

CAMPAIGN FINANCE AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

LONG TITLE

General Description:

This bill amends Title 20A, Chapter 11, Campaign and Finance Reporting Requirements, by establishing and enforcing contribution limits.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ establishes contribution limits;
- ▶ makes it a class B misdemeanor to violate the contribution limits described in this bill; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-11-101, as last amended by Laws of Utah 2014, Chapters 18, 158, and 337

ENACTS:

20A-11-604, Utah Code Annotated 1953

20A-11-705, Utah Code Annotated 1953

20A-11-1504, Utah Code Annotated 1953

20A-11-1801, Utah Code Annotated 1953

20A-11-1802, Utah Code Annotated 1953

20A-11-1803, Utah Code Annotated 1953

20A-11-1804, Utah Code Annotated 1953

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

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

34 **20A-11-101. Definitions.**

35 As used in this chapter:

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

38 (2) "Agent of a reporting entity" means:

39 (a) a person acting on behalf of a reporting entity at the direction of the reporting
40 entity;

41 (b) a person employed by a reporting entity in the reporting entity's capacity as a
42 reporting entity;

43 (c) the personal campaign committee of a candidate or officeholder;

44 (d) a member of the personal campaign committee of a candidate or officeholder in the
45 member's capacity as a member of the personal campaign committee of the candidate or
46 officeholder; or

47 (e) a political consultant of a reporting entity.

48 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
49 amendments, and any other ballot propositions submitted to the voters that are authorized by
50 the Utah Code [~~Annotated 1953~~].

51 (4) "Candidate" means any person who:

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

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

56 (5) "Cash" means currency or coinage that constitutes legal tender.

57 [~~(5)~~] (6) "Chief election officer" means:

58 (a) the lieutenant governor for state office candidates, legislative office candidates,
59 officeholders, political parties, political action committees, corporations, political issues
60 committees, state school board candidates, judges, and labor organizations, as defined in
61 Section 20A-11-1501; and

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

63 [~~(6)~~] (7) (a) "Contribution" means any of the following when done for political

64 purposes:

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

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

70 (iii) any transfer of funds from another reporting entity to the filing entity;

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

73 (v) remuneration from:

74 (A) any organization or its directly affiliated organization that has a registered lobbyist;

75 or

76 (B) any agency or subdivision of the state, including school districts;

77 (vi) a loan made by a candidate deposited to the candidate's own campaign; and

78 (vii) in-kind contributions.

79 (b) "Contribution" does not include:

80 (i) services provided by individuals volunteering a portion or all of their time on behalf
81 of the filing entity if the services are provided without compensation by the filing entity or any
82 other person;

83 (ii) money lent to the filing entity by a financial institution in the ordinary course of
84 business; or

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

88 (8) "Contribution cycle" means a two-year period that:

89 (a) begins on January 1 of each odd-numbered year; and

90 (b) ends on December 31 of the even-numbered year immediately following the
91 odd-numbered year described in Subsection (8)(a).

92 ~~(7)~~ (9) "Coordinated with" means that goods or services provided for the benefit of a
93 candidate or political party are provided:

94 (a) with the candidate's or political party's prior knowledge, if the candidate or political

95 party does not object;

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

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

98 (d) using official logos, slogans, and similar elements belonging to a candidate or

99 political party.

100 ~~[(8)]~~ (10) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
101 organization that is registered as a corporation or is authorized to do business in a state and
102 makes any expenditure from corporate funds for:

103 (i) the purpose of expressly advocating for political purposes; or

104 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
105 proposition.

106 (b) "Corporation" does not mean:

107 (i) a business organization's political action committee or political issues committee; or

108 (ii) a business entity organized as a partnership or a sole proprietorship.

109 ~~[(9)]~~ (11) "County political party" means, for each registered political party, all of the
110 persons within a single county who, under definitions established by the political party, are
111 members of the registered political party.

112 ~~[(10)]~~ (12) "County political party officer" means a person whose name is required to
113 be submitted by a county political party to the lieutenant governor in accordance with Section
114 20A-8-402.

