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**CAMPAIGN AND FINANCIAL REPORTING
REQUIREMENTS AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

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LONG TITLE

General Description:

This bill addresses the reporting of contributions and public service assistance for various candidates for office and officeholders.

Highlighted Provisions:

- This bill:
 - ▶ defines terms;
 - ▶ addresses the reporting of in-kind contributions;

35

- 36 ▶ requires contributions and public service assistance to be reported within 30 days
- 37 of the day on which they are received;
- 38 ▶ requires contributions and public service assistance that are made in the form of a
- 39 negotiable instrument or check to be negotiated before the filing deadline for, and
- 40 included on, interim reports; and
- 41 ▶ makes technical changes.

42 Monies Appropriated in this Bill:

43 None

44 Other Special Clauses:

45 None

46 Utah Code Sections Affected:

47 AMENDS:

48 **20A-11-101**, as last amended by Laws of Utah 2008, Chapters 14 and 49

49 **20A-11-201**, as last amended by Laws of Utah 1997, Chapter 355

50 **20A-11-203**, as last amended by Laws of Utah 2008, Chapter 14

51 **20A-11-204**, as last amended by Laws of Utah 2008, Chapter 14

52 **20A-11-301**, as last amended by Laws of Utah 1997, Chapter 355

53 **20A-11-302**, as last amended by Laws of Utah 2008, Chapters 14 and 225

54 **20A-11-303**, as last amended by Laws of Utah 2008, Chapter 14

55 **20A-11-401**, as last amended by Laws of Utah 2008, Chapter 14

56 **20A-11-1301**, as enacted by Laws of Utah 1997, Chapter 355

57 **20A-11-1302**, as last amended by Laws of Utah 2008, Chapters 14 and 225

58 **20A-11-1303**, as last amended by Laws of Utah 2008, Chapter 14



60 *Be it enacted by the Legislature of the state of Utah:*

61 Section 1. Section **20A-11-101** is amended to read:

62 **20A-11-101. Definitions.**

63 As used in this chapter:

64 (1) "Address" means the number and street where an individual resides or where a
65 reporting entity has its principal office.

66 (2) "Ballot proposition" includes initiatives, referenda, proposed constitutional
67 amendments, and any other ballot propositions submitted to the voters that are authorized by
68 the Utah Code Annotated 1953.

69 (3) "Candidate" means any person who:

70 (a) files a declaration of candidacy for a public office; or

71 (b) receives contributions, makes expenditures, or gives consent for any other person
72 to receive contributions or make expenditures to bring about the person's nomination or
73 election to a public office.

74 (4) "Chief election officer" means:

75 (a) the lieutenant governor for state office candidates, legislative office candidates,
76 officeholders, political parties, political action committees, corporations, political issues
77 committees, and state school board candidates; and

78 (b) the county clerk for local school board candidates.

79 (5) "Continuing political party" means an organization of voters that participated in
80 the last regular general election and polled a total vote equal to 2% or more of the total votes
81 cast for all candidates for the United States House of Representatives.

82 (6) (a) "Contribution" means any of the following when done for political purposes:

83 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
84 value given to the filing entity;

85 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
86 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
87 anything of value to the filing entity;

88 (iii) any transfer of funds from another reporting entity or a corporation to the filing
89 entity;

90 (iv) compensation paid by any person or reporting entity other than the filing entity for
91 personal services provided without charge to the filing entity;

92 (v) remuneration from any organization or its directly affiliated organization that has a
93 registered lobbyist to compensate a legislator for a loss of salary or income while the
94 Legislature is in session;

95 (vi) salaries or other remuneration paid to a legislator by any agency or subdivision of
96 the state, including school districts, for the period the Legislature is in session; and

97 (vii) goods or services provided to or for the benefit of the filing entity at less than fair
98 market value.

99 (b) "Contribution" does not include:

100 (i) services provided without compensation by individuals volunteering a portion or all
101 of their time on behalf of the filing entity; ~~[or]~~

102 (ii) money lent to the filing entity by a financial institution in the ordinary course of
103 business~~[-];~~ or

104 (iii) goods or services provided for the benefit of a candidate or political party at less
105 than fair market value that are not authorized by or coordinated with the candidate or political
106 party.

107 (7) "Coordinated with" means that goods or services provided for the benefit of a
108 candidate or political party are provided:

109 (a) with the candidate's or political party's prior knowledge, if the candidate or
110 political party does not object;

111 (b) by agreement with the candidate or political party;

112 (c) in coordination with the candidate or political party; or

113 (d) using official logos, slogans, and similar elements belonging to a candidate or
114 political party.

