AN ACT relating to legislative ethics.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS 6.601 TO 6.849 IS CREATED TO READ AS FOLLOWS:

(1) A legislator, employee of the legislative branch of state government, legislative agent, or any other person who interacts with legislators or employees of the legislative branch of state government on state property, or on official state business, shall not intentionally engage in harassment or sexual harassment of any employee of the legislative branch of state government.

(2) Violation of this section is ethical misconduct.

➔SECTION 2. A NEW SECTION OF KRS 6.601 TO 6.849 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section, "complaint" means a verbal or written allegation of fraud, theft, ethical or official misconduct, discrimination, harassment, or sexual harassment.

(2) The Legislative Ethics Commission shall have jurisdiction to investigate and proceed upon receipt of a complaint from an employee of the legislative branch of state government regarding fraud, theft, ethical or official misconduct, discrimination, harassment, or sexual harassment, allegedly committed by:

(a) A legislator;

(b) An employee of the legislative branch of state government;

(c) A legislative agent; or

(d) Any other person who interacts with legislators or employees of the legislative branch of state government on state property, or on official state business.

(3) The commission shall establish a legislative ethics telephone tip line to allow the employees of the legislative branch of state government to report complaints of

fraud, theft, ethical or official misconduct, discrimination, harassment, or sexual harassment.

(4) The commission shall ensure that the telephone number for the legislative ethics telephone tip line is available to employees of the legislative branch of state government by multiple methods, including:

(a) Printing the legislative ethics telephone tip line number on posters to be placed on bulletin boards or other prominent locations in any building where staff of the legislative branch of state government are stationed, including the Capitol Building and the Capitol Annex;

(b) Printing the legislative ethics telephone tip line number in any employment manual printed by the Legislative Research Commission for use by employees of the legislative branch of state government;

(c) Informing employees of the legislative branch of state government of the existence of the legislative ethics telephone tip line number through periodic electronic mail messages; and

(d) Placing the legislative ethics telephone tip line number on the staff web page for the Legislative Research Commission.

(5) The legislative ethics telephone tip line shall be operational twenty-four (24) hours a day seven (7) days a week. The commission shall provide staff for the legislative ethics telephone tip line during regular business hours and provide for a recorded line to receive messages at all other times. If a recorded message is received, commission staff shall make telephone or electronic mail contact with the complainant on the first business day after receipt of the message to confirm receipt and details of the complaint.

(6) Within two (2) hours of the reporting of a complaint, or the confirmation required in subsection (5) of this section, staff persons of the legislative ethics telephone tip line shall forward a complaint received on the legislative ethics

telephone tip line to the executive director of the commission or his or her designee in writing on a form approved by the commission.

(7) Within twenty-four (24) hours of receipt of a complaint or the confirmation required in subsection (5) of this section, the executive director of the commission or his or her designee shall notify the alleged perpetrator of the receipt of the complaint, and provide that person with a written statement setting forth the allegations provided by the complainant. Within seven (7) days of the executive director's notification, the alleged perpetrator may file a written response with the executive director.

(8) No later than seven (7) days after the executive director receives the response, or the time expires for the filing of the response, the commission chair, vice chair, executive director, or the chair's designee shall interview the complainant, the alleged perpetrator, and any other person with knowledge of any information relevant to the complaint.

(9) No later than fourteen (14) days after the completion of the interviews, the commission shall give notice of the status of the complaint and a general statement of the applicable law to the complainant and the alleged perpetrator.

(10) Within thirty (30) days of receipt of a complaint or the confirmation required in subsection (5) of this section, after consultation with the complainant, the complaint file shall be closed if the commission chair and vice chair agree the complaint is resolved. The commission chair and vice chair may refer a complaint to another federal or state agency if they determine that the complaint does not fall under the jurisdiction of the Legislative Ethics Commission.

(11) If the commission chair and vice chair do not agree that a complaint of harassment or sexual harassment is resolved, the commission's enforcement counsel shall file a complaint as provided in KRS 6.686(1)(a).