115 ~~[(11)]~~ (13) "Detailed listing" means:

116 (a) for each contribution or public service assistance:

117 (i) the name and address of the individual or source making the contribution or public
118 service assistance;

119 (ii) the amount or value of the contribution or public service assistance; and

120 (iii) the date the contribution or public service assistance was made; and

121 (b) for each expenditure:

122 (i) the amount of the expenditure;

123 (ii) the person or entity to whom it was disbursed;

124 (iii) the specific purpose, item, or service acquired by the expenditure; and

125 (iv) the date the expenditure was made.

126 ~~[(12)]~~ (14) (a) "Donor" means a person that gives money, including a fee, due, or
127 assessment for membership in the corporation, to a corporation without receiving full and
128 adequate consideration for the money.

129 (b) "Donor" does not include a person that signs a statement that the corporation may
130 not use the money for an expenditure or political issues expenditure.

131 ~~[(13)]~~ (15) "Election" means each:

132 (a) regular general election;

133 (b) regular primary election; and

134 (c) special election at which candidates are eliminated and selected.

135 ~~[(14)]~~ (16) "Electioneering communication" means a communication that:

136 (a) has at least a value of \$10,000;

137 (b) clearly identifies a candidate or judge; and

138 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
139 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
140 identified candidate's or judge's election date.

141 ~~[(15)]~~ (17) (a) "Expenditure" means any of the following made by a reporting entity or
142 an agent of a reporting entity on behalf of the reporting entity:

143 (i) any disbursement from contributions, receipts, or from the separate bank account
144 required by this chapter;

145 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
146 or anything of value made for political purposes;

147 (iii) an express, legally enforceable contract, promise, or agreement to make any
148 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
149 value for political purposes;

150 (iv) compensation paid by a filing entity for personal services rendered by a person
151 without charge to a reporting entity;

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

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

156 (b) "Expenditure" does not include:

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

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

161 (iii) anything listed in Subsection ~~[(15)]~~(17)(a) that is given by a reporting entity to
162 candidates for office or officeholders in states other than Utah.

163 ~~[(16)]~~ (18) "Federal office" means the office of president of the United States, United
164 States Senator, or United States Representative.

165 ~~[(17)]~~ (19) "Filing entity" means the reporting entity that is required to file a financial
166 statement required by this chapter or Chapter 12, ~~[Part 2, Judicial Retention Elections]~~
167 Selection and Election of Judges.

168 ~~[(18)]~~ (20) "Financial statement" includes any summary report, interim report, verified
169 financial statement, or other statement disclosing contributions, expenditures, receipts,
170 donations, or disbursements that is required by this chapter or Chapter 12, ~~[Part 2, Judicial~~
171 ~~Retention Elections]~~ Selection and Election of Judges.

172 ~~[(19)]~~ (21) "Governing board" means the individual or group of individuals that
173 determine the candidates and committees that will receive expenditures from a political action
174 committee, political party, or corporation.

175 ~~[(20)]~~ (22) "Incorporation" means the process established by Title 10, Chapter 2, Part
176 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

177 ~~[(21)]~~ (23) "Incorporation election" means the election authorized by Section 10-2-111
178 or 10-2-127.

179 ~~[(22)]~~ (24) "Incorporation petition" means a petition authorized by Section 10-2-109 or
180 10-2-125.

181 ~~[(23)]~~ (25) "Individual" means a natural person.

182 ~~[(24)]~~ (26) "In-kind contribution" means anything of value, other than money, that is
183 accepted by or coordinated with a filing entity.

184 ~~[(25)]~~ (27) "Interim report" means a report identifying the contributions received and
185 expenditures made since the last report.

186 ~~[(26)]~~ (28) "Legislative office" means the office of state senator, state representative,
187 speaker of the House of Representatives, president of the Senate, and the leader, whip, and

188 assistant whip of any party caucus in either house of the Legislature.