115 ~~[(7)]~~ (8) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
116 organization that is registered as a corporation or is authorized to do business in a state and
117 makes any expenditure from corporate funds for:

118 (i) political purposes; or

119 (ii) the purpose of influencing the approval or the defeat of any ballot proposition.

- 120 (b) "Corporation" does not mean:
- 121 (i) a business organization's political action committee or political issues committee;
- 122 or
- 123 (ii) a business entity organized as a partnership or a sole proprietorship.
- 124 [~~(8)~~ (9) "Detailed listing" means:
- 125 (a) for each contribution or public service assistance:
- 126 (i) the name and address of the individual or source making the contribution or public
- 127 service assistance;
- 128 (ii) the amount or value of the contribution or public service assistance; and
- 129 (iii) the date the contribution or public service assistance was made; and
- 130 (b) for each expenditure:
- 131 (i) the amount of the expenditure;
- 132 (ii) the person or entity to whom it was disbursed;
- 133 (iii) the specific purpose, item, or service acquired by the expenditure; and
- 134 (iv) the date the expenditure was made.
- 135 [~~(9)~~ (10) "Election" means each:
- 136 (a) regular general election;
- 137 (b) regular primary election; and
- 138 (c) special election at which candidates are eliminated and selected.
- 139 [~~(10)~~ (11) (a) "Expenditure" means:
- 140 (i) any disbursement from contributions, receipts, or from the separate bank account
- 141 required by this chapter;
- 142 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
- 143 or anything of value made for political purposes;
- 144 (iii) an express, legally enforceable contract, promise, or agreement to make any
- 145 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything
- 146 of value for political purposes;
- 147 (iv) compensation paid by a corporation or filing entity for personal services rendered

148 by a person without charge to a reporting entity;

149 (v) a transfer of funds between the filing entity and a candidate's personal campaign
150 committee; or

151 (vi) goods or services provided by the filing entity to or for the benefit of another
152 reporting entity for political purposes at less than fair market value.

153 (b) "Expenditure" does not include:

154 (i) services provided without compensation by individuals volunteering a portion or all
155 of their time on behalf of a reporting entity;

156 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
157 business; or

158 (iii) anything listed in Subsection [~~(10)~~] (11)(a) that is given by a corporation or
159 reporting entity to candidates for office or officeholders in states other than Utah.

160 [~~(11)~~] (12) "Filing entity" means the reporting entity that is filing a financial statement
161 required by this chapter.

162 [~~(12)~~] (13) "Financial statement" includes any summary report, interim report, verified
163 financial statement, or other statement disclosing contributions, expenditures, receipts,
164 donations, or disbursements that is required by this chapter.

165 [~~(13)~~] (14) "Governing board" means the individual or group of individuals that
166 determine the candidates and committees that will receive expenditures from a political action
167 committee.

168 [~~(14)~~] (15) "Incorporation" means the process established by Title 10, Chapter 2, Part
169 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

170 [~~(15)~~] (16) "Incorporation election" means the election authorized by Section
171 10-2-111.

172 [~~(16)~~] (17) "Incorporation petition" means a petition authorized by Section 10-2-109.

173 [~~(17)~~] (18) "Individual" means a natural person.

174 [~~(18)~~] (19) "Interim report" means a report identifying the contributions received and
175 expenditures made since the last report.

176 [~~(19)~~] (20) "Legislative office" means the office of state senator, state representative,
177 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
178 assistant whip of any party caucus in either house of the Legislature.

179 [~~(20)~~] (21) "Legislative office candidate" means a person who:

180 (a) files a declaration of candidacy for the office of state senator or state
181 representative;

182 (b) declares himself to be a candidate for, or actively campaigns for, the position of
183 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
184 assistant whip of any party caucus in either house of the Legislature; and

185 (c) receives contributions, makes expenditures, or gives consent for any other person
186 to receive contributions or make expenditures to bring about the person's nomination or
187 election to a legislative office.

188 [~~(21)~~] (22) "Newly registered political party" means an organization of voters that has
189 complied with the petition and organizing procedures of this chapter to become a registered
190 political party.

191 [~~(22)~~] (23) "Officeholder" means a person who holds a public office.

192 [~~(23)~~] (24) "Party committee" means any committee organized by or authorized by the
193 governing board of a registered political party.