(12) The name of any person making a complaint on the legislative ethics telephone

tip line shall remain confidential and shall not be disclosed without the express written permission of the complainant, except:

(a) To the extent disclosure is necessary to gather information from the alleged perpetrator and any other person with knowledge of information relevant to the complaint; or

(b) If a complaint is filed pursuant to KRS 6.686, the confidentiality provisions of KRS 6.686 and 6.691 shall apply.

(13) A legislator or employee of the legislative branch of state government shall not subject to reprisal any person who files a legislative ethics complaint under this section or use or threaten to use authority or influence that would discourage or interfere with any complaint made to the commission under this section.

(14) No later than August 1 of each year, the commission shall compile and publish an annual summary of complaints reported on the legislative ethics telephone tip line during the previous fiscal year. The summary shall be distributed to each member of the commission, each member of the Legislative Research Commission, and the director of the Legislative Research Commission. The summary shall include:

(a) A synopsis of each incident reported, including:

1. The date the initial complaint was made;

2. The date each case was resolved or referred to an outside agency;

3. If not resolved after thirty (30) days, the date a complaint was filed with the full commission as described in subsection (11) of this section;

(b) The status of each incident reported if not resolved as of the date of publication of the annual summary; and

(c) The total number of complaints received categorized by status and method of resolution, as well as the number of complaints relating to fraud, theft,

ethical or official misconduct, discrimination, harassment, or sexual harassment.

(15) Nothing in this section shall preclude an employee of the legislative branch of state government from pursuing other methods of addressing alleged incidents of fraud, theft, ethical or official misconduct, discrimination, harassment, or sexual harassment, including reporting incidents to legislative branch management staff or filing a complaint with the commission as provided in KRS 6.686.

(16) Notwithstanding any other provision of KRS 61.805 to 61.850 or 61.870 to 61.884, proceedings and documents conducted or created pursuant to this section shall be confidential.

(17) Employees of the legislative branch of state government who report complaints on the legislative ethics telephone tip line may choose to seek assistance from the Kentucky Employee Assistance Program established under KRS Chapter 18A or from private health professionals of their choice for matters related to the complaints.

➔Section 3. KRS 6.611 is amended to read as follows:

As used in this code, unless the context requires otherwise:

(1) "Adversarial proceeding" means a proceeding in which decisions are made based upon evidence presented as measured against established standards, with parties having the right to appeal the decision on the record to a court;

(2) (a) "Anything of value" includes the following:

1. A pecuniary item, including money, or a bank bill or note;

2. A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money;

3. A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;

4. A stock, bond, note, or other investment interest in an entity;
5. A receipt given for the payment of money or other property;
6. A right in action;
7. A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
8. A loan or forgiveness of indebtedness;
9. A work of art, antique, or collectible;
10. An automobile or other means of personal transportation;
11. Real property or an interest in real property, including title to realty; a fee simple or partial interest, present or future, contingent or vested, within realty; a leasehold interest; or other beneficial interest in realty;
12. A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person's status as a legislator;
13. A promise or offer of employment; or
14. Any other thing of value that is pecuniary or compensatory in value to a person, or the primary significance of which is economic gain.

(b) "Anything of value" does not include:

1. A campaign contribution properly received and reported, if reportable, as required under KRS Chapter 121;
2. Compensation, food, beverages, entertainment, transportation, lodging, or other goods or services extended to a legislator by the legislator's private employer or by a person other than a legislative agent or employer;
3. A usual and customary commercial loan made in the ordinary course of business, without regard to the recipient's status as a legislator, and by a person or institution authorized by law to engage in the business of

making loans;