189 ~~[(27)]~~ (29) "Legislative office candidate" means a person who:

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

191 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
192 speaker of the House of Representatives, president of the Senate, or the leader, whip, and

193 assistant whip of any party caucus in either house of the Legislature; or

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

197 ~~[(28)]~~ (30) "Major political party" means either of the two registered political parties
198 that have the greatest number of members elected to the two houses of the Legislature.

199 ~~[(29)]~~ (31) "Officeholder" means a person who holds a public office.

200 ~~[(30)]~~ (32) "Party committee" means any committee organized by or authorized by the
201 governing board of a registered political party.

202 ~~[(31)]~~ (33) "Person" means both natural and legal persons, including individuals,
203 business organizations, personal campaign committees, party committees, political action
204 committees, political issues committees, and labor organizations, as defined in Section
205 20A-11-1501.

206 ~~[(32)]~~ (34) "Personal campaign committee" means the committee appointed by a
207 candidate to act for the candidate as provided in this chapter.

208 ~~[(33)]~~ (35) "Personal use expenditure" has the same meaning as provided under Section
209 20A-11-104.

210 ~~[(34)]~~ (36) (a) "Political action committee" means an entity, or any group of
211 individuals or entities within or outside this state, a major purpose of which is to:

212 (i) solicit or receive contributions from any other person, group, or entity for political
213 purposes; or

214 (ii) make expenditures to expressly advocate for any person to refrain from voting or to
215 vote for or against any candidate or person seeking election to a municipal or county office.

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

- 219 (c) "Political action committee" does not mean:
- 220 (i) a party committee;
- 221 (ii) any entity that provides goods or services to a candidate or committee in the regular
222 course of its business at the same price that would be provided to the general public;
- 223 (iii) an individual;
- 224 (iv) individuals who are related and who make contributions from a joint checking
225 account;
- 226 (v) a corporation, except a corporation a major purpose of which is to act as a political
227 action committee; or
- 228 (vi) a personal campaign committee.
- 229 ~~[(35)]~~ (37) (a) "Political consultant" means a person who is paid by a reporting entity,
230 or paid by another person on behalf of and with the knowledge of the reporting entity, to
231 provide political advice to the reporting entity.
- 232 (b) "Political consultant" includes a circumstance described in Subsection
233 ~~[(35)]~~(37)(a), where the person:
- 234 (i) has already been paid, with money or other consideration;
- 235 (ii) expects to be paid in the future, with money or other consideration; or
- 236 (iii) understands that the person may, in the discretion of the reporting entity or another
237 person on behalf of and with the knowledge of the reporting entity, be paid in the future, with
238 money or other consideration.
- 239 ~~[(36)]~~ (38) "Political convention" means a county or state political convention held by
240 a registered political party to select candidates.
- 241 ~~[(37)]~~ (39) (a) "Political issues committee" means an entity, or any group of individuals
242 or entities within or outside this state, a major purpose of which is to:
- 243 (i) solicit or receive donations from any other person, group, or entity to assist in
244 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
245 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;
- 246 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
247 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
248 proposed ballot proposition or an incorporation in an incorporation election; or
- 249 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the

250 ballot or to assist in keeping a ballot proposition off the ballot.

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

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

253 (ii) any entity that provides goods or services to an individual or committee in the
254 regular course of its business at the same price that would be provided to the general public;

255 (iii) an individual;

256 (iv) individuals who are related and who make contributions from a joint checking
257 account; or

258 (v) a corporation, except a corporation a major purpose of which is to act as a political
259 issues committee.

260 [~~(38)~~] (40) (a) "Political issues contribution" means any of the following:

261 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
262 anything of value given to a political issues committee;

263 (ii) an express, legally enforceable contract, promise, or agreement to make a political
264 issues donation to influence the approval or defeat of any ballot proposition;

265 (iii) any transfer of funds received by a political issues committee from a reporting
266 entity;

267 (iv) compensation paid by another reporting entity for personal services rendered
268 without charge to a political issues committee; and

269 (v) goods or services provided to or for the benefit of a political issues committee at
270 less than fair market value.