194 [~~(24)~~] (25) "Person" means both natural and legal persons, including individuals,
195 business organizations, personal campaign committees, party committees, political action
196 committees, political issues committees, labor unions, and labor organizations.

197 [~~(25)~~] (26) "Personal campaign committee" means the committee appointed by a
198 candidate to act for the candidate as provided in this chapter.

199 [~~(26)~~] (27) (a) "Political action committee" means an entity, or any group of
200 individuals or entities within or outside this state, that solicits or receives contributions from
201 any other person, group, or entity or makes expenditures:

202 (i) for political purposes; or

203 (ii) with the intent or in a way to influence or tend to influence, directly or indirectly,

204 any person to refrain from voting or to vote for or against any candidate for a municipal or
205 county office.

206 (b) "Political action committee" includes groups affiliated with a registered political
207 party but not authorized or organized by the governing board of the registered political party
208 that receive contributions or makes expenditures for political purposes.

209 (c) "Political action committee" does not mean:

210 (i) a party committee;

211 (ii) any entity that provides goods or services to a candidate or committee in the
212 regular course of its business at the same price that would be provided to the general public;

213 (iii) an individual;

214 (iv) individuals who are related and who make contributions from a joint checking
215 account;

216 (v) a corporation; or

217 (vi) a personal campaign committee.

218 [~~27~~] (28) "Political convention" means a county or state political convention held by
219 a registered political party to select candidates.

220 [~~28~~] (29) (a) "Political issues committee" means an entity, or any group of
221 individuals or entities within or outside this state, that solicits or receives donations from any
222 other person, group, or entity or makes disbursements to influence, or to intend to influence,
223 directly or indirectly, any person to:

224 (i) assist in placing a ballot proposition on the ballot, assist in keeping a ballot
225 proposition off the ballot, or refrain from voting or vote for or vote against any ballot
226 proposition; or

227 (ii) sign or refuse to sign an incorporation petition or refrain from voting, vote for, or
228 vote against any proposed incorporation in an incorporation election.

229 (b) "Political issues committee" does not mean:

230 (i) a registered political party or a party committee;

231 (ii) any entity that provides goods or services to an individual or committee in the

232 regular course of its business at the same price that would be provided to the general public;

233 (iii) an individual;

234 (iv) individuals who are related and who make contributions from a joint checking

235 account; or

236 (v) a corporation, except a corporation whose apparent purpose is to act as a political

237 issues committee.

238 [~~29~~] (30) (a) "Political issues contribution" means any of the following:

239 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money

240 or anything of value given to a political issues committee;

241 (ii) an express, legally enforceable contract, promise, or agreement to make a political

242 issues donation to influence the approval or defeat of any ballot proposition;

243 (iii) any transfer of funds received by a political issues committee from a reporting

244 entity;

245 (iv) compensation paid by another reporting entity for personal services rendered

246 without charge to a political issues committee; and

247 (v) goods or services provided to or for the benefit of a political issues committee at

248 less than fair market value.

249 (b) "Political issues contribution" does not include:

250 (i) services provided without compensation by individuals volunteering a portion or all

251 of their time on behalf of a political issues committee; or

252 (ii) money lent to a political issues committee by a financial institution in the ordinary

253 course of business.

254 [~~30~~] (31) (a) "Political issues expenditure" means any of the following:

255 (i) any payment from political issues contributions made for the purpose of

256 influencing the approval or the defeat of:

257 (A) a ballot proposition; or

258 (B) an incorporation petition or incorporation election;

259 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made

260 for the purpose of influencing the approval or the defeat of:

261 (A) a ballot proposition; or

262 (B) an incorporation petition or incorporation election;

263 (iii) an express, legally enforceable contract, promise, or agreement to make any

264 political issues expenditure;

265 (iv) compensation paid by a reporting entity for personal services rendered by a person

266 without charge to a political issues committee; or

267 (v) goods or services provided to or for the benefit of another reporting entity at less

268 than fair market value.

269 (b) "Political issues expenditure" does not include:

270 (i) services provided without compensation by individuals volunteering a portion or all

271 of their time on behalf of a political issues committee; or

272 (ii) money lent to a political issues committee by a financial institution in the ordinary

273 course of business.

274 [~~(31)~~] (32) "Political purposes" means an act done with the intent or in a way to

275 influence or tend to influence, directly or indirectly, any person to refrain from voting or to

276 vote for or against any candidate for public office at any caucus, political convention, primary,

277 or election.

278 [~~(32)~~] (33) "Primary election" means any regular primary election held under the

279 election laws.

