored. The BGA’s analysis revealed very little variety among the states in regards to limits. Most limits turned out to be illusory because they had loopholes that swallowed the limit. Therefore, the BGA scored states on the basis of whether they had limits, without loopholes, or not.

States that had no limits on gifts, trips or honoraria received a score of 0. States that had some sort of absolute limit on gifts, trips or honoraria received a score of 4.

Disclosure (4 points)

The lower the threshold level of disclosure for gifts, trips or honoraria the better a state scored.

States that did not mandate disclosure for gifts, trips and honoraria received a score of 0. States that mandated disclosure for gifts, trips and honoraria valued \$251 or more received a score of 1. States that mandated disclosure for gifts, trips and honoraria valued \$101 through \$250 received a score of 2. States that mandated disclosure for gifts, trips or honoraria valued \$50 through \$100 received a score of 3. States that mandated disclosure for gifts, trips and honoraria that exceed a value of less than \$50 received a score of 4.

Lobbyist Limits (4 points)

Many states treated lobbyists separately from members of the general public, so we measured lobbyist limits and disclosure separately. The stricter the limit on lobbyist gifts, trips or honoraria the better a state scored.

States that had no limits of any sort on lobbyist gifts, trips or honoraria received a score of 0. States that capped lobbyist gifts, trips or honoraria at \$251 or higher received a score of 1. States that capped lobbyist gifts, trips or honoraria between \$100 and \$250 received a score of 2. States that capped lobbyist gifts, trips and honoraria anywhere below \$100 received a score of 3. States that had absolute bans on lobbyist gifts, trips or honoraria received a score of 4.

Lobbyist Disclosure (4 points)

The lower the threshold level of disclosure for lobbyist gifts, trips or honoraria the better a state scored.

States that did not mandate disclosure for lobbyist gifts, trips and honoraria received a score of 0. States that mandated disclosure for lobbyist gifts, trips and honoraria valued at \$251 or more received a score of 1. States that mandated disclosure for lobbyist gifts, trips and honoraria valued at \$101 through \$250 received a score of 2. States that mandated disclosure for lobbyist gifts, trips or honoraria valued at \$50 through \$100 received a score of 3. States that mandated disclosure for lobbyist gifts, trips and honoraria that exceed a value of less than \$50 received a score of 4.

Best Practices

The BGA has read all of the Center for Public Integrity's research that formed the basis for this analysis. The four criteria and grading scale that has been used to rank the states have been derived directly from the rules and regulations adopted by the 50 states. Among all 50 states, the BGA found provisions it feels would best promote the policy of sensible regulations regarding gifts, trips and honoraria. However, the BGA was unable to find a statute that fully implemented all four of these provisions. The following is an example of a statute that contains all of the best practices:

Limits:

State officers and employees are prohibited from accepting any gifts/trips/honoraria valued in excess of \$300.

Disclosure:

All gifts/trips/honoraria valued more than \$10 must be disclosed.

Lobbyist Limits:

State officers and employees are prohibited from accepting any gifts/trips/honoraria from lobbyists.

Lobbyist Disclosure:

All gifts/trips/honoraria valued more than \$10 received from lobbyists must be disclosed.

Conflict of Interest Laws in the USA

State	Percent Achieved	Rank
Washington	98.0%	1
Alabama	96.0%	2
Alaska	95.0%	3
Hawaii	91.5%	4
Arizona	91.0%	5
Texas	88.0%	6
Wisconsin	88.0%	6
Virginia	85.5%	8
New York	85.0%	9
North Carolina	82.5%	10
Oregon	82.0%	11
California	81.0%	12
Connecticut	80.0%	13
Rhode Island	80.0%	13
Missouri	76.5%	15
Colorado	76.0%	16
South Carolina	76.0%	16
Arkansas	75.0%	18
Massachusetts	75.0%	18
Maryland	71.0%	20
Delaware	70.0%	21
Kentucky	70.0%	21
Ohio	66.0%	23
Kansas	64.5%	24
Florida	64.0%	25
New Mexico	60.5%	26
Nevada	56.5%	27
Mississippi	55.5%	28
Indiana	54.5%	29
New Jersey	54.0%	30
North Dakota	49.5%	31
Tennessee	49.5%	31
Georgia	49.0%	33
Maine	49.0%	33
Minnesota	48.5%	35
Montana	48.0%	36
Nebraska	48.0%	36
Oklahoma	48.0%	36
Pennsylvania	47.5%	39
South Dakota	47.0%	40
Wyoming	45.0%	41
Illinois	43.5%	42
West Virginia	36.5%	43
New Hampshire	36.0%	44
Iowa	33.5%	45
Louisiana	32.0%	46
Idaho	1.0%	47
Michigan	1.0%	47
Utah	1.0%	47
Vermont	1.0%	47

Detailed Methodology

With the permission of the Center for Public Integrity, a Washington D.C. based public interest group that promotes honesty and openness in government, the BGA utilized their analysis of state conflicts of interest laws to rank those laws. The Center's entire report on this area of law can be found at www.publicintegrity.org/dtaweb/home.asp, regarding their methodology for their study. The following is a reproduction of their methodology:

Hidden Agendas Methodology

This report is part of the Center's 50 States Project, an independent investigation of the conduct of legislators in every state in the union - uncovering abuses of the public's trust and shedding light in the darkest corners of capitol buildings. In 1999, nearly 38,000 new laws passed in the states, an increase of 42 percent from the year before. In the first two months of 2000 alone, more than 60,000 bills were introduced, making close scrutiny of legislators more important than ever.

