

1 **CAMPAIGN FINANCE REPORTING BY CORPORATIONS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Gregory H. Hughes**

5 Senate Sponsor: _____

6

7 **LONG TITLE**

8 **Committee Note:**

9 The Government Operations Interim Committee recommended this bill.

10 **General Description:**

11 This bill amends provisions in Title 20A, Chapter 11, Campaign and Financial
12 Reporting Requirements, regarding campaign finance reporting by corporations.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ defines terms;
- 16 ▶ requires a corporation that makes expenditures to influence the outcome of an
17 election to report on a financial statement money received from a donor in certain
18 circumstances;
- 19 ▶ requires a corporation in certain circumstances to notify a donor that:
- 20 • the corporation may use the money to influence the outcome of an election; and
- 21 • the corporation may disclose the donor; and
- 22 ▶ makes technical and conforming amendments.

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**



28 AMENDS:

29 **20A-11-101**, as last amended by Laws of Utah 2012, Chapter 230

30 **20A-11-701 (Effective 05/01/13)**, as last amended by Laws of Utah 2012, Chapter 347

31 **20A-11-702**, as last amended by Laws of Utah 2010, Chapter 389



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

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

35 **20A-11-101. Definitions.**

36 As used in this chapter:

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

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

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

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

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

47 (4) "Chief election officer" means:

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

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

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

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

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

- 59 (iii) any transfer of funds from another reporting entity to the filing entity;
- 60 (iv) compensation paid by any person or reporting entity other than the filing entity for
61 personal services provided without charge to the filing entity;
- 62 (v) remuneration from:
- 63 (A) any organization or its directly affiliated organization that has a registered lobbyist;
- 64 or
- 65 (B) any agency or subdivision of the state, including school districts; and
- 66 (vi) goods or services provided to or for the benefit of the filing entity at less than fair
67 market value.
- 68 (b) "Contribution" does not include:
- 69 (i) services provided without compensation by individuals volunteering a portion or all
70 of their time on behalf of the filing entity;
- 71 (ii) money lent to the filing entity by a financial institution in the ordinary course of
72 business; or
- 73 (iii) goods or services provided for the benefit of a candidate or political party at less
74 than fair market value that are not authorized by or coordinated with the candidate or political
75 party.
- 76 (6) "Coordinated with" means that goods or services provided for the benefit of a
77 candidate or political party are provided:
- 78 (a) with the candidate's or political party's prior knowledge, if the candidate or political
79 party does not object;
- 80 (b) by agreement with the candidate or political party;
- 81 (c) in coordination with the candidate or political party; or
- 82 (d) using official logos, slogans, and similar elements belonging to a candidate or
83 political party.
- 84 (7) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
85 organization that is registered as a corporation or is authorized to do business in a state and
86 makes any expenditure from corporate funds for:
- 87 (i) the purpose of expressly advocating for political purposes; or
- 88 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
89 proposition.

90 (b) "Corporation" does not mean:
91 (i) a business organization's political action committee or political issues committee; or
92 (ii) a business entity organized as a partnership or a sole proprietorship.

93 (8) "County political party" means, for each registered political party, all of the persons
94 within a single county who, under definitions established by the political party, are members of
95 the registered political party.

96 (9) "County political party officer" means a person whose name is required to be
97 submitted by a county political party to the lieutenant governor in accordance with Section
98 20A-8-402.

99 (10) "Detailed listing" means:

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

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

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

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

105 (b) for each expenditure:

106 (i) the amount of the expenditure;

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

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

109 (iv) the date the expenditure was made.

110 (11) (a) "Donor" means a person who gives money, including a fee, due, or assessment
111 for membership in the corporation, to a corporation without receiving full and adequate
112 consideration for the money.

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

115 [~~(11)~~] (12) "Election" means each:

116 (a) regular general election;

117 (b) regular primary election; and

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

119 [~~(12)~~] (13) "Electioneering communication" means a communication that:

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

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

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

125 [~~(13)~~] (14) (a) "Expenditure" means:

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

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

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

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

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

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

139 (b) "Expenditure" does not include:

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

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

144 (iii) anything listed in Subsection [~~(13)~~] (14)(a) that is given by a reporting entity to
145 candidates for office or officeholders in states other than Utah.

146 [~~(14)~~] (15) "Federal office" means the office of President of the United States, United
147 States Senator, or United States Representative.

148 [~~(15)~~] (16) "Filing entity" means the reporting entity that is required to file a financial
149 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

150 [~~(16)~~] (17) "Financial statement" includes any summary report, interim report, verified
151 financial statement, or other statement disclosing contributions, expenditures, receipts,

152 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial
153 Retention Elections.