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

272 (i) services provided without compensation by individuals volunteering a portion or all
273 of their time on behalf of a political issues committee; or

274 (ii) money lent to a political issues committee by a financial institution in the ordinary
275 course of business.

276 [~~(39)~~] (41) (a) "Political issues expenditure" means any of the following when made by
277 a political issues committee or on behalf of a political issues committee by an agent of the
278 reporting entity:

279 (i) any payment from political issues contributions made for the purpose of influencing
280 the approval or the defeat of:

- 281 (A) a ballot proposition; or
- 282 (B) an incorporation petition or incorporation election;
- 283 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
- 284 the express purpose of influencing the approval or the defeat of:
- 285 (A) a ballot proposition; or
- 286 (B) an incorporation petition or incorporation election;
- 287 (iii) an express, legally enforceable contract, promise, or agreement to make any
- 288 political issues expenditure;
- 289 (iv) compensation paid by a reporting entity for personal services rendered by a person
- 290 without charge to a political issues committee; or
- 291 (v) goods or services provided to or for the benefit of another reporting entity at less
- 292 than fair market value.
- 293 (b) "Political issues expenditure" does not include:
- 294 (i) services provided without compensation by individuals volunteering a portion or all
- 295 of their time on behalf of a political issues committee; or
- 296 (ii) money lent to a political issues committee by a financial institution in the ordinary
- 297 course of business.
- 298 [~~(40)~~] (42) "Political purposes" means an act done with the intent or in a way to
- 299 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
- 300 for or against any candidate or a person seeking a municipal or county office at any caucus,
- 301 political convention, or election.
- 302 [~~(41)~~] (43) (a) "Poll" means the survey of a person regarding the person's opinion or
- 303 knowledge of an individual who has filed a declaration of candidacy for public office, or of a
- 304 ballot proposition that has legally qualified for placement on the ballot, which is conducted in
- 305 person or by telephone, facsimile, Internet, postal mail, or email.
- 306 (b) "Poll" does not include:
- 307 (i) a ballot; or
- 308 (ii) an interview of a focus group that is conducted, in person, by one individual, if:
- 309 (A) the focus group consists of more than three, and less than thirteen, individuals; and
- 310 (B) all individuals in the focus group are present during the interview.
- 311 [~~(42)~~] (44) "Primary election" means any regular primary election held under the

312 election laws.

313 ~~[(43)]~~ (45) "Public office" means the office of governor, lieutenant governor, state
314 auditor, state treasurer, attorney general, state school board member, state senator, state
315 representative, speaker of the House of Representatives, president of the Senate, and the leader,
316 whip, and assistant whip of any party caucus in either house of the Legislature.

317 ~~[(44)]~~ (46) (a) "Public service assistance" means the following when given or provided
318 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to
319 communicate with the officeholder's constituents:

320 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
321 money or anything of value to an officeholder; or

322 (ii) goods or services provided at less than fair market value to or for the benefit of the
323 officeholder.

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

325 (i) anything provided by the state;

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

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

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

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

334 ~~[(45)]~~ (47) "Publicly identified class of individuals" means a group of 50 or more
335 individuals sharing a common occupation, interest, or association that contribute to a political
336 action committee or political issues committee and whose names can be obtained by contacting
337 the political action committee or political issues committee upon whose financial statement the
338 individuals are listed.

339 ~~[(46)]~~ (48) "Receipts" means contributions and public service assistance.

340 ~~[(47)]~~ (49) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
341 Lobbyist Disclosure and Regulation Act.

342 ~~[(48)]~~ (50) "Registered political action committee" means any political action

343 committee that is required by this chapter to file a statement of organization with the Office of
344 the Lieutenant Governor.

345 ~~[(49)]~~ (51) "Registered political issues committee" means any political issues
346 committee that is required by this chapter to file a statement of organization with the Office of
347 the Lieutenant Governor.

348 ~~[(50)]~~ (52) "Registered political party" means an organization of voters that:

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

352 (b) has complied with the petition and organizing procedures of Chapter 8, Political
353 Party Formation and Procedures.