We analyzed four components of state legislators' personal financial-disclosure statements, for a total of 100 possible points. In doing so, we asked the following questions:

1. Is complete personal financial disclosure available? (3 points)

- ▲ If lawmakers must file personal financial-disclosure statements, the state receives a point.
- ▲ If disclosure is required annually, the state receives a point. For example, New Jersey, which requires a filing during election year only, would not receive a point.
- ▲ If complete disclosure is required annually, the state receives a point. For example, Tennessee—which requires an initial complete filing, followed yearly by an “update” form on which lawmakers disclose only the changes that have occurred—would not receive a point.

2. How difficult is it to access information on private interests and conflicts? (5 points)

- ▲ States that keep disclosure forms on file in a centralized location receive a point. North Dakota, for example, would not receive a point because it keeps lawmak-

ers' disclosure statements in 53 county offices spread across the state; to access them, a constituent must determine a legislator's county of residence and then contact that county's auditor.

- ▲ States that do not forward to lawmakers personal information about constituents reviewing these records receive a point.
- ▲ States that do not require constituents to appear in person at the office to obtain the records receive a point.
- ▲ States charging 50 cents or less per page for copy fees receive a point. South Dakota, for example, would not receive a point for this category because the office handling the records charges a dollar per page.
- ▲ States receive a point if their House and Senate journals consistently and clearly indicate near a roll-call vote a lawmaker who asked to be excused or announced a recusal from a vote due to a potential or real conflict.

3. What is the extent of disclosure on the forms in each state? Is basic information on private interests—employment, investments, real property, officer/directorship and client information—required to be disclosed? (90 points)

- ▲ Regarding employment and investment information, states receive a point for each of the following: if employment information is required to be disclosed; if it is not narrowly defined; if names of employers are required; if a value range of income dollar amount is required; and if employer information for spouses and dependents is required to be disclosed. Center researchers weighted each point for employment information by multiplying it by five. Center researchers weighted each point for investment information by multiplying it by three.
- ▲ Regarding officer/director positions, states receive a point for each of the following: if officer/director positions are required to be disclosed; if they are not narrowly defined; if names of the entities are required; and if spouses' and dependents' officer/director positions are required to be disclosed. Center researchers weighted each point officer/director information by multiplying it by four.
- ▲ Regarding real-property information, states receive a point for each of the following: if real property is required to be disclosed; if it is not narrowly defined; if a value range of monetary worth is required; and if spouses' and dependents' real-property holdings are required to be disclosed.
- ▲ Regarding client information, states receive a point for each of the following: if any kind of client information is required to be disclosed; if names of clients are required to be disclosed; if a value range of income is required to be disclosed; and if the clients of spouses and dependent children are required to be disclosed. Center researchers weighted each point for client information by multiplying it by two.
- ▲ States receive a point if lawmakers are required to disclose the name of their spouse, and one point if they are required to disclose the name of their dependent(s).

4. Are penalties on the books for violations of these laws? (2 points)

- ▲ If a state has a penalty on the books for late filings, it receives a point.
- ▲ If a state has a penalty on the books for misleading or inaccurate filings, it receives a point.

Appendix: Expanded Charts

The BGA Integrity Index—Detailed Overall Ranking

State	FOI		Whistleblower Protection		Campaign Finance		Gifts, Trips and Honoraria		Conflict of Interest		Total (out of 500)	Percent Achieved	Rank
	%	Rank	%	Rank	%	Rank	%	Rank	%	Rank			
Wisconsin	50%	23	64%	17	66%	4	69%	2	88%	6	337%	67.44%	1
Rhode Island	63%	12	68%	16	52%	12	56%	6	80%	13	318%	63.63%	2
Kentucky	69%	8	57%	23	52%	12	65%	4	70%	21	312%	62.41%	3
Hawaii	44%	28	75%	5	65%	7	25%	21	92%	4	301%	60.11%	4
California	53%	19	82%	1	33%	43	50%	7	81%	12	300%	59.92%	5
Nebraska	88%	1	57%	23	59%	10	48%	8	48%	36	299%	59.88%	6
South Carolina	59%	15	50%	32	34%	41	67%	3	76%	16	286%	57.14%	7
West Virginia	72%	7	79%	2	52%	12	46%	9	37%	43	285%	56.90%	8
Texas	56%	17	71%	12	37%	35	31%	16	88%	6	284%	56.78%	9
Maryland	47%	25	71%	12	51%	15	44%	12	71%	20	284%	56.71%	10
Washington	69%	8	54%	30	42%	28	21%	33	98%	1	283%	56.63%	11
New Jersey	88%	1	71%	12	45%	22	21%	33	54%	30	279%	55.71%	12
Connecticut	53%	19	57%	23	60%	9	23%	30	80%	13	274%	54.72%	13
Ohio	34%	36	50%	32	48%	17	73%	1	66%	23	271%	54.24%	14
Massachusetts	31%	38	61%	19	72%	2	29%	18	75%	18	268%	53.64%	15
Colorado	47%	25	50%	32	45%	22	46%	9	76%	16	264%	52.80%	16
Minnesota	34%	36	57%	23	63%	8	58%	5	49%	35	261%	52.24%	17
Florida	56%	17	57%	23	66%	4	17%	39	64%	25	260%	52.04%	18
Oregon	66%	10	43%	40	40%	31	19%	36	82%	11	249%	49.76%	19
Arizona	9%	44	61%	19	74%	1	13%	42	91%	5	247%	49.47%	20
Kansas	41%	29	79%	2	43%	26	19%	36	65%	24	245%	49.00%	21
North Carolina	28%	41	64%	17	43%	26	25%	21	83%	10	243%	48.66%	22
Alaska	3%	47	75%	5	44%	25	25%	21	95%	3	242%	48.41%	23
Maine	41%	29	71%	12	72%	2	8%	47	49%	33	241%	48.18%	24
Oklahoma	38%	35	75%	5	53%	11	27%	19	48%	36	241%	48.14%	25
Georgia	63%	12	36%	45	37%	35	46%	9	49%	33	230%	46.01%	26
Utah	78%	3	75%	5	36%	38	40%	14	1%	47	229%	45.86%	27
Virginia	78%	3	0%	46	27%	49	31%	16	86%	8	222%	44.46%	28
New York	41%	29	50%	32	32%	46	13%	42	85%	9	220%	44.01%	29
Nevada	41%	29	57%	23	38%	34	27%	19	57%	27	219%	43.80%	30
Arkansas	75%	6	0%	46	46%	19	21%	33	75%	18	216%	43.30%	31
Michigan	66%	10	75%	5	50%	16	23%	30	1%	47	214%	42.84%	32
Mississippi	41%	29	57%	23	31%	47	25%	21	56%	28	209%	41.80%	33
Indiana	59%	15	50%	32	34%	41	10%	45	55%	29	209%	41.73%	34
Missouri	25%	42	61%	19	29%	48	17%	39	77%	15	208%	41.64%	35
New Hampshire	41%	29	50%	32	39%	32	42%	13	36%	44	208%	41.54%	36
Wyoming	9%	44	79%	2	46%	19	25%	21	45%	41	204%	40.83%	37
Delaware	31%	38	43%	40	33%	43	25%	21	70%	21	202%	40.38%	38
North Dakota	31%	38	61%	19	33%	43	25%	21	50%	31	199%	39.89%	39
Pennsylvania	3%	47	75%	5	45%	22	23%	30	48%	39	194%	38.81%	40
Illinois	47%	25	50%	32	36%	38	13%	42	44%	42	189%	37.87%	41
Idaho	50%	23	75%	5	41%	29	19%	36	1%	47	186%	37.11%	42
Iowa	53%	19	54%	30	36%	38	6%	48	34%	45	183%	36.51%	43
Tennessee	19%	43	39%	42	37%	35	35%	15	50%	31	180%	36.02%	44
Montana	9%	44	50%	32	47%	18	25%	21	48%	36	180%	35.92%	45
Louisiana	78%	3	0%	46	46%	19	15%	41	32%	46	171%	34.14%	46
Alabama	0%	49	39%	42	25%	50	6%	48	96%	2	167%	33.38%	47
New Mexico	53%	19	0%	46	41%	29	10%	45	61%	26	165%	33.07%	48
Vermont	63%	12	0%	46	66%	4	25%	21	1%	47	155%	30.96%	49
South Dakota	0%	49	39%	42	39%	32	0%	50	47%	40	125%	24.97%	50