280 [~~(33)~~] (34) "Public office" means the office of governor, lieutenant governor, state

281 auditor, state treasurer, attorney general, state or local school board member, state senator,

282 state representative, speaker of the House of Representatives, president of the Senate, and the

283 leader, whip, and assistant whip of any party caucus in either house of the Legislature.

284 [~~(34)~~] (35) (a) "Public service assistance" means the following when given or provided

285 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to

286 communicate with the officeholder's constituents:

287 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit

288 of money or anything of value to an officeholder; or
289 (ii) goods or services provided at less than fair market value to or for the benefit of the
290 officeholder.

291 (b) "Public service assistance" does not include:

292 (i) anything provided by the state;

293 (ii) services provided without compensation by individuals volunteering a portion or
294 all of their time on behalf of an officeholder;

295 (iii) money lent to an officeholder by a financial institution in the ordinary course of
296 business;

297 (iv) news coverage or any publication by the news media; or

298 (v) any article, story, or other coverage as part of any regular publication of any
299 organization unless substantially all the publication is devoted to information about the
300 officeholder.

301 [~~35~~] (36) "Publicly identified class of individuals" means a group of 50 or more
302 individuals sharing a common occupation, interest, or association that contribute to a political
303 action committee or political issues committee and whose names can be obtained by
304 contacting the political action committee or political issues committee upon whose financial
305 report they are listed.

306 [~~36~~] (37) "Receipts" means contributions and public service assistance.

307 [~~37~~] (38) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
308 Lobbyist Disclosure and Regulation Act.

309 [~~38~~] (39) "Registered political action committee" means any political action
310 committee that is required by this chapter to file a statement of organization with the
311 lieutenant governor's office.

312 [~~39~~] (40) "Registered political issues committee" means any political issues
313 committee that is required by this chapter to file a statement of organization with the
314 lieutenant governor's office.

315 [~~40~~] (41) "Registered political party" means an organization of voters that:

316 (a) participated in the last regular general election and polled a total vote equal to 2%
317 or more of the total votes cast for all candidates for the United States House of Representatives
318 for any of its candidates for any office; or

319 (b) has complied with the petition and organizing procedures of this chapter.

320 [~~(41)~~] (42) "Reporting entity" means a candidate, a candidate's personal campaign
321 committee, an officeholder, a party committee, a political action committee, and a political
322 issues committee.

323 [~~(42)~~] (43) "School board office" means the office of state school board or local school
324 board.

325 [~~(43)~~] (44) (a) "Source" means the person or entity that is the legal owner of the
326 tangible or intangible asset that comprises the contribution.

327 (b) "Source" means, for political action committees and corporations, the political
328 action committee and the corporation as entities, not the contributors to the political action
329 committee or the owners or shareholders of the corporation.

330 [~~(44)~~] (45) "State office" means the offices of governor, lieutenant governor, attorney
331 general, state auditor, and state treasurer.

332 [~~(45)~~] (46) "State office candidate" means a person who:

333 (a) files a declaration of candidacy for a state office; or

334 (b) receives contributions, makes expenditures, or gives consent for any other person
335 to receive contributions or make expenditures to bring about the person's nomination or
336 election to a state office.

337 [~~(46)~~] (47) "Summary report" means the year end report containing the summary of a
338 reporting entity's contributions and expenditures.

339 [~~(47)~~] (48) "Supervisory board" means the individual or group of individuals that
340 allocate expenditures from a political issues committee.

341 Section 2. Section **20A-11-201** is amended to read:

342 **20A-11-201. State office candidate -- Separate bank account for campaign funds.**

343 (1) (a) Each state office candidate or the candidate's personal campaign committee

344 shall deposit each contribution and public service assistance received in one or more separate
345 campaign accounts in a financial institution.

346 (b) The state office candidate or the candidate's personal campaign committee may use
347 the monies in those accounts only for political purposes.

348 (2) A state office candidate or the candidate's personal campaign committee may not
349 deposit or mingle any contributions received into a personal or business account.

350 (3) If a person who is no longer a state office candidate chooses not to expend the
351 monies remaining in his campaign account, the person shall continue to file the year-end
352 summary report required by Section 20A-11-203 until the statement of dissolution and final
353 summary report required by Section 20A-11-205 are filed with the lieutenant governor.