4. A certificate, plaque, or commemorative token of less than one hundred fifty dollars ($150) value;

5. Promotional items of less than fifty dollars ($50);

6. Educational items;

7. Informational items;

8. The cost of attendance or participation, and of food and beverages consumed, at events:

   a. To which all members of the Kentucky Senate or the Kentucky House of Representatives, or both, are invited;

   b. To which all members of a joint committee or task force of the Kentucky Senate and the Kentucky House of Representatives are invited;

   c. To which a caucus of legislators approved as a caucus by the Legislative Research Commission is invited;

   d. Sponsored or coordinated by a state or local government entity, including a state institution of higher education, provided that the cost thereof is covered by the state or local government entity or state institution of higher education; or

   e. To which an individual legislator is invited that are held in-state, and for which the legislator receives prior approval from a majority of the Legislative Research Commission;

9. Gifts from a person related by blood or marriage or a member of the legislator's household;

10. A gift that:

   a. Is not used; and

   b. No later than thirty (30) days after receipt, is returned to the donor

or delivered to a charitable organization and is not claimed as a charitable contribution for federal income tax purposes;

11. The cost, paid, reimbursed, raised, or obtained by the Legislative Research Commission, for attendance or participation, and for food and beverages consumed at, and funds, goods, and services provided for conducting events sponsored or coordinated by multistate or national organizations of, or including, state governments, state legislatures, or state legislators if the attendance and expenditures are approved in advance by the Legislative Research Commission;

12. The cost of attendance or participation provided by the sponsoring entity, of lodging, and of food and beverages consumed, at in-state events sponsored by or in conjunction with a civic, charitable, governmental, trade association, or community organization;

13. A gift or gifts from one member of the General Assembly to another member of the General Assembly;

14. Anything for which the recipient pays or gives full value; or

15. Any service spontaneously extended to a legislator in an emergency situation;

(3) "Associated," if used with reference to an organization, includes an organization in which an individual or a member of the individual's family is a director, officer, fiduciary, trustee, agent, or partner, or owns or controls, in the aggregate, an interest of ten thousand dollars ($10,000) or more, or an interest of five percent (5%) or more of the outstanding equity;

(4) "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit;

(5) "Business associate" includes the following:

(a) A private employer;

(b) A general or limited partnership, or a general or limited partner within the partnership;

(c) A corporation that is family-owned or in which all shares of stock are closely held, and the shareholders, owners, and officers of such a corporation;

(d) A corporation in which the legislator or other person subject to this code has an investment interest, owns, or has a beneficial interest in shares of stock which constitute more than:

1. Five percent (5%) of the value of the corporation; or

2. Ten thousand dollars ($10,000) at fair market value;

(e) A corporation, business association, or other business entity in which the legislator or other person subject to this code serves as an agent or a compensated representative;

(6) "Candidate" means an individual who seeks nomination or election to the General Assembly. An individual is a candidate when the individual:

(a) Files a notification and declaration for nomination for office with the Secretary of State; or

(b) Is nominated for office by his or her party under KRS 118.105, 118.115, 118.325, or 118.760;

(7) "Charitable organization" means an organization described in 26 U.S.C. Sec. 170(c) as it currently exists or as it may be amended;

(8) "Child" means the unemancipated minor daughter, son, stepdaughter, or stepson;

(9) "Commission" means the Kentucky Legislative Ethics Commission;

(10) (a) "Compensation" means:

1. An advance, salary, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money; or

2. A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money for services rendered or to be rendered.

(b) "Compensation" does not include reimbursement of expenses if:

1. The reimbursement is equal to, or less than, the amount paid for the expenses;

2. Expense records are itemized; and

3. No portion of the reimbursed expense is used to give anything of value to a legislator, candidate, or the spouse of a legislator or candidate;

(11) ***"Discrimination" means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons, or the aiding, abetting, inciting, coercing, or compelling that is unlawful under KRS Chapter 344;***

(12) "Economic interest" means an interest distinct from that of the general public in a state purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a legislator may gain an economic benefit of fifty dollars ($50) or more;

(13)[~~(12)~~] "Employer" means any person who engages a legislative agent and in the case of a business other than a sole proprietorship or self-employed individual, it means the business entity, and not an individual officer, director, or employee thereof, except when an officer, director, or employee makes an expenditure for which he or she is reimbursed by the business entity;