Freedom of Information Detail

State	Response Time (out of 4)	Appeals (out of 2)	Expediency (out of 2)	Fees & Costs (out of 4)	Penalties (out of 4)	Total Points (out of 16)	Percent Achieved	Statute Used for Ranking
Alabama	0	0	0	0	0	0	0%	Ala. Code 36-12-40 et seq.
Alaska	0	0.5	0	0	0	0.5	3%	Alaska Stat. 09.25.100 to .220
Arizona	0	0.5	0	1	0	1.5	9%	Ariz. Rev. Stat. Ann. 39-121 to 1-24
Arkansas	4	2	2	3	1	12	75%	Ark. Code Ann. 25-19-101 to -107
California	3	0.5	1	4	0	8.5	53%	Cal. Gov. Code 6250 to 6270
Colorado	4	0.5	1	1	1	7.5	47%	Colo. Rev. Stat. 24-72-201 to -206
Connecticut	4	1.5	1	0	2	8.5	53%	Conn. Gen. Stat. Ann. Ch 14 1-200 to 1-241
Delaware	1	2	0	2	0	5	31%	Del. Code Ann. 29-100-1005
Florida	0	2	1	4	2	9	56%	Fla. Stat. Ann. 119.01 to .165; Sunshine Manual
Georgia	4	2	0	3	1	10	63%	Ga. Code Ann. 50-18-70 to 76
Hawaii	0	2	1	4	0	7	44%	Haw. Rev. Stat. Ann. 92F-11 to 19
Idaho	4	0.5	1.5	1	1	8	50%	Idaho Code 9-338 to -347
Illinois	4	1.5	1	1	0	7.5	47%	Ill. Comp. Stat. Ann. Ch.5, 140/1 to /11
Indiana	4	0.5	1	4	0	9.5	59%	Ind. Code Ann. 5-14-3-1 to 10
Iowa	0	0.5	0	4	4	8.5	53%	Iowa Code Ann. 22.1 to .14
Kansas	4	0.5	0	1	1	6.5	41%	Kan. Stat. Ann 45-215 to 225
Kentucky	4	2	1	3	1	11	69%	Ky. Rev. Stat. Ann. 61.870 to .884
Louisiana	4	0.5	1	4	3	12.5	78%	La. Rev. Stat. Ann. 44:31 to :37
Maine	4	0.5	1	0	1	6.5	41%	Me. Rev. Stat. Ann. 1-13 § 408 to 410
Maryland	2	0.5	1	3	1	7.5	47%	Md. Code Ann., State & Govt, 10-611 to 628 and 10-1001
Massachusetts	3	2	0	0	0	5	31%	Mass. Gen. Laws Ann. Ch. 66 1-15.241
Michigan	4	0.5	1	4	1	10.5	66%	Mich. Comp. Laws Ann. 15-231 to 241
Minnesota	1	0.5	1	2	1	5.5	34%	Minn. Stat. Ann. 13.03 to .08
Mississippi	3	0.5	1	1	1	6.5	41%	Miss. Code Ann. 25-61-1 to 17
Missouri	0	0	0	0	4	4	25%	Mo. Ann. Stat. 109.180 to .190
Montana	0	0.5	1	0	0	1.5	9%	Mont. Code Ann. 2-6-101 to 111
Nebraska	4	2	1	3	4	14	88%	Neb. Rev. Stat. 84.712 to .732
Nevada	0	0.5	1	4	1	6.5	41%	Nev. Rev. Stat. Ann. 239.005 to .330
New Hampshire	4	0.5	1	1	0	6.5	41%	N.H. Rev. Stat. Ann. 91-A:1 to :8
New Jersey	4	2	1	4	3	14	88%	N.J. Rev. Stat. 47-1A-1
New Mexico	3	0.5	0	4	1	8.5	53%	14-2-1 N.M. Stat. Ann. 1978 et seq
New York	4	1.5	0	1	0	6.5	41%	N.Y. Pub. Off. Law 84 to 90
North Carolina	1	0.5	1	2	0	4.5	28%	N.C. Gen. Stat. 132-1 to 10
North Dakota	0	2	0	2	1	5	31%	N.D. Cent. Code 44-04-18 to -23
Ohio	1	0.5	0	4	0	5.5	34%	Ohio Rev. Code. Ann 149.43
Oklahoma	0	0	0	4	2	6	38%	Okla. Stat. Ann. Tit. 51,24A.1 to .18
Oregon	4	1.5	1	4	0	10.5	66%	Or. Rev. Stat. Ann. 192.001 to .990
Pennsylvania	0	0.5	0	0	0	0.5	3%	Pa.Cons.Stat. Ann. Tit. 66.1 to .4
Rhode Island	3	1.5	0.5	4	1	10	63%	R.I. Gen. Laws 38-2-1 to -15
South Carolina	3	0.5	0	3	3	9.5	59%	S.C. Code Ann. 30-4-10 to -110
South Dakota	0	0	0	0	0	0	0%	S.D. Codified Laws Ann. 1-27-1 to -19
Tennessee	0	0.5	0.5	2	0	3	19%	Tenn. Code Ann. 10-7-503 to -509
Texas	3	0.5	1.5	3	1	9	56%	Tex. Gov. Code Ann. § 552.001 to .353
Utah	3	1.5	1	3	4	12.5	78%	Utah. Code. Ann. 63-2-101 to -804
Vermont	4	2	1	3	0	10	63%	Vt. Stat. Ann. tit. 1, 315 to 320
Virginia	4	0.5	2	3	3	12.5	78%	Va. Code Ann.2.2-3700 to -3714
Washington	4	2	0	4	1	11	69%	Wash. Rev. Code Ann. 42.17.250 to .341
West Virginia	4	0.5	1	4	2	11.5	72%	W. Va. Code 29B-1-1 to -7
Wisconsin	1	2	0	4	1	8	50%	Wis. Stat. Ann. 19.31 to .39
Wyoming	0	0.5	0	0	1	1.5	9%	Wyo. Stat. Ann, 16-4-201 to -205