154 ~~[(17)]~~ (18) "Governing board" means the individual or group of individuals that
155 determine the candidates and committees that will receive expenditures from a political action
156 committee, political party, or corporation.

157 ~~[(18)]~~ (19) "Incorporation" means the process established by Title 10, Chapter 2, Part
158 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

159 ~~[(19)]~~ (20) "Incorporation election" means the election authorized by Section 10-2-111.

160 ~~[(20)]~~ (21) "Incorporation petition" means a petition authorized by Section 10-2-109.

161 ~~[(21)]~~ (22) "Individual" means a natural person.

162 ~~[(22)]~~ (23) "Interim report" means a report identifying the contributions received and
163 expenditures made since the last report.

164 ~~[(23)]~~ (24) "Legislative office" means the office of state senator, state representative,
165 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
166 assistant whip of any party caucus in either house of the Legislature.

167 ~~[(24)]~~ (25) "Legislative office candidate" means a person who:

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

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

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

175 ~~[(25)]~~ (26) "Officeholder" means a person who holds a public office.

176 ~~[(26)]~~ (27) "Party committee" means any committee organized by or authorized by the
177 governing board of a registered political party.

178 ~~[(27)]~~ (28) "Person" means both natural and legal persons, including individuals,
179 business organizations, personal campaign committees, party committees, political action
180 committees, political issues committees, and labor organizations, as defined in Section
181 20A-11-1501.

182 ~~[(28)]~~ (29) "Personal campaign committee" means the committee appointed by a

183 candidate to act for the candidate as provided in this chapter.

184 ~~[(29)]~~ (30) "Personal use expenditure" has the same meaning as provided under Section
185 20A-11-104.

186 ~~[(30)]~~ (31) (a) "Political action committee" means an entity, or any group of
187 individuals or entities within or outside this state, a major purpose of which is to:

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

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

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

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

196 (i) a party committee;

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

199 (iii) an individual;

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

202 (v) a corporation, except a corporation a major purpose of which is to act as a political
203 action committee; or

204 (vi) a personal campaign committee.

205 ~~[(31)]~~ (32) "Political convention" means a county or state political convention held by
206 a registered political party to select candidates.

207 ~~[(32)]~~ (33) (a) "Political issues committee" means an entity, or any group of individuals
208 or entities within or outside this state, a major purpose of which is to:

209 (i) solicit or receive donations from any other person, group, or entity to assist in
210 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
211 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

212 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
213 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any

214 proposed ballot proposition or an incorporation in an incorporation election; or

215 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
216 ballot or to assist in keeping a ballot proposition off the ballot.

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

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

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

221 (iii) an individual;

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

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

226 [~~33~~] (34) (a) "Political issues contribution" means any of the following:

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

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

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

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

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

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

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

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

242 [~~34~~] (35) (a) "Political issues expenditure" means any of the following:

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

- 245 (A) a ballot proposition; or
- 246 (B) an incorporation petition or incorporation election;
- 247 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
- 248 the express purpose of influencing the approval or the defeat of:
- 249 (A) a ballot proposition; or
- 250 (B) an incorporation petition or incorporation election;
- 251 (iii) an express, legally enforceable contract, promise, or agreement to make any
- 252 political issues expenditure;
- 253 (iv) compensation paid by a reporting entity for personal services rendered by a person
- 254 without charge to a political issues committee; or
- 255 (v) goods or services provided to or for the benefit of another reporting entity at less
- 256 than fair market value.
- 257 (b) "Political issues expenditure" does not include:
- 258 (i) services provided without compensation by individuals volunteering a portion or all
- 259 of their time on behalf of a political issues committee; or
- 260 (ii) money lent to a political issues committee by a financial institution in the ordinary
- 261 course of business.
- 262 [~~(35)~~] (36) "Political purposes" means an act done with the intent or in a way to
- 263 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
- 264 for or against any candidate or a person seeking a municipal or county office at any caucus,
- 265 political convention, or election.
- 266 [~~(36)~~] (37) "Primary election" means any regular primary election held under the
- 267 election laws.
- 268 [~~(37)~~] (38) "Public office" means the office of governor, lieutenant governor, state
- 269 auditor, state treasurer, attorney general, state or local school board member, state senator, state
- 270 representative, speaker of the House of Representatives, president of the Senate, and the leader,
- 271 whip, and assistant whip of any party caucus in either house of the Legislature.
- 272 [~~(38)~~] (39) (a) "Public service assistance" means the following when given or provided
- 273 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to
- 274 communicate with the officeholder's constituents:
- 275 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of

276 money or anything of value to an officeholder; or

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

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

280 (i) anything provided by the state;

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

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

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

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

289 [~~(39)~~] (40) "Publicly identified class of individuals" means a group of 50 or more
290 individuals sharing a common occupation, interest, or association that contribute to a political
291 action committee or political issues committee and whose names can be obtained by contacting
292 the political action committee or political issues committee upon whose financial statement the
293 individuals are listed.