(14)[~~(13)~~] "Engage" means to make any arrangement, and "engagement" means any arrangement, by which an individual is employed or retained for compensation to act for or on behalf of an employer to lobby;

(15)[~~(14)~~] "Ethical misconduct" means any violation of the Kentucky Code of Legislative Ethics;

(16)[~~(15)~~] (a) "Expenditure" means any of the following that is made to, at the request of, for the benefit of, or on behalf of any member of the General Assembly, the Governor, the secretary of a cabinet listed in KRS 12.250, or any member of the staff of any of those officials:

1. A payment, distribution, loan, advance, deposit, reimbursement, or gift of money, real estate, or anything of value, including, but not limited to, food and beverages, entertainment, lodging, transportation, or honoraria;
2. A contract, promise, or agreement, to make an expenditure; or
3. The purchase, sale, or gift of services or any other thing of value.

(b) "Expenditure" does not include a contribution, gift, or grant to a foundation or other charitable organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. "Expenditure" does not include the purchase, sale, or gift of services or any other thing of value that is available to the general public on the same terms as it is available to the persons listed in this subsection;

(17)[~~(16)~~] "Family member" means a person:

(a) Who is the spouse, parent, sibling, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild of an individual; or

(b) Who is a member of the individual's household, and is dependent upon the individual;

(18)[~~(17)~~] "Filer" means an individual who is required to file a statement of financial interests pursuant to KRS 6.781;

(19)[~~(18)~~] (a) "Financial transaction" means a transaction or activity that is conducted or undertaken for profit and arises from the joint ownership, ownership, or part ownership in common of any real or personal property or any commercial

or business enterprise of whatever form or nature between the following:

1. A legislative agent, his or her employer, or a member of the immediate family of the legislative agent or his or her employer; and

2. Any member of the General Assembly, the Governor, the secretary of a cabinet listed in KRS 12.250, or any member of the staff of any of the officials listed in this subparagraph.

(b) "Financial transaction" does not include any transaction or activity:

1. Described in paragraph (a) of this subsection if it is available to the general public on the same or similar terms and conditions; or

2. Made or let after public notice and competitive bidding or contracts that are available on similar terms to other members of the general public.

(20)[~~(19)~~] "Former legislator" means a person who previously held a position as a legislator and who no longer holds that position;

(21) "Fraud" means an intentional misrepresentation, deceit, or concealment of material fact known to the person responsible for the act and made with the intention of causing injury to another person;

(22) "Harassment" means any action taken with the intention of intimidating, harassing, annoying, threatening, physically or verbally abusing, or alarming another person at work, or on official state business;

(23)[~~(20)~~] "Immediate family" means an unemancipated child residing in an individual's household, a spouse of an individual, or a person claimed by the individual as a dependent for tax purposes;

(24)[~~(21)~~] "In-state" means within the borders of Kentucky or outside Kentucky in a county that is contiguous with the border of Kentucky;

(25)[~~(22)~~] "Legislation" means bills, resolutions, amendments, nominations, administrative regulations, and any other matter pending before the General Assembly or any of its interim or statutory committees, or the executive approval or

1 veto of any bill acted upon by the General Assembly;
2 ***(26)***[~~(23)~~] (a) "Legislative agent" means any individual who is engaged:
3 1. during at least a portion of his or her time to lobby as one (1) of his or
4 her official responsibilities; or
5 2. In lobbying activities as a legislative liaison of an association, coalition,
6 or public interest entity formed for the purpose of promoting or
7 otherwise influencing legislation.
8 (b) "Legislative agent" does not include:
9 1. Any person who limits his or her lobbying activities to appearing before
10 public meetings of legislative committees, subcommittees, or task
11 forces, or public hearings or meetings of public agencies;
12 2. A private citizen who receives no compensation for lobbying and who
13 expresses a personal opinion; or
14 3. A public servant acting in his or her fiduciary capacity as a
15 representative of his or her agency, college, university, or city, county,
16 urban-county, consolidated local government, unified local government,
17 or charter county government, except persons engaged by a de jure
18 municipal corporation, such as the Kentucky Lottery Corporation or the
19 Kentucky Housing Corporation, institutions of higher education, or local
20 governments, whose primary responsibility during sessions of the
21 General Assembly is to lobby;
22 ***(27)***[~~(24)~~] "Legislative interest" means a substantial economic interest, distinct from that
23 of the general public, in one (1) or more legislative matters;
24 ***(28)***[~~(25)~~] "Legislative matter" means any bill, resolution, nomination, or other issue or
25 proposal pending before the General Assembly or any interim committee,
26 committee, subcommittee, task force, or commission of the General Assembly;
27 ***(29)***[~~(26)~~] "Legislator" means a member or member-elect of the General Assembly;