Whistleblower Detail

State	Whistleblowing Protected (Out of 4)	Posting of Notice Regm't (Out of 4)	Employees Protected (Out of 4)	Prohibited Retaliation (Out of 4)	Appeal Process (Out of 4)	Damages and Remedies (Out of 4)	Penalties (Out of 4)	Total Score (Out of 28)	Percent Achieved	Statute
Alabama	2	0	3	3	2	1	0	11	39%	Code of Ala s. 36-25-24
Alaska	2	4	4	4	2	2	3	21	75%	AS 39.90.100
Arizona	2	0	3	2	4	3	3	17	61%	Ariz. Rev. Stat. Ann. Section 38-532 to 534
Arkansas	0	0	0	0	0	0	0	0	0%	none
California	4	0	3	4	4	4	4	23	82%	Cal Gov Code s. 8547.1 to 8547.12
Colorado	2	0	3	2	4	1	2	14	50%	C.R.S. 24-50.5-101 to 107
Connecticut	2	0	4	3	4	3	0	16	57%	CT ST S 31-51m
Delaware	2	0	3	4	2	1	0	12	43%	29 Del.C. s 5115
Florida	2	0	4	3	4	3	0	16	57%	Fla. Stat. S. 112.3187 to 112.3195
Georgia	2	0	2	4	2	0	0	10	36%	O.C.G.A. S. 45-1-4
Hawaii	2	4	4	4	2	3	2	21	75%	HRS s. 378-61 to 66
Idaho	2	4	4	4	2	3	2	21	75%	Idaho Code 6-2101 to 2109
Illinois	2	0	3	4	2	3	0	14	50%	ILCS 175/42
Indiana	2	0	4	2	2	0	4	14	50%	Ind. Code Ann. 22-5-3-3 & Ind. Code Ann. 4-15-10-4
Iowa	2	0	3	1	2	3	4	15	54%	70A.28-9
Kansas	4	4	3	1	4	3	3	22	79%	K.S.A. s. 75-2973
Kentucky	2	0	4	4	4	2	0	16	57%	KRS s. 61.101 to 61.103
Louisiana	0	0	0	0	0	0	0	0	0%	none
Maine	2	4	4	4	4	0	2	20	71%	26 M.R.S. 831 to 840
Maryland	4	0	3	2	4	3	4	20	71%	Md. State Personnel and Pensions Code Ann. S. 5-302-312
Massachusetts	2	4	4	2	2	3	0	17	61%	MA ST 149 S 185
Michigan	2	4	4	4	2	3	2	21	75%	M.C.L.A. 15.361-369
Minnesota	2	0	3	4	2	3	2	16	57%	Minn Stat. S 181.931-935
Mississippi	2	0	3	1	4	3	3	16	57%	Ms St s 25-9-171-175
Missouri	4	4	3	1	4	1	0	17	61%	Mo. St. 105.055
Montana	4	0	3	1	4	2	0	14	50%	Mont. Code Anno., s 39-2-903 to 915
Nebraska	2	0	3	4	4	3	0	16	57%	R.R.S. Neb. S 81-2701-2710
Nevada	4	0	3	4	4	1	0	16	57%	Nev. Rev. Stat. Ann. S 281.611-671
New Hampshire	2	0	3	4	4	1	0	14	50%	N.H. Rev. Stat. S 275-E:1-E:7
New Jersey	2	4	3	2	2	4	3	20	71%	N.J. Stat. S. 34:19-1 to 19-8
New Mexico	0	0	0	0	0	0	0	0	0%	NM ST. 50-9-25
New York	2	0	2	3	4	3	0	14	50%	NY CLS Civ S 75-b
North Carolina	2	4	3	4	2	3	0	18	64%	N.C.G.S.A. s 126-84 to 126-88
North Dakota	2	0	4	3	4	0	4	17	61%	Nd. St. 34-11.1-01 to 34 -11.1-08
Ohio	2	0	4	3	2	3	0	14	50%	Ohio Rev. Code. Ann s 4113.51 -4113.52
Oklahoma	2	4	3	4	4	1	3	21	75%	74 Okl. St. s 840-2.5
Oregon	4	0	4	4	0	0	0	12	43%	ORS s. 659A.200 to 659A.221
Pennsylvania	2	4	4	4	2	3	2	21	75%	43 P.S.s. 1421-1428
Rhode Island	2	4	4	4	2	3	0	19	68%	RI ST s. 28-50-1 to 28-50-8