294 [~~(40)~~] (41) "Receipts" means contributions and public service assistance.

295 [~~(41)~~] (42) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
296 Lobbyist Disclosure and Regulation Act.

297 [~~(42)~~] (43) "Registered political action committee" means any political action
298 committee that is required by this chapter to file a statement of organization with the lieutenant
299 governor's office.

300 [~~(43)~~] (44) "Registered political issues committee" means any political issues
301 committee that is required by this chapter to file a statement of organization with the lieutenant
302 governor's office.

303 [~~(44)~~] (45) "Registered political party" means an organization of voters that:

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

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

309 [~~(45)~~] (46) (a) "Remuneration" means a payment:

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

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

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

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

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

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

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

318 [~~(46)~~] (47) "Reporting entity" means a candidate, a candidate's personal campaign

319 committee, a judge, a judge's personal campaign committee, an officeholder, a party

320 committee, a political action committee, a political issues committee, a corporation, or a labor

321 organization, as defined in Section 20A-11-1501.

322 [~~(47)~~] (48) "School board office" means the office of state school board or local school
323 board.

324 [~~(48)~~] (49) (a) "Source" means the person or entity that is the legal owner of the
325 tangible or intangible asset that comprises the contribution.

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

329 [~~(49)~~] (50) "State office" means the offices of governor, lieutenant governor, attorney
330 general, state auditor, and state treasurer.

331 [~~(50)~~] (51) "State office candidate" means a person who:

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

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

336 [~~(51)~~] (52) "Summary report" means the year end report containing the summary of a
337 reporting entity's contributions and expenditures.

338 [~~52~~] (53) "Supervisory board" means the individual or group of individuals that
339 allocate expenditures from a political issues committee.

340 Section 2. Section **20A-11-701 (Effective 05/01/13)** is amended to read:

341 **20A-11-701 (Effective 05/01/13). Campaign financial reporting by corporations --**
342 **Filing requirements -- Statement contents -- Donor reporting and notification required.**

343 (1) (a) Each corporation that has made expenditures for political purposes that total at
344 least \$750 during a calendar year shall file a verified financial statement with the lieutenant
345 governor's office:

346 (i) on January 10, reporting expenditures as of December 31 of the previous year;

347 (ii) seven days before the regular primary election date;

348 (iii) on August 31; and

349 (iv) seven days before the regular general election date.

350 (b) The corporation shall report:

351 (i) a detailed listing of all expenditures made since the last financial statement;

352 (ii) for financial statements filed under Subsections (1)(a)(ii) through (iv), all
353 expenditures as of five days before the required filing date of the financial statement; and

354 (iii) whether the corporation, including an officer of the corporation, director of the
355 corporation, or person with at least 10% ownership in the corporation:

356 (A) has bid since the last financial statement on a contract, as defined in Section
357 63G-6a-103, in excess of \$100,000;

358 (B) is currently bidding on a contract, as defined in Section 63G-6a-103, in excess of
359 \$100,000; or

360 (C) is a party to a contract, as defined in Section 63G-6a-103, in excess of \$100,000.

361 (c) The corporation need not file a financial statement under this section if the
362 corporation made no expenditures during the reporting period.

363 (2) The financial statement shall include:

364 (a) the name and address of each reporting entity that received an expenditure from the
365 corporation, and the amount of each expenditure;

366 (b) the total amount of expenditures disbursed by the corporation~~[; and]~~;

367 (i) since the last financial statement; and

368 (ii) during the calendar year;

369 (c) (i) a statement that the corporation did not receive any money from any donor
370 during the calendar year or the previous calendar year; or

371 (ii) a report, described in Subsection (3), of the money received from donors during the
372 calendar year or the previous calendar year in an amount greater than or equal to the total
373 amount of expenditures made since the last financial statement; and

374 ~~(c)~~ (d) a statement by the corporation's treasurer or chief financial officer certifying
375 the accuracy of the financial statement.

376 (3) (a) The report required by Subsection (2)(c)(ii) shall include:

377 (i) the name and address of a donor;

378 (ii) the amount of the money received by the corporation from a donor; and

379 (iii) the date on which the corporation received the money.