(30)[~~(27)~~] (a) "Lobby" means to promote, advocate, or oppose the passage, modification, defeat, or executive approval or veto of any legislation by direct communication with any member of the General Assembly, the Governor, the secretary of any cabinet listed in KRS 12.250, or any member of the staff of any of the officials listed in this paragraph.

(b) "Lobbying" does not include:

1. Appearances before public meetings of the committees, subcommittees, task forces, and interim committees of the General Assembly;
2. News, editorial, and advertising statements published in newspapers, journals, or magazines, or broadcast over radio or television;
3. The gathering and furnishing of information and news by bona fide reporters, correspondents, or news bureaus to news media described in paragraph (b)2. of this subsection;
4. Publications primarily designed for, and distributed to, members of bona fide associations or charitable or fraternal nonprofit corporations;
5. Professional services in drafting bills or resolutions, preparing arguments on these bills or resolutions, or in advising clients and rendering opinions as to the construction and the effect of proposed or pending legislation, if the services are not otherwise connected with lobbying; or
6. The action of any person not engaged by an employer who has a direct interest in legislation, if the person, acting under Section 1 of the Kentucky Constitution, assembles together with other persons for their common good, petitions any official listed in this subsection for the redress of grievances, or other proper purposes;

(31) "Official misconduct" means any of the crimes described in KRS 522.020;

(32)[~~(28)~~] "Person" means an individual, proprietorship, firm, partnership, joint venture,

joint stock company, syndicate, business, trust, estate, company, corporation, association, club, committee, organization, or group of persons acting in concert;

(33)[~~(29)~~] "Public servant" means an elected or appointed officer or employee of a federal or state agency; state institution of higher education; or a city, county, urban-county, or charter county government;

(34) "Sexual harassment" means:

(a) Any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct or communication of a sexual nature if:

1. Submission to the advances, requests, conduct, or communication is an explicit or implicit term or condition of obtaining or retaining employment;

2. Submission to or rejection of the advances, requests, conduct, or communication affects decisions concerning an employee's employment; or

3. The conduct or communication has the purpose or effect of unreasonably interfering with the employee's ability to perform his or her job functions or of creating a hostile work environment.

(b) "Sexual harassment" includes such conduct as:

1. Unwanted sexual contact or conduct of any kind, including sexual flirtations, touching, advances, actions, or propositions;

2. Verbal communication of a sexual nature, including lewd comments, sexual jokes or references, or offensive personal references;

3. Demeaning, insulting, intimidating, or sexually suggestive comments or behavior directed at an individual or in the presence of any individual in a public or private setting;

4. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs; or

5. Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages;

(35)[~~(30)~~] "State agency" means any department, office, commission, board, or authority within the executive department, and includes state-supported universities and colleges but does not include local boards of education; [~~and~~]

(36) "Theft" means any of the crimes described in KRS 514.030, 514.040, 514.050, 514.060, 514.070, 514.080, 514.090, 514.140, 514.150, and 514.160; and

(37)[~~(31)~~] "Through others" means a scheme, artifice, or mechanism, the sole purpose of which is to accomplish by indirect means, using third parties, results which would be unlawful under this code if accomplished directly between a legislator or candidate and another person or entity.