South Carolina	2	0	3	1	4	3	1	14	50%	S.C. Code Ann s 8-27-10 to 8-27-40
South Dakota	2	0	3	2	4	0	0	11	39%	S.D. Codified Laws s. 3-6A-52
Tennessee	2	0	3	1	2	3	0	11	39%	Tenn Code Ann s 50-1-304
Texas	2	4	3	3	2	3	3	20	71%	Tex. Gov't Code s. 554.001 to 554.009
Utah	2	4	4	4	2	3	2	21	75%	Utah Code Ann. S 67-21-1 to 67-21-9
Vermont	0	0	0	0	0	0	0	0	0%	NONE -
Virginia	0	0	0	0	0	0	0	0	0%	NONE -
Washington	2	0	3	3	4	3	0	15	54%	ARCW S 42.40.010 to 42.40.050
West Virginia	2	4	4	4	2	3	3	22	79%	W. Va. Code s 6C-1-1 to 6C1-8
Wisconsin	2	0	2	4	4	3	3	18	64%	Wis. Stat. s 230.80 to 230.85
Wyoming	2	4	3	3	4	3	3	22	79%	Wyo. Stat.s 9-11-102

Campaign Finance Laws

State	Disclosure (out of 4)	Public Financing Provisions (out of 4)	Solicitation & Contributions Limits (out of 4)	Penalties (out of 4)	Total (out of 16)	Percent Achieved
Alabama	2	0	1.06	1.00	4.06	25%
Alaska	3	0	2.78	1.25	7.03	44%
Arizona	4	4	2.06	1.75	11.81	74%
Arkansas	4	0	1.56	1.75	7.31	46%
California	3	0	0.83	1.50	5.33	33%
Colorado	4	0	2.00	1.25	7.25	45%
Connecticut	4	0	2.17	3.50	9.67	60%
Delaware	3	0	1.50	0.75	5.25	33%
Florida	3	3	1.83	2.75	10.58	66%
Georgia	3	0	1.17	1.75	5.92	37%
Hawaii	3	4	1.44	2.00	10.44	65%
Idaho	4	0	0.78	1.75	6.53	41%
Illinois	3	0	0.83	2.00	5.83	36%
Indiana	3	0	1.00	1.50	5.50	34%
Iowa	3	0	1.28	1.50	5.78	36%
Kansas	4	0	1.56	1.25	6.81	43%
Kentucky	3	1	2.50	1.75	8.25	52%
Louisiana	4	0	1.61	1.75	7.36	46%
Maine	4	4	1.44	2.00	11.44	72%
Maryland	2	3	1.33	1.75	8.08	51%
Massachusetts	4	4	2.28	1.25	11.53	72%
Michigan	4	1	0.94	2.00	7.94	50%
Minnesota	3	4	2.06	1.00	10.06	63%
Mississippi	3	0	0.67	1.25	4.92	31%
Missouri	3	0	0.44	1.25	4.69	29%
Montana	4	0	2.06	1.50	7.56	47%
Nebraska	3	4	0.67	1.75	9.42	59%
Nevada	3	0	1.28	1.75	6.03	38%
New Hampshire	4	0	1.56	0.75	6.31	39%
New Jersey	3	1	1.67	1.50	7.17	45%
New Mexico	4	0	0.61	2.00	6.61	41%
New York	3	0	1.11	1.00	5.11	32%
North Carolina	3	1	1.94	1.00	6.94	43%
North Dakota	3	0	1.78	0.50	5.28	33%
Ohio	4	0	2.17	1.50	7.67	48%
Oklahoma	4	0	2.00	2.50	8.50	53%
Oregon	4	0	0.83	1.50	6.33	40%
Pennsylvania	4	0	1.78	1.50	7.28	45%
Rhode Island	3	1	2.50	1.75	8.25	52%
South Carolina	3	0	0.89	1.50	5.39	34%
South Dakota	3	0	1.67	1.50	6.17	39%
Tennessee	3	0	1.44	1.50	5.94	37%
Texas	4	0	0.67	1.25	5.92	37%
Utah	4	0	0.44	1.25	5.69	36%
Vermont	3	3	2.11	2.50	10.61	66%
Virginia	3	0	0.39	1.00	4.39	27%
Washington	4	0	1.72	1.00	6.72	42%
West Virginia	4	0	2.78	1.50	8.28	52%
Wisconsin	4	2	1.83	2.75	10.58	66%
Wyoming	4	0	1.39	2.00	7.39	46%