380 (b) To report an amount greater than or equal to the total amount of expenditures made
381 since the last financial statement, a corporation shall report money received from donors in the
382 following order:

383 (i) first, beginning with the least recent date on which the corporation received money
384 that the corporation has not reported on a previous financial statement, the money received
385 from a donor who:

386 (A) requests that the corporation use the money to make an expenditure;

387 (B) gives the money to the corporation in response to a solicitation indicating the
388 corporation's intent to make an expenditure; or

389 (C) knows that the corporation may use the money to make an expenditure; and

390 (ii) second, divide the difference between the total amount of expenditures made since
391 the last financial statement and the total amount of money reported under Subsection (3)(b)(i)
392 on a proration basis between all donors who:

393 (A) are not described in Subsection (3)(b)(i);

394 (B) gave at least \$50 during the calendar year or previous calendar year; and

395 (C) have not been reported on a previous financial statement.

396 (c) If the amount reported under Subsection (3)(b) is less than the total amount of
397 expenditures made since the last financial statement, the financial statement shall contain a
398 statement that the corporation has reported all donors who gave money during the calendar year
399 or previous calendar year.

400 (4) If a corporation makes expenditures that total at least \$750 during a calendar year,
401 the corporation shall notify a person giving money to the corporation that:

402 (a) the corporation may use the money to make an expenditure; and

403 (b) the person's name and address may be disclosed on the corporation's financial
404 statement.

405 Section 3. Section **20A-11-702** is amended to read:

406 **20A-11-702. Campaign financial reporting of political issues expenditures by**
407 **corporations -- Financial reporting -- Donor reporting and notification required.**

408 (1) (a) Each corporation that has made political issues expenditures on current or
409 proposed ballot issues that total at least \$750 during a calendar year shall file a verified
410 financial statement with the lieutenant governor's office:

411 (i) on January 10, reporting expenditures as of December 31 of the previous year;

412 (ii) seven days before the regular primary election date;

413 (iii) on August 31; and

414 (iv) seven days before the regular general election date.

415 (b) The corporation shall report:

416 (i) a detailed listing of all expenditures made since the last financial statement; and

417 (ii) for financial statements under Subsections (1)(a)(ii) through (iv), expenditures as of
418 five days before the required filing date of the financial statement.

419 (c) The corporation need not file a statement under this section if it made no
420 expenditures during the reporting period.

421 (2) That statement shall include:

422 (a) the name and address of each individual, entity, or group of individuals or entities
423 that received a political issues expenditure of more than \$50 from the corporation, and the
424 amount of each political issues expenditure;

425 (b) the total amount of political issues expenditures disbursed by the corporation[;
426 ~~and~~];

427 (i) since the last financial statement; and

428 (ii) during the calendar year;

429 (c) (i) a statement that the corporation did not receive any money from any donor
430 during the calendar year or the previous calendar year; or

431 (ii) a report, described in Subsection (3), of the money received from donors during the
432 calendar year or the previous calendar year in an amount greater than or equal to the total
433 amount of political issues expenditures made since the last financial statement; and

434 ~~(c)~~ (d) a statement by the corporation's treasurer or chief financial officer certifying
435 the accuracy of the verified financial statement.

436 (3) (a) The report required by Subsection (2)(c)(ii) shall include:

437 (i) the name and address of a donor;

438 (ii) the amount of the money received by the corporation from a donor; and

439 (iii) the date on which the corporation received the money.

440 (b) To report an amount greater than or equal to the total amount of political issues
441 expenditures made since the last financial statement, a corporation shall report money received
442 from donors in the following order:

443 (i) first, beginning with the least recent date on which the corporation received money
444 that has not been reported on a previous financial statement, the money received from a donor
445 who:

446 (A) requests that the corporation use the money to make a political issues expenditure;

447 (B) gives the money to the corporation in response to a solicitation indicating the
448 corporation's intent to make a political issues expenditure; or

449 (C) knows that the corporation may use the money to make a political issues
450 expenditure; and

451 (ii) second, divide the difference between the total amount of political issues
452 expenditures made since the last financial statement and the total amount of money reported
453 under Subsection (3)(b)(i) on a proration basis between all donors who:

454 (A) are not described in Subsection (3)(b)(i);

455 (B) gave at least \$50 during the calendar year or previous calendar year; and

456 (C) have not been reported on a previous financial statement.

457 (c) If the amount reported under Subsection (3)(b) is less than the total amount of
458 political issues expenditures made since the last financial statement, the financial statement
459 shall contain a statement that the corporation has reported all donors who gave money during
460 the calendar year or previous calendar year.

461 (4) If a corporation makes political issues expenditures that total at least \$750 during a

462 calendar year, the corporation shall notify a person giving money to the corporation that:
463 (a) the corporation may use the money to make a political issues expenditure; and
464 (b) the person's name and address may be disclosed on the corporation's financial
465 statement.

Legislative Review Note
as of 11-15-12 6:28 AM

Office of Legislative Research and General Counsel