354 (4) (a) As used in this Subsection (4) and Section 20A-11-204, "received" means:

355 (i) for a cash contribution, that the cash is given to a state office candidate or a
356 member of the candidate's personal campaign committee;

357 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
358 instrument or check is negotiated; and

359 (iii) for any other type of contribution, that any portion of the contribution's benefit
360 inures to the state office candidate.

361 (b) Each state office candidate shall report each contribution and public service
362 assistance to the lieutenant governor within 30 days after the contribution or public service
363 assistance is received.

364 Section 3. Section **20A-11-203** is amended to read:

365 **20A-11-203. State office candidate -- Financial reporting requirements --**

366 **Year-end summary report.**

367 (1) (a) Each state office candidate shall file a summary report by January 10 of the
368 year after the regular general election year.

369 (b) Beginning with the 2008 regular general election and in addition to the
370 requirements of Subsection (1)(a), a former state office candidate that has not filed the
371 statement of dissolution and final summary report required under Section 20A-11-205 shall

372 continue to file a summary report on January 10 of each year.

373 (2) (a) Each summary report shall include the following information as of December
374 31 of the previous year:

375 (i) the net balance of the last summary report, if any;

376 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
377 if any;

378 (iii) a single figure equal to the total amount of expenditures reported on all interim
379 reports, if any, filed during the previous year;

380 (iv) a detailed listing of each contribution and public service assistance received since
381 the last summary report that has not been reported in detail on an interim report;

382 (v) for each nonmonetary contribution[;]:

383 (A) the fair market value of the contribution[;] with that information provided by the
384 contributor; and

385 (B) a specific description of the contribution;

386 (vi) a detailed listing of each expenditure made since the last summary report that has
387 not been reported in detail on an interim report;

388 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

389 (viii) a net balance for the year consisting of the net balance from the last summary
390 report, if any, plus all receipts minus all expenditures.

391 (b) (i) For all single contributions or public service assistance of \$50 or less, a single
392 aggregate figure may be reported without separate detailed listings.

393 (ii) Two or more contributions from the same source that have an aggregate total of
394 more than \$50 may not be reported in the aggregate, but shall be reported separately.

395 (c) In preparing the report, all receipts and expenditures shall be reported as of
396 December 31 of the previous year.

397 (3) The summary report shall contain a paragraph signed by an authorized member of
398 the state office candidate's personal campaign committee or by the state office candidate
399 certifying that, to the best of the signer's knowledge, all receipts and all expenditures have

400 been reported as of December 31 of the previous year and that there are no bills or obligations
401 outstanding and unpaid except as set forth in that report.

402 Section 4. Section **20A-11-204** is amended to read:

403 **20A-11-204. State office candidate -- Financial reporting requirements --**
404 **Interim reports.**

405 (1) Each state office candidate shall file an interim report at the following times in any
406 year in which the candidate has filed a declaration of candidacy for a public office:

407 (a) seven days before the candidate's political convention;

408 (b) seven days before the regular primary election date;

409 (c) August 31; and

410 (d) seven days before the regular general election date.

411 (2) Each interim report shall include the following information:

412 (a) the net balance of the last summary report, if any;

413 (b) a single figure equal to the total amount of receipts reported on all prior interim
414 reports, if any, during the calendar year in which the interim report is due;

415 (c) a single figure equal to the total amount of expenditures reported on all prior
416 interim reports, if any, filed during the calendar year in which the interim report is due;

417 (d) a detailed listing of each contribution and public service assistance received since
418 the last summary report that has not been reported in detail on a prior interim report;

419 (e) for each nonmonetary contribution[?];

420 (i) the fair market value of the contribution[?] with that information provided by the
421 contributor; and

422 (ii) a specific description of the contribution;

423 (f) a detailed listing of each expenditure made since the last summary report that has
424 not been reported in detail on a prior interim report;

425 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

426 (h) a net balance for the year consisting of the net balance from the last summary

427 report, if any, plus all receipts since the last summary report minus all expenditures since the

428 last summary report; and

429 (i) a summary page in the form required by the lieutenant governor that identifies:

430 (i) beginning balance;

431 (ii) total contributions during the period since the last statement;

432 (iii) total contributions to date;

433 (iv) total expenditures during the period since the last statement; and

434 (v) total expenditures to date.

435 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
436 single aggregate figure may be reported without separate detailed listings.

437 (b) Two or more contributions from the same source that have an aggregate total of
438 more than \$50 may not be reported in the aggregate, but shall be reported separately.

439 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
440 as of five days before the required filing date of the report.

441 (b) Any negotiable instrument or check received by a state office candidate more than
442 five days before the required filing date of a report required by this section shall be negotiated
443 and included in the interim report.