Campaign Contributions & Limits

State	Individuals (type A)	Candidates (Type A)	Family (Type A)	Individual Contributions to Parties (Type A)	PAC Contributions (Type B)	Corporation Contributions to Parties (Type B)	Union Contributions (Type B)	Nat'l Party Cte (Type B)	Corporations (type B)	Labor Unions (type B)	PACs (type B)	Regulated Industries (type D)	Legislative Sessions (type D)	Solicitation by govt. employees (type E)	Contributions by govt. employees	Anonymous (type E)	Contributions in another name (type E)	Contributions by State and Local Parties	Total Points (out of 72)	Solicitation and Contribution Limits (out of 4)	Late Filing Penalties	Civil Penalties	Criminal Penalties for Disclosure	Criminal Penalties for Contribution	Penalties (out of 4)
Alabama	0	0	0	0	0	3	0	0	3	0	0	1	4	4	0	0	4	0	19	1.06	0.00	0.00	0.50	0.50	1.00
Alaska	4	0	4	1	3	4	4	0	4	4	3	4	2	2	2	4	4	1	50	2.78	0.50	0.25	0.25	0.25	1.25
Arizona	3	0	0	0	0	4	4	0	4	4	3	4	3	0	0	4	4	0	37	2.06	0.25	0.50	0.75	0.25	1.75
Arkansas	3	0	3	0	0	0	0	0	3	3	3	2	0	2	1	2	4	2	28	1.56	0.25	0.50	0.50	0.50	1.75
California	0	0	0	1	1	1	1	1	0	0	0	0	0	2	0	2	4	2	15	0.83	0.25	0.25	0.50	0.50	1.50
Colorado	0	1	0	2	2	2	2	2	4	4	1	4	3	2	2	0	4	1	36	2.00	0.25	0.25	0.25	0.50	1.25
Connecticut	2	0	2	1	0	4	4	0	4	4	1	4	3	2	2	2	4	0	39	2.17	1.00	0.50	1.00	1.00	3.50
Delaware	2	2	2	1	1	1	1	0	2	2	2	2	0	0	0	4	4	1	27	1.50	0.25	0.00	0.25	0.25	0.75
Florida	4	0	4	0	0	0	0	0	3	3	3	2	4	2	0	4	4	0	33	1.83	0.75	0.25	0.75	1.00	2.75
Georgia	1	0	0	0	0	0	0	0	1	1	1	3	4	0	0	4	4	2	21	1.17	0.25	0.50	1.00	0.00	1.75
Hawaii	1	1	1	1	1	1	1	1	3	3	1	2	0	0	0	4	4	1	26	1.44	0.50	0.50	0.50	0.50	2.00
Idaho	1	0	1	0	0	0	0	0	1	1	1	2	0	0	0	2	4	1	14	0.78	0.50	0.25	0.50	0.50	1.75
Illinois	0	0	0	0	0	0	0	0	0	0	0	0	2	2	3	4	4	0	15	0.83	0.75	0.75	0.50	0.00	2.00
Indiana	0	0	0	0	0	1	1	0	1	1	0	3	2	2	3	0	4	0	18	1.00	0.25	0.00	0.75	0.50	1.50
Iowa	0	0	0	0	0	4	0	0	4	0	0	1	2	2	2	4	4	0	23	1.28	0.50	0.50	0.25	0.25	1.50
Kansas	2	0	2	1	1	1	1	1	2	2	2	2	3	2	0	2	4	0	28	1.56	0.25	0.50	0.25	0.25	1.25
Kentucky	3	0	3	2	2	4	2	0	4	3	3	4	3	2	1	2	4	3	45	2.50	0.00	0.00	1.00	0.75	1.75
Louisiana	1	0	1	1	1	1	1	0	1	1	1	3	3	2	4	4	4	0	29	1.61	0.50	0.25	0.50	0.50	1.75
Maine	4	0	0	0	0	0	0	0	3	3	3	2	0	2	1	2	4	2	26	1.44	0.50	0.75	0.50	0.25	2.00
Maryland	1	0	0	1	1	1	1	1	1	1	1	2	4	0	1	4	4	0	24	1.33	0.25	0.50	0.50	0.50	1.75
Massachusetts	4	0	4	1	1	4	1	0	4	3	3	3	0	4	1	4	4	0	41	2.28	0.25	0.00	0.50	0.50	1.25
