

## Part 9

### General Requirements Governing Campaign Expenditures

#### **20A-11-901 Political advertisements -- Requirement that ads designate responsibility and authorization -- Report to lieutenant governor -- Unauthorized use of endorsements.**

- (1)
- (a) Whenever any person makes an expenditure for the purpose of financing an advertisement expressly advocating the election or defeat of a clearly identified candidate, or solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, the advertisement:
    - (i) if paid for and authorized by a candidate or the candidate's campaign committee, shall clearly state that the advertisement has been paid for by the candidate or the campaign committee;
    - (ii) if paid for by another person but authorized by a candidate or the candidate's campaign committee, shall clearly state who paid for the advertisement and that the candidate or the campaign committee authorized the advertisement; or
    - (iii) if not authorized by a candidate or his campaign committee, shall clearly state the name of the person who paid for the advertisement and state that the advertisement is not authorized by any candidate or candidate's committee.
  - (b) The requirements of Subsection (1)(a) do not apply to:
    - (i) lawn signs with dimensions of four by eight feet or smaller;
    - (ii) bumper stickers;
    - (iii) campaign pins, buttons, and pens; and
    - (iv) similar small items upon which the disclaimer cannot be conveniently printed.
- (2)
- (a) A person who is not a reporting entity and pays for an electioneering communication shall file a report with the lieutenant governor within 24 hours of making the payment or entering into a contract to make the payment.
  - (b) The report shall include:
    - (i) the name and address of the person described in Subsection (2)(a);
    - (ii) the name and address of each person contributing at least \$100 to the person described in Subsection (2)(a) for the purpose of disseminating the electioneering communication;
    - (iii) the amount spent on the electioneering communication;
    - (iv) the name of the identified referenced candidate; and
    - (v) the medium used to disseminate the electioneering communication.
- (3) A person may not, in order to promote the success of any candidate for nomination or election to any public office, or in connection with any question submitted to the voters, include or cause to be included the name of any person as endorser or supporter in any political advertisement, circular, poster, or publication without the express consent of that person.
- (4)
- (a) It is unlawful for a person to pay the owner, editor, publisher, or agent of any newspaper or other periodical to induce him to advocate or oppose editorially any candidate for nomination or election.
  - (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to advocate or oppose editorially any candidate for nomination or election.

Amended by Chapter 230, 2012 General Session

**20A-11-903 Rate of charge.**

Any person or persons accepting expenditures from a candidate or a personal campaign committee shall provide services and furnish goods, materials, or things of value at a rate that does not exceed the charges made for comparable use to any other person considering amount of use, frequency of use, and applicable discounts.

Enacted by Chapter 1, 1995 General Session

**20A-11-904 Contribution given in another's name prohibited.**

A person may not:

- (1) make a contribution in the name of another;
- (2) knowingly permit another to make a contribution in the person's name; or
- (3) knowingly accept a contribution made by one person in the name of another.

Enacted by Chapter 389, 2010 General Session

**20A-11-905 Election polls -- Disclosure required.**

- (1) A person who conducts a poll shall disclose to the person being surveyed who paid for the poll before or at the conclusion of the poll.
- (2) The lieutenant governor shall:
  - (a) impose a \$100 fine on a person who fails to make the disclosure required under Subsection (1); and
  - (b) deposit the fine described in Subsection (2)(a) in the General Fund.
- (3) A person does not violate Subsection (1) if the person is prevented from making the disclosure at the conclusion of the poll, because the person being surveyed terminates the survey before the survey is completed.

Enacted by Chapter 86, 2013 General Session