444 Section 5. Section **20A-11-301** is amended to read:

445 **20A-11-301. Legislative office candidate -- Campaign requirements.**

446 (1) Each legislative office candidate shall deposit each contribution and public service
447 assistance received in one or more separate accounts in a financial institution that are
448 dedicated only to that purpose.

449 (2) A legislative office candidate may not deposit or mingle any contributions or
450 public service assistance received into a personal or business account.

451 (3) A legislative office candidate may not make any political expenditures prohibited
452 by law.

453 (4) If a person who is no longer a legislative candidate chooses not to expend the
454 monies remaining in his campaign account, the person shall continue to file the year-end
455 summary report required by Section 20A-11-302 until the statement of dissolution and final

456 summary report required by Section 20A-11-304 are filed with the lieutenant governor.

457 (5) (a) As used in this Subsection (5) and Section 20A-11-303, "received" means:

458 (i) for a cash contribution, that the cash is given to a legislative office candidate or a
459 member of the candidate's personal campaign committee;

460 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
461 instrument or check is negotiated; and

462 (iii) for any other type of contribution, that any portion of the contribution's benefit
463 inures to the legislative office candidate.

464 (b) Each legislative office candidate shall report each contribution and public service
465 assistance to the lieutenant governor within 30 days after the contribution or public service
466 assistance is received.

467 Section 6. Section **20A-11-302** is amended to read:

468 **20A-11-302. Legislative office candidate -- Financial reporting requirements --**
469 **Year-end summary report.**

470 (1) (a) Each legislative office candidate shall file a summary report by January 10 of
471 the year after the regular general election year.

472 (b) Beginning with the 2008 regular general election and in addition to the
473 requirements of Subsection (1)(a), a former legislative office candidate that has not filed the
474 statement of dissolution and final summary report required under Section 20A-11-304 shall
475 continue to file a summary report on January 10 of each year.

476 (2) (a) Each summary report shall include the following information as of December
477 31 of the previous year:

478 (i) the net balance of the last summary report, if any;

479 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
480 if any, during the calendar year in which the summary report is due;

481 (iii) a single figure equal to the total amount of expenditures reported on all interim
482 reports, if any, filed during the previous year;

483 (iv) a detailed listing of each receipt, contribution, and public service assistance since

484 the last summary report that has not been reported in detail on an interim report;

485 (v) for each nonmonetary contribution[;];

486 (A) the fair market value of the contribution[;] with that information provided by the
487 contributor; and

488 (B) a specific description of the contribution;

489 (vi) a detailed listing of each expenditure made since the last summary report that has
490 not been reported in detail on an interim report;

491 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

492 (viii) a net balance for the year consisting of the net balance from the last summary
493 report, if any, plus all receipts minus all expenditures.

494 (b) (i) For all individual contributions or public service assistance of \$50 or less, a
495 single aggregate figure may be reported without separate detailed listings.

496 (ii) Two or more contributions from the same source that have an aggregate total of
497 more than \$50 may not be reported in the aggregate, but shall be reported separately.

498 (c) In preparing the report, all receipts and expenditures shall be reported as of
499 December 31 of the previous year.

500 (3) The summary report shall contain a paragraph signed by the legislative office
501 candidate certifying that to the best of the candidate's knowledge, all receipts and all
502 expenditures have been reported as of December 31 of the previous year and that there are no
503 bills or obligations outstanding and unpaid except as set forth in that report.

504 Section 7. Section **20A-11-303** is amended to read:

505 **20A-11-303. Legislative office candidate -- Financial reporting requirements --**
506 **Interim reports.**

507 (1) Each legislative office candidate shall file an interim report at the following times
508 in any year in which the candidate has filed a declaration of candidacy for a public office:

509 (a) seven days before the candidate's political convention;

510 (b) seven days before the regular primary election date;