Michigan	1	0	0	0	0	0	0	0	0	0	1	3	0	2	1	4	4	1	17	0.94	1.00	0.00	0.50	0.50	2.00
Minnesota	2	0	2	0	0	4	2	0	4	2	2	4	4	2	2	2	4	1	37	2.06	0.25	0.25	0.25	0.25	1.00
Mississippi	0	0	0	0	0	3	0	0	3	0	0	1	0	2	3	0	0	0	12	0.67	0.25	0.00	0.50	0.50	1.25
Missouri	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	2	4	0	8	0.44	0.25	0.50	0.50	0.00	1.25
Montana	4	0	4	0	0	4	0	0	4	3	3	4	0	2	0	4	4	1	37	2.06	0.25	0.25	0.50	0.50	1.50
Nebraska	0	0	0	0	0	0	0	0	1	1	1	2	0	0	0	4	2	1	12	0.67	0.25	0.50	0.75	0.25	1.75
Nevada	1	1	1	0	0	0	0	0	1	1	1	2	4	4	0	2	4	1	23	1.28	0.50	0.50	0.00	0.75	1.75
New Hampshire	1	0	1	1	0	4	4	0	1	4	0	4	0	0	0	4	4	0	28	1.56	0.25	0.00	0.25	0.25	0.75
New Jersey	2	0	0	1	1	1	1	1	2	2	2	3	0	4	0	4	4	2	30	1.67	0.50	0.50	0.25	0.25	1.50
New Mexico	0	0	0	0	0	0	0	0	0	0	0	0	4	4	1	2	0	0	11	0.61	0.50	0.50	0.50	0.50	2.00
New York	1	0	0	1	1	1	1	0	1	1	1	2	0	2	2	4	2	0	20	1.11	0.25	0.25	0.25	0.25	1.00
North Carolina	1	0	0	0	0	4	4	0	4	4	1	4	3	0	2	4	4	0	35	1.94	0.50	0.00	0.25	0.25	1.00
North Dakota	0	0	0	0	0	4	4	0	4	4	0	4	0	2	2	4	4	0	32	1.78	0.00	0.00	0.25	0.25	0.50
Ohio	2	0	0	1	1	4	4	0	4	4	2	4	0	2	2	4	4	1	39	2.17	0.50	0.75	0.00	0.25	1.50
Oklahoma	1	0	1	1	1	4	1	0	4	1	1	4	0	4	3	4	4	2	36	2.00	0.50	1.00	0.00	1.00	2.50
Oregon	0	0	0	0	0	0	0	0	0	0	0	0	4	2	1	4	4	0	15	0.83	0.75	0.75	0.00	0.00	1.50
Pennsylvania	0	0	0	0	0	4	4	0	4	4	0	4	0	2	2	4	4	0	32	1.78	0.25	0.00	0.75	0.50	1.50
Rhode Island	2	0	2	3	3	4	4	0	4	4	2	4	0	2	2	4	4	1	45	2.50	0.25	0.50	0.50	0.50	1.75
South Carolina	1	0	1	0	0	0	0	0	1	1	1	2	0	2	2	4	0	1	16	0.89	0.25	0.25	0.50	0.50	1.50
South Dakota	3	0	0	3	0	4	4	0	4	4	0	4	0	2	2	0	0	0	30	1.67	1.00	0.00	0.25	0.25	1.50
Tennessee	2	1	1	0	0	4	0	0	4	2	1	4	3	2	2	0	0	0	26	1.44	0.25	0.75	0.00	0.50	1.50
Texas	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	4	4	0	12	0.67	0.50	0.25	0.25	0.25	1.25
Utah	0	0	0	0	0	0	0	0	0	0	0	1	3	2	2	0	0	0	8	0.44	1.00	0.00	0.25	0.00	1.25
Vermont	4	0	0	2	2	2	2	2	3	3	3	2	3	4	0	0	4	2	38	2.11	0.75	0.75	0.50	0.50	2.50
Virginia	0	0	0	0	0	0	0	0	0	0	0	1	4	0	2	0	0	0	7	0.39	0.25	0.25	0.25	0.25	1.00
Washington	2	0	2	0	1	1	1	1	2	2	2	2	4	2	2	2	4	1	31	1.72	0.25	0.75	0.00	0.00	1.00
West Virginia	3	3	3	3	3	4	3	1	4	3	3	4	0	2	1	4	4	2	50	2.78	0.25	0.25	0.50	0.50	1.50
Wisconsin	1	0	1	1	1	4	4	0	4	4	1	4	0	2	0	2	4	0	33	1.83	0.50	0.25	1.00	1.00	2.75
Wyoming	1	0	1	1	0	4	4	0	4	4	0	4	0	2	0	0	0	0	25	1.39	0.25	0.75	0.50	0.50	2.00