➔Section 4. KRS 11A.010 is amended to read as follows:

As used in this chapter, unless the context otherwise requires:

(1) "Business" means any corporation, limited liability company, partnership, limited partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, or any legal entity through which business is conducted, whether or not for profit;

(2) "Commission" means the Executive Branch Ethics Commission;

(3) "Compensation" means any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by himself or another;

(4) "Family" means spouse and children, as well as a person who is related to a public servant as any of the following, whether by blood or adoption: parent, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister;

(5) "Gift" means a payment, loan, subscription, advance, deposit of money, services, or anything of value, unless consideration of equal or greater value is received; "gift" does not include gifts from family members, campaign contributions, the waiver of a registration fee for a presenter at a conference or training described in KRS 45A.097(5), or door prizes available to the public;

(6) "Income" means any money or thing of value received or to be received as a claim on future services, whether in the form of a fee, salary, expense allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, or any other form of compensation or any combination thereof;

(7) "Officer" means all major management personnel in the executive branch of state government, including the secretary of the cabinet, the Governor's chief executive officers, cabinet secretaries, deputy cabinet secretaries, general counsels, commissioners, deputy commissioners, executive directors, principal assistants, division directors, members and full-time chief administrative officers of the Parole Board, Kentucky Claims Commission, Kentucky Retirement Systems board of trustees, Kentucky Teachers' Retirement System board of trustees, Public Service Commission, Worker's Compensation Board and its administrative law judges, the Kentucky Occupational Safety and Health Review Commission, the Kentucky Board of Education, the Council on Postsecondary Education, and any person who holds a personal service contract to perform on a full-time basis for a period of time not less than six (6) months a function of any position listed in this subsection;

(8) "Official duty" means any responsibility imposed on a public servant by virtue of his or her position in the state service;

(9) "Public servant" means:

(a) The Governor;

(b) The Lieutenant Governor;

(c) The Secretary of State;

(d) The Attorney General;

(e) The Treasurer;

(f) The Commissioner of Agriculture;

(g) The Auditor of Public Accounts; and

(h) All employees in the executive branch including officers as defined in subsection (7) of this section and merit employees;

(10) "Agency" means every state office, cabinet, department, board, commission, public corporation, or authority in the executive branch of state government. A public servant is employed by the agency by which his or her appointing authority is employed, unless his or her agency is attached to the appointing authority's agency for administrative purposes only, or unless the agency's characteristics are of a separate independent nature distinct from the appointing authority and it is considered an agency on its own, such as an independent department;

(11) "Lobbyist" means any person employed as a legislative agent as defined in KRS 6.611[~~(23)~~] or any person employed as an executive agency lobbyist as defined in KRS 11A.201(8);

(12) "Lobbyist's principal" means the entity in whose behalf the lobbyist promotes, opposes, or acts;

(13) "Candidate" means those persons who have officially filed candidacy papers or who have been nominated by their political party pursuant to KRS 118.105, 118.115, 118.325, or 118.760 for any of the offices enumerated in subsections (9)(a) to (g) of this section;

(14) "Does business with" or "doing business with" means contracting, entering into an agreement, leasing, or otherwise exchanging services or goods with a state agency in return for payment by the state, including accepting a grant, but not including accepting a state entitlement fund disbursement;

(15) "Public agency" means any governmental entity;

(16) "Appointing authority" means the agency head or any person whom he or she has authorized by law to act on behalf of the agency with respect to employee appointments;

(17) "Represent" means to attend an agency proceeding, write a letter, or communicate with an employee of an agency on behalf of someone else;

(18) "Directly involved" means to work on personally or to supervise someone who works on personally;

(19) "Sporting event" means any professional or amateur sport, athletic game, contest, event, or race involving machines, persons, or animals, for which admission tickets are offered for sale and that is viewed by the public; and

(20) "Person" means an individual, proprietorship, firm, partnership, limited partnership, joint venture, joint stock company, syndicate, business or statutory trust, donative trust, estate, company, corporation, limited liability company, association, club, committee, organization, or group of persons acting in concert.