511 (c) August 31; and

- 512 (d) seven days before the regular general election date.
- 513 (2) Each interim report shall include the following information:
- 514 (a) the net balance of the last summary report, if any;
- 515 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 516 reports, if any, during the calendar year in which the interim report is due;
- 517 (c) a single figure equal to the total amount of expenditures reported on all prior
- 518 interim reports, if any, filed during the calendar year in which the interim report is due;
- 519 (d) a detailed listing of each contribution and public service assistance received since
- 520 the last summary report that has not been reported in detail on a prior interim report;
- 521 (e) for each nonmonetary contribution[?]:
- 522 (i) the fair market value of the contribution[?] with that information provided by the
- 523 contributor; and
- 524 (ii) a specific description of the contribution;
- 525 (f) a detailed listing of each expenditure made since the last summary report that has
- 526 not been reported in detail on a prior interim report;
- 527 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 528 (h) a net balance for the year consisting of the net balance from the last summary
- 529 report, if any, plus all receipts since the last summary report minus all expenditures since the
- 530 last summary report; and
- 531 (i) a summary page in the form required by the lieutenant governor that identifies:
- 532 (i) beginning balance;
- 533 (ii) total contributions during the period since the last statement;
- 534 (iii) total contributions to date;
- 535 (iv) total expenditures during the period since the last statement; and
- 536 (v) total expenditures to date.
- 537 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
- 538 single aggregate figure may be reported without separate detailed listings.
- 539 (b) Two or more contributions from the same source that have an aggregate total of

540 more than \$50 may not be reported in the aggregate, but shall be reported separately.

541 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
542 as of five days before the required filing date of the report.

543 (b) Any negotiable instrument or check received by a legislative office candidate more
544 than five days before the required filing date of a report required by this section shall be
545 negotiated and included in the interim report.

546 Section 8. Section **20A-11-401** is amended to read:

547 **20A-11-401. Officeholder financial reporting requirements -- Year-end**
548 **summary report.**

549 (1) (a) Each officeholder shall file a summary report by January 10 of each year.

550 (b) An officeholder that is required to file a summary report both as an officeholder
551 and as a candidate for office under the requirements of this chapter may file a single summary
552 report as a candidate and an officeholder, provided that the combined report meets the
553 requirements of:

554 (i) this section; and

555 (ii) the section that provides the requirements for the summary report that must be
556 filed by the officeholder in the officeholder's capacity of a candidate for office.

557 (2) (a) Each summary report shall include the following information as of December
558 31 of the previous year:

559 (i) the net balance of the last summary report, if any;

560 (ii) a single figure equal to the total amount of receipts received since the last
561 summary report, if any;

562 (iii) a single figure equal to the total amount of expenditures made since the last
563 summary report, if any;

564 (iv) a detailed listing of each contribution and public service assistance received since
565 the last summary report;

566 (v) for each nonmonetary contribution[;]:

567 (A) the fair market value of the contribution[;] with that information provided by the

568 contributor; and

569 (B) a specific description of the contribution;

570 (vi) a detailed listing of each expenditure made since the last summary report;

571 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

572 (viii) a net balance for the year consisting of the net balance from the last summary

573 report plus all receipts minus all expenditures.

574 (b) (i) For all individual contributions or public service assistance of \$50 or less, a
575 single aggregate figure may be reported without separate detailed listings.

576 (ii) Two or more contributions from the same source that have an aggregate total of
577 more than \$50 may not be reported in the aggregate, but shall be reported separately.

578 (c) In preparing the report, all receipts and expenditures shall be reported as of
579 December 31 of the previous year.

580 (3) The summary report shall contain a paragraph signed by the officeholder certifying
581 that, to the best of the officeholder's knowledge, all receipts and all expenditures have been
582 reported as of December 31 of the last calendar year and that there are no bills or obligations
583 outstanding and unpaid except as set forth in that report.

584 Section 9. Section **20A-11-1301** is amended to read:

585 **20A-11-1301. School board office candidate -- Campaign requirements.**

586 (1) Each school board office candidate shall deposit each contribution and public
587 service assistance received in one or more separate accounts in a financial institution that are
588 dedicated only to that purpose.

589 (2) A school board office candidate may not deposit or mingle any contributions or
590 public service assistance received into a personal or business account.

591 (3) A school board office candidate may not make any political expenditures
592 prohibited by law.

593 (4) If a person who is no longer a school board candidate chooses not to expend the
594 monies remaining in his campaign account, the person shall continue to file the year-end
595 summary report required by Section 20A-11-1302 until the statement of dissolution and final

596 summary report required by Section 20A-11-1304 are filed with:

597 (a) the lieutenant governor in the case of a state school board candidate; and

598 (b) the county clerk, in the case of a local school board candidate.

599 (5) (a) As used in this Subsection (5) and Section 20A-11-1303, "received" means:

600 (i) for a cash contribution, that the cash is given to a legislative office candidate or a
601 member of the candidate's personal campaign committee;

602 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
603 instrument or check is negotiated; and

604 (iii) for any other type of contribution, that any portion of the contribution's benefit
605 inures to the legislative office candidate.