Gifts, Trips and Honoraria Detail

State	Gifts				Trips				Honoraria				Scoring	
	Limit (out of 4)	Disclosure (out of 4)	Lobbyists Limits (out of 4)	Lobbyists Disclosure (out of 4)	Limit (out of 4)	Disclosure (out of 4)	Lobbyists Limits (out of 4)	Lobbyists Disclosure (out of 4)	Limit (out of 4)	Disclosure (out of 4)	Lobbyists Limits (out of 4)	Lobbyists Disclosure (out of 4)	Total Points (out of 48)	Percent Achieved
Alabama	0	0	0	1	0	0	0	1	0	0	0	1	3	6%
Alaska	0	1	0	1	0	4	0	4	0	1	0	1	12	25%
Arizona	0	1	0	1	0	1	0	1	0	1	0	1	6	13%
Arkansas	0	2	0	2	0	2	0	2	0	1	0	1	10	21%
California	4	3	2	3	4	3	2	3	0	0	0	0	24	50%
Colorado	0	3	0	3	0	4	0	4	0	4	0	4	22	46%
Connecticut	0	0	3	0	0	0	0	0	0	4	0	4	11	23%
Delaware	0	1	0	1	0	1	0	1	0	4	0	4	12	25%
Florida	0	0	2	0	0	0	2	0	0	0	0	4	8	17%
Georgia	0	0	0	4	0	0	0	4	4	4	2	4	22	46%
Hawaii	0	2	0	2	0	2	0	2	0	2	0	2	12	25%
Idaho	0	0	0	3	0	0	0	3	0	0	0	3	9	19%
Illinois	0	1	1	1	0	0	1	0	0	1	0	1	6	13%
Indiana	0	1	0	1	0	0	0	1	0	1	0	1	5	10%
Iowa	0	0	0	1	0	0	0	1	0	0	0	1	3	6%
Kansas	0	1	1	1	0	1	1	1	0	1	1	1	9	19%
Kentucky	0	2	4	4	0	0	4	4	4	4	1	4	31	65%
Louisiana	0	0	1	0	0	0	1	0	0	0	1	4	7	15%
Maine	0	1	0	1	0	1	0	1	0	0	0	0	4	8%
Maryland	0	4	0	2	4	4	1	1	4	0	1	0	21	44%
Massachusetts	0	2	2	2	0	2	0	2	0	2	0	2	14	29%
Michigan	0	0	0	1	0	0	0	1	4	0	1	4	11	23%
Minnesota	0	0	4	4	0	0	4	4	4	0	4	4	28	58%
Mississippi	0	0	0	4	0	0	0	4	0	0	0	4	12	25%
Missouri	0	2	0	2	0	0	0	0	0	2	0	2	8	17%
Montana	0	0	0	4	0	0	0	4	0	0	0	4	12	25%
Nebraska	0	2	4	4	0	2	1	2	0	0	4	4	23	48%
Nevada	0	2	0	2	0	2	0	2	4	0	1	0	13	27%
New Hampshire	0	3	0	3	0	4	0	4	0	3	0	3	20	42%
New Jersey	0	1	0	1	0	2	0	2	0	2	0	2	10	21%
New Mexico	0	0	0	0	0	0	0	0	4	0	1	0	5	10%
New York	0	1	0	1	0	1	0	1	0	1	0	1	6	13%
North Carolina	0	0	0	4	0	0	0	4	0	0	0	4	12	25%
North Dakota	0	0	0	4	0	0	0	4	0	0	0	4	12	25%
Ohio	0	3	3	4	0	4	4	4	4	4	1	4	35	73%
Oklahoma	0	0	1	3	0	0	1	3	0	2	1	2	13	27%
Oregon	0	1	0	1	0	0	0	0	4	1	1	1	9	19%
Pennsylvania	0	1	0	1	0	1	0	1	4	1	1	1	11	23%
Rhode Island	0	2	4	4	0	2	4	4	4	1	1	1	27	56%
South Carolina	0	2	4	4	4	2	1	2	4	4	1	4	32	67%
South Dakota	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
Tennessee	0	0	1	0	0	0	4	4	0	0	4	4	17	35%
Texas	0	1	0	1	0	4	0	4	4	0	1	0	15	31%
Utah	0	4	3	4	0	0	0	4	0	0	0	4	19	40%
Vermont	0	0	0	4	0	0	0	4	0	0	0	4	12	25%
Virginia	0	2	0	2	0	2	0	2	4	1	1	1	15	31%
Washington	0	0	0	0	4	0	1	0	4	0	1	0	10	21%
West Virginia	0	2	3	2	0	2	4	4	4	0	1	0	22	46%
Wisconsin	0	3	4	4	4	3	1	3	4	3	1	3	33	69%
Wyoming	0	0	0	4	0	0	0	4	0	0	0	4	12	25%

Conflicts of Interest Detail

State	Availability (out of 3)	Access (out of 5)	Extent (out of 90)	Penalties (out of 2)	Total (out of 100)	Percent Achieved
Alabama	3	5	86	2	96	96.0%
Alaska	3	5	85	2	95	95.0%
Arizona	3	5	81	2	91	91.0%
Arkansas	3	5	65	2	75	75.0%
California	3	5	71	2	81	81.0%
Colorado	2	4	68	2	76	76.0%
Connecticut	3	5	70	2	80	80.0%
Delaware	3	4	61	2	70	70.0%
Florida	3	5	54	2	64	64.0%
Georgia	3	5	39	2	49	49.0%
Hawaii	2	4.5	84	1	91.5	91.5%
Idaho	0	1	0	0	1	1.0%
Illinois	3	2.5	36	2	43.5	43.5%
Indiana	3	4.5	47	0	54.5	54.5%
Iowa	3	4	26.5	0	33.5	33.5%
Kansas	3	4.5	55	2	64.5	64.5%
Kentucky	3	5	60	2	70	70.0%
Louisiana	3	4	24	1	32	32.0%
Maine	3	5	40	1	49	49.0%
Maryland	3	3	63	2	71	71.0%
Massachusetts	3	4	66	2	75	75.0%
Michigan	0	1	0	0	1	1.0%
Minnesota	2	4.5	40	2	48.5	48.5%
Mississippi	3	3.5	48	1	55.5	55.5%
Missouri	3	4.5	67	2	76.5	76.5%
Montana	2	4	40	2	48	48.0%
Nebraska	2	4	40	2	48	48.0%
Nevada	3	5	46.5	2	56.5	56.5%
New Hampshire	3	5	27	1	36	36.0%
New Jersey	2	4	46	2	54	54.0%
New Mexico	3	4.5	51	2	60.5	60.5%
New York	3	5	75	2	85	85.0%
North Carolina	2	4.5	74	2	82.5	82.5%
North Dakota	2	4	41.5	2	49.5	49.5%
Ohio	3	5	56	2	66	66.0%
Oklahoma	3	5	38	2	48	48.0%
Oregon	3	5	72	2	82	82.0%
Pennsylvania	3	4.5	38	2	47.5	47.5%
Rhode Island	3	5	70	2	80	80.0%
South Carolina	3	4	67	2	76	76.0%
South Dakota	2	3	40	2	47	47.0%
Tennessee	2	4.5	41	2	49.5	49.5%
Texas	3	4	79	2	88	88.0%
Utah	0	1	0	0	1	1.0%
Vermont	0	1	0	0	1	1.0%
Virginia	3	3	78.5	1	85.5	85.5%
Washington	3	5	88	2	98	98.0%
West Virginia	3	5	26.5	2	36.5	36.5%
Wisconsin	3	4	79	2	88	88.0%
Wyoming	3	4	36	2	45	45.0%