

Representative Fred C. Cox proposes the following substitute bill:

POLITICAL ACTIVITY AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill amends provisions of the Election Code and the Lobbyist Disclosure and Regulation Act.

Highlighted Provisions:

This bill:

- ▶ defines and amends terms;
- ▶ amends and corrects provisions relating to elections;
- ▶ modifies requirements relating to reporting by a corporation or a lobbyist;
- ▶ removes the requirements relating to lobbyist nametags; and
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-1-201.5, as last amended by Laws of Utah 2013, Chapter 320

20A-5-101, as last amended by Laws of Utah 2014, Chapters 17 and 362



- 26 [20A-9-406](#), as enacted by Laws of Utah 2014, Chapter 17
- 27 [20A-9-701](#), as last amended by Laws of Utah 2014, Chapter 17
- 28 [20A-11-101](#), as last amended by Laws of Utah 2014, Chapters 18, 158, and 337
- 29 [20A-11-601](#), as last amended by Laws of Utah 2011, Chapter 347
- 30 [20A-11-701](#), as last amended by Laws of Utah 2013, Chapters 318 and 420
- 31 [20A-11-702](#), as last amended by Laws of Utah 2013, Chapters 318 and 420
- 32 [20A-11-703](#), as last amended by Laws of Utah 2013, Chapter 420
- 33 [20A-11-704](#), as enacted by Laws of Utah 2006, Chapter 226
- 34 [20A-11-801](#), as last amended by Laws of Utah 2008, Chapter 225
- 35 [20A-11-1004](#), as enacted by Laws of Utah 1995, Chapter 1
- 36 [36-11-201](#), as last amended by Laws of Utah 2010, Chapter 325
- 37 [36-11-305.5](#), as enacted by Laws of Utah 2014, Chapter 335

38 ENACTS:

39 [20A-11-705](#), Utah Code Annotated 1953

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

42 Section 1. Section **20A-1-201.5** is amended to read:

43 **20A-1-201.5. Primary election dates.**

44 (1) A regular primary election shall be held throughout the state on the fourth Tuesday
45 of June of each even numbered year as provided in Section [20A-9-403](#), [20A-9-407](#), or
46 [20A-9-408](#), as applicable, to nominate persons for national, state, school board, and county
47 offices.

48 (2) A municipal primary election shall be held, if necessary, on the second Tuesday
49 following the first Monday in August before the regular municipal election to nominate persons
50 for municipal offices.

51 (3) If the Legislature makes an appropriation for a Western States Presidential Primary
52 election, the Western States Presidential Primary election shall be held throughout the state on
53 the first Tuesday in February in the year in which a presidential election will be held.

54 Section 2. Section **20A-5-101** is amended to read:

55 **20A-5-101. Notice of election.**

56 (1) On or before November 15 in the year before each regular general election year, the

57 lieutenant governor shall prepare and transmit a written notice to each county clerk that:

58 (a) designates the offices to be filled at the next year's regular general election;

59 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
60 certifying nomination petition signatures, as applicable, under ~~[Section]~~ Sections 20A-9-403,

61 20A-9-407, and 20A-9-408 for those offices;

62 (c) includes the master ballot position list for the next year and the year following as
63 established under Section 20A-6-305; and

64 (d) contains a description of any ballot propositions to be decided by the voters that
65 have qualified for the ballot as of that date.

66 (2) (a) No later than November 15 in the year before the regular general election year,
67 each county clerk shall:

68 (i) publish a notice:

69 (A) once in a newspaper published in that county; and

70 (B) as required in Section 45-1-101; or

71 (ii) (A) cause a copy of the notice to be posted in a conspicuous place most likely to
72 give notice of the election to the voters in each voting precinct within the county; and

73 (B) prepare an affidavit of that posting, showing a copy of the notice and the places
74 where the notice was posted.

75 (b) The notice required by Subsection (2)(a) shall:

76 (i) designate the offices to be voted on in that election; and

77 (ii) identify the dates for filing a declaration of candidacy for those offices.

78 (3) Before each election, the election officer shall give written or printed notice of:

79 (a) the date and place of election;

80 (b) the hours during which the polls will be open;

81 (c) the polling places for each voting precinct;

82 (d) an election day voting center designated under Section 20A-3-703; and

83 (e) the qualifications for persons to vote in the election.

84 (4) To provide the notice required by Subsection (3), the election officer shall publish
85 the notice at least two days before the election:

86 (a) in a newspaper of general circulation common to the area or in which the election is
87 being held; and

88 (b) as required in Section 45-1-101.