606 (b) Each school board office candidate shall report each contribution and public
607 service assistance to the lieutenant governor within 30 days after the contribution or public
608 service assistance is received.

609 Section 10. Section **20A-11-1302** is amended to read:

610 **20A-11-1302. School board office candidate -- Financial reporting requirements**
611 **-- Year-end summary report.**

612 (1) (a) Each school board office candidate shall file a summary report by January 10 of
613 the year after the regular general election year.

614 (b) Beginning with the 2008 regular general election and in addition to the
615 requirements of Subsection (1)(a), a former school board office candidate that has not filed the
616 statement of dissolution and final summary report required under Section 20A-11-1304 shall
617 continue to file a summary report on January 10 of each year.

618 (2) (a) Each summary report shall include the following information as of December
619 31 of the previous year:

620 (i) the net balance of the last summary report, if any;

621 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
622 if any, during the previous year;

623 (iii) a single figure equal to the total amount of expenditures reported on all interim

624 reports, if any, filed during the previous year;

625 (iv) a detailed listing of each receipt, contribution, and public service assistance since
626 the last summary report that has not been reported in detail on an interim report;

627 (v) for each nonmonetary contribution[;];

628 (A) the fair market value of the contribution[;] with that information provided by the
629 contributor; and

630 (B) a specific description of the contribution;

631 (vi) a detailed listing of each expenditure made since the last summary report that has
632 not been reported in detail on an interim report;

633 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

634 (viii) a net balance for the year consisting of the net balance from the last summary
635 report, if any, plus all receipts minus all expenditures.

636 (b) (i) For all individual contributions or public service assistance of \$50 or less, a
637 single aggregate figure may be reported without separate detailed listings.

638 (ii) Two or more contributions from the same source that have an aggregate total of
639 more than \$50 may not be reported in the aggregate, but shall be reported separately.

640 (c) In preparing the report, all receipts and expenditures shall be reported as of
641 December 31 of the previous year.

642 (3) The summary report shall contain a paragraph signed by the school board office
643 candidate certifying that, to the best of the school board office candidate's knowledge, all
644 receipts and all expenditures have been reported as of December 31 of the previous year and
645 that there are no bills or obligations outstanding and unpaid except as set forth in that report.

646 Section 11. Section **20A-11-1303** is amended to read:

647 **20A-11-1303. School board office candidate -- Financial reporting requirements**
648 **-- Interim reports.**

649 (1) Each school board office candidate shall file an interim report at the following
650 times in any year in which the candidate has filed a declaration of candidacy for a public
651 office:

- 652 (a) May 15, for state school board office candidates;
- 653 (b) seven days before the regular primary election date;
- 654 (c) August 31; and
- 655 (d) seven days before the regular general election date.
- 656 (2) Each interim report shall include the following information:
- 657 (a) the net balance of the last summary report, if any;
- 658 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 659 reports, if any, during the calendar year in which the interim report is due;
- 660 (c) a single figure equal to the total amount of expenditures reported on all prior
- 661 interim reports, if any, filed during the calendar year in which the interim report is due;
- 662 (d) a detailed listing of each contribution and public service assistance received since
- 663 the last summary report that has not been reported in detail on a prior interim report;
- 664 (e) for each nonmonetary contribution[;]:
- 665 (i) the fair market value of the contribution[;] with that information provided by the
- 666 contributor; and
- 667 (ii) a specific description of the contribution;
- 668 (f) a detailed listing of each expenditure made since the last summary report that has
- 669 not been reported in detail on a prior interim report;
- 670 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 671 (h) a net balance for the year consisting of the net balance from the last summary
- 672 report, if any, plus all receipts since the last summary report minus all expenditures since the
- 673 last summary report; and
- 674 (i) a summary page in the form required by the lieutenant governor that identifies:
- 675 (i) beginning balance;
- 676 (ii) total contributions during the period since the last statement;
- 677 (iii) total contributions to date;
- 678 (iv) total expenditures during the period since the last statement; and
- 679 (v) total expenditures to date.

680 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
681 single aggregate figure may be reported without separate detailed listings.

682 (b) Two or more contributions from the same source that have an aggregate total of
683 more than \$50 may not be reported in the aggregate, but shall be reported separately.

684 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
685 as of five days before the required filing date of the report.

686 (b) Any negotiable instrument or check received by a school board office candidate
687 more than five days before the required filing date of a report required by this section shall be
688 negotiated and included in the interim report.