

**Representative Daniel McCay** proposes the following substitute bill:

**CANDIDATE FUNDRAISING AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Daniel McCay**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill permits a person to make a campaign contribution to a legislator or the governor during a legislative session if the legislator or governor receiving the contribution is running for federal office and the contribution is made to the governor's or legislator's campaign for federal office.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ permits a person to make a campaign contribution to a legislator or the governor during a legislative session if the legislator or governor receiving the contribution is running for federal office and the contribution is made to the governor's or legislator's campaign for federal office;
- ▶ prohibits an individual who is a legislator or a governor, and who receives a lawful contribution during a legislative session, from expending the contribution on the individual's own campaign for public office until on or after the later of:
  - January 1 of the next calendar year; or
  - the day on which the individual files a declaration of candidacy; and
- ▶ makes technical changes.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **36-11-305**, as last amended by Laws of Utah 2011, Chapter 250



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

35 Section 1. Section **36-11-305** is amended to read:

36 **36-11-305. Campaign contribution during session prohibited.**

37 (1) As used in this section:

38 (a) "Candidate" means an individual who:

39 (i) files a declaration of candidacy for federal office; or

40 (ii) receives a political contribution, makes an expenditure, or gives consent for any

41 other person to receive a political contribution or make an expenditure to bring about the

42 individual's nomination or election to a federal office.

43 (b) "Federal office" means president of the United States, United States senator, or

44 United States representative.

45 (c) (i) "Legislative session" means an annual general session, veto override session, or

46 special session.

47 (ii) "Legislative session" does not include an extraordinary session.

48 (d) "Political committee" means:

49 (i) a political action committee, as defined in Section **20A-11-101**; or

50 (ii) a political issues committee, as defined in Section **20A-11-101**.

51 (e) "Political contribution" means a campaign contribution, or a contract, promise, or

52 agreement to make a campaign contribution, to:

53 (i) the governor, the governor's personal campaign committee, or a political action

54 committee controlled by the governor; or

55 (ii) a legislator, a legislator's personal campaign committee, or a political action

56 committee controlled by a legislator.

57 ~~[(1) It is unlawful for a]~~ (2) A person, lobbyist, principal, or political committee [~~to~~  
 58 may not make a [campaign contribution or contract, promise, or agree to make a campaign  
 59 contribution to a legislator or a legislator's personal campaign committee, or a political action  
 60 committee controlled by a legislator during the time the Legislature is convened in annual  
 61 general session, veto override session, or special session] political contribution to a legislator  
 62 during a legislative session, unless the legislator is a candidate for federal office and the  
 63 contribution is made to the legislator's campaign for federal office.

64 ~~[(2) It is unlawful for a]~~ (3) A person, lobbyist, principal, or political committee [~~to~~  
 65 may not make a [campaign contribution, or contract, promise, or agree to make a campaign  
 66 contribution, to the governor, the governor's personal campaign committee, or a political action  
 67 committee controlled by the governor during the time the Legislature is convened in annual  
 68 general session, veto override session, special session] political contribution to the governor  
 69 during a legislative session, or during the [time] period established [by the] in Utah  
 70 Constitution, Article VII, Section 8, for the governor to approve or veto bills passed by the  
 71 Legislature in the annual general session, unless the governor is a candidate for federal office  
 72 and the contribution is made to the governor's campaign for federal office.

73 (4) An individual who is a legislator or a governor, to whom a person, lobbyist,  
 74 principal, or political committee makes a lawful contribution under Subsection (2) or (3), may  
 75 not expend the political contribution on the individual's own political campaign for public  
 76 office, as defined in Section [20A-11-101](#), until on or after the later of:

77 (a) January 1 ~~H~~→ [of the next calendar year] , three years ←~~H~~ after the calendar year in  
 77a which the contribution  
 78 is made; or

79 (b) the day on which the individual files a declaration of candidacy for public office.

80 ~~[(3) Any]~~ (5) A person who violates this section is guilty of a class A misdemeanor.