354 ~~[(51)]~~ (53) (a) "Remuneration" means a payment:

355 (i) made to a legislator for the period the Legislature is in session; and

356 (ii) that is approximately equivalent to an amount a legislator would have earned
357 during the period the Legislature is in session in the legislator's ordinary course of business.

358 (b) "Remuneration" does not mean anything of economic value given to a legislator by:

359 (i) the legislator's primary employer in the ordinary course of business; or

360 (ii) a person or entity in the ordinary course of business:

361 (A) because of the legislator's ownership interest in the entity; or

362 (B) for services rendered by the legislator on behalf of the person or entity.

363 ~~[(52)]~~ (54) "Reporting entity" means a candidate, a candidate's personal campaign
364 committee, a judge, a judge's personal campaign committee, an officeholder, a party
365 committee, a political action committee, a political issues committee, a corporation, or a labor
366 organization, as defined in Section 20A-11-1501.

367 ~~[(53)]~~ (55) "School board office" means the office of state school board.

368 (56) "School board office candidate" means a person who:

369 (a) files a declaration of candidacy for a school board office; or

370 (b) receives contributions, makes expenditures, or gives consent for any other person to
371 receive contributions or make expenditures to bring about the person's nomination, election, or
372 appointment to a school board office.

373 ~~[(54)]~~ (57) (a) "Source" means the person or entity that is the legal owner of the

374 tangible or intangible asset that comprises the contribution.

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

378 ~~[(55)]~~ (58) "State office" means the offices of governor, lieutenant governor, attorney
379 general, state auditor, and state treasurer.

380 ~~[(56)]~~ (59) "State office candidate" means a person who:

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

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

385 ~~[(57)]~~ (60) "Summary report" means the year end report containing the summary of a
386 reporting entity's contributions and expenditures.

387 ~~[(58)]~~ (61) "Supervisory board" means the individual or group of individuals that
388 allocate expenditures from a political issues committee.

389 Section 2. Section **20A-11-604** is enacted to read:

390 **20A-11-604. Limits on contributions by political action committees.**

391 (1) A political action committee may not make contributions totaling more than the
392 following amounts per contribution cycle:

393 (a) \$10,000 to one state office candidate;

394 (b) \$5,000 to one legislative office candidate;

395 (c) \$5,000 to one school board office candidate;

396 (d) \$5,000 to one judge;

397 (e) \$40,000 to one registered political party;

398 (f) \$40,000 to one political action committee; or

399 (g) \$40,000 to one labor organization.

400 (2) A political action committee may not make a cash contribution in excess of \$100.

401 (3) (a) As used in this Subsection (3), "consumer price index" is as described in

402 Section (1)(f)(4), Internal Revenue Code, and as defined in Section (1)(f)(5), Internal Revenue
403 Code.

404 (b) Beginning on January 1, 2017, the lieutenant governor shall, at the beginning of

405 each contribution cycle, increase or decrease the dollar amounts described in this section by a
406 percentage equal to the percentage difference between the consumer price index for the
407 preceding calendar year and the consumer price index for calendar year 2015, rounded to the
408 nearest whole dollar.

409 Section 3. Section **20A-11-705** is enacted to read:

410 **20A-11-705. Limits on contributions by corporations.**

411 (1) A corporation may not make contributions totaling more than the following
412 amounts per contribution cycle:

413 (a) \$10,000 to one state office candidate;

414 (b) \$5,000 to one legislative office candidate;

415 (c) \$5,000 to one school board office candidate;

416 (d) \$5,000 to one judge;

417 (e) \$40,000 to one registered political party;

418 (f) \$40,000 to one political action committee; or

419 (g) \$40,000 to one labor organization.

420 (2) A corporation may not make a cash contribution in excess of \$100.

421 (3) (a) As used in this Subsection (3), "consumer price index" is as described in
422 Section (1)(f)(4), Internal Revenue Code, and as defined in Section (1)(f)(5), Internal Revenue
423 Code.