89 Section 3. Section 20A-9-406 is amended to read:

90 **20A-9-406. Qualified political party -- Requirements and exemptions.**

91 The following provisions apply to a qualified political party:

92 (1) the qualified political party shall certify to the lieutenant governor no later than 5
93 p.m. on March 1 of each even-numbered year:

94 (a) the identity of one or more registered political parties whose members may vote for
95 the qualified political party's candidates; and

96 (b) whether the qualified political party chooses to nominate unopposed candidates
97 without the names of the candidates appearing on the ballot, as described in Subsection
98 20A-9-403(5)(c);

99 (2) the provisions of Subsections 20A-9-403(1) through (4)(a), Subsection
100 20A-9-403(5)(c), and Section 20A-9-405 do not apply to a nomination for the qualified
101 political party;

102 (3) an individual may only obtain a nomination for the qualified political party by using
103 a method described in Section 20A-9-407, Section 20A-9-408, or both;

104 (4) the qualified political party shall comply with the provisions of Sections
105 20A-9-407, 20A-9-408, and 20A-9-409;

106 (5) notwithstanding Subsection 20A-6-301(1)(a), (1)(g), or (2)(a), each election officer
107 shall ensure that a ballot described in Section 20A-6-301 includes each person nominated by a
108 qualified political party [~~under Section 20A-9-407 or 20A-9-408~~]:

109 (a) under the qualified political party's name and emblem, if any; or

110 (b) under the title of the qualified registered political party as designated by the
111 qualified political party in the certification described in Subsection (1), or, if none is
112 designated, then under some suitable title;

113 (6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for
114 paper ballots in regular general elections, that each candidate who is nominated by the qualified
115 political party is listed by party;

116 (7) notwithstanding Subsection 20A-6-303(1)(g), each election officer shall ensure that
117 the party designation of each candidate who is nominated by the qualified political party is
118 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;

119 (8) notwithstanding Subsection 20A-6-304(1)(g), each election officer shall ensure that
120 the party designation of each candidate who is nominated by the qualified political party is
121 displayed adjacent to the candidate's name on an electronic ballot;

122 (9) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also
123 includes an individual who files a declaration of candidacy under Section 20A-9-407 or
124 20A-9-408 to run in a regular general election for a federal office, constitutional office,
125 multicounty office, or county office;

126 (10) an individual who is nominated by, or seeking the nomination of, the qualified
127 political party is not required to comply with Subsection 20A-9-201(1)(c);

128 (11) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled
129 to have each of the qualified political party's candidates for elective office appear on the
130 primary ballot of the qualified political party with an indication that each candidate is a
131 candidate for the qualified political party;

132 (12) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include
133 on the list provided by the lieutenant governor to the county clerks:

134 (a) the names of all candidates of the qualified political party for federal, constitutional,
135 multicounty, and county offices; and

136 (b) the names of unopposed candidates for elective office who have been nominated by
137 the qualified political party and instruct the county clerks to exclude such candidates from the
138 primary-election ballot;

139 (13) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an
140 elective office in the regular primary election of the qualified political party is nominated by
141 the party for that office without appearing on the primary ballot, provided that the party has
142 chosen to nominate unopposed candidates under Subsection 20A-9-403(2)(a)(iii); and

143 (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
144 20A-9-405, the qualified political party is entitled to have the names of its candidates for
145 elective office featured with party affiliation on the ballot at a regular general election.

146 Section 4. Section 20A-9-701 is amended to read:

147 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

148 (1) No later than August 31 of each regular general election year, the lieutenant
149 governor shall certify to each county clerk, for offices to be voted upon at the regular general

150 election in that county clerk's county:

151 (a) the names of each candidate nominated under Subsection 20A-9-202(4) or
152 Subsection 20A-9-403(5) [~~for offices to be voted upon at the regular general election in that~~
153 ~~county clerk's county.]; and~~

154 (b) the names of the candidates for president and vice president that are certified by the
155 registered political party as the party's nominees.

156 (2) The names shall be certified by the lieutenant governor and shall be displayed on
157 the ballot as they are provided on the candidate's declaration of candidacy. No other names
158 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered
159 political party, political party, or other political group.

160 Section 5. Section 20A-11-101 is amended to read:

161 **20A-11-101. Definitions.**

162 As used in this chapter:

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

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

166 (a) a person acting on behalf of a reporting entity at the direction