424 (b) Beginning on January 1, 2017, the lieutenant governor shall, at the beginning of
425 each contribution cycle, increase or decrease the dollar amounts described in this section by a
426 percentage equal to the percentage difference between the consumer price index for the
427 preceding calendar year and the consumer price index for calendar year 2015, rounded to the
428 nearest whole dollar.

429 Section 4. Section **20A-11-1504** is enacted to read:

430 **20A-11-1504. Limits on contributions by labor organizations.**

431 (1) As used in this section, "labor organization" is as defined in Section 20A-11-1402.

432 (2) A labor organization may not make contributions totaling more than the following
433 amounts per contribution cycle:

434 (a) \$10,000 to one state office candidate;

435 (b) \$5,000 to one legislative office candidate;

436 (c) \$5,000 to one school board office candidate;

437 (d) \$5,000 to one judge;

438 (e) \$40,000 to one registered political party;

439 (f) \$40,000 to one political action committee; or

440 (g) \$40,000 to one labor organization.

441 (3) A labor organization may not make a cash contribution in excess of \$100.

442 (4) (a) As used in this Subsection (4), "consumer price index" is as described in

443 Section (1)(f)(4), Internal Revenue Code, and as defined in Section (1)(f)(5), Internal Revenue

444 Code.

445 (b) Beginning on January 1, 2017, the lieutenant governor shall, at the beginning of

446 each contribution cycle, increase or decrease the dollar amounts described in this section by a

447 percentage equal to the percentage difference between the consumer price index for the

448 preceding calendar year and the consumer price index for calendar year 2015, rounded to the

449 nearest whole dollar.

450 Section 5. Section **20A-11-1801** is enacted to read:

451 **Part 18. Contribution Limits**

452 **20A-11-1801. Title.**

453 This part is known as "Contribution Limits"

454 Section 6. Section **20A-11-1802** is enacted to read:

455 **20A-11-1802. Limits on contributions by an individual.**

456 (1) An individual may not make contributions totaling more than the following

457 amounts per contribution cycle:

458 (a) \$10,000 to one state office candidate;

459 (b) \$5,000 to one legislative office candidate;

460 (c) \$5,000 to one school board office candidate;

461 (d) \$5,000 to one judge;

462 (e) \$40,000 to one registered political party;

463 (f) \$40,000 to one political action committee; or

464 (g) \$40,000 to one labor organization.

465 (2) An individual may not make a cash contribution in excess of \$100.

466 (3) (a) As used in this Subsection (3), "consumer price index" is as described in

467 Section (1)(f)(4), Internal Revenue Code, and as defined in Section (1)(f)(5), Internal Revenue
468 Code.

469 (b) Beginning on January 1, 2017, the lieutenant governor shall, at the beginning of
470 each contribution cycle, increase or decrease the dollar amounts described in this section by a
471 percentage equal to the percentage difference between the consumer price index for the
472 preceding calendar year and the consumer price index for calendar year 2015, rounded to the
473 nearest whole dollar.

474 Section 7. Section **20A-11-1803** is enacted to read:

475 **20A-11-1803. Contribution limit transition.**

476 A person may not make a contribution between May 12, 2015, and December 31, 2017,
477 in excess of three-quarters of the applicable contribution limits established in Sections
478 20A-11-604, 20A-11-705, 20A-11-1504, and 20A-11-1802.

479 Section 8. Section **20A-11-1804** is enacted to read:

480 **20A-11-1804. Penalty for contributions in excess of limit.**

481 (1) A person that makes a contribution in excess of the contribution limits established
482 in Section 20A-11-604, 20A-11-705, 20A-11-1504, 20A-11-1802, or 20A-11-1803 is guilty of
483 a class B misdemeanor.

484 (2) A person that accepts a contribution in excess of the contribution limits established
485 in Section 20A-11-604, 20A-11-705, 20A-11-1504, 20A-11-1802, or 20A-11-1803 is guilty of
486 a class B misdemeanor.

Legislative Review Note
as of 9-4-14 11:29 AM

Office of Legislative Research and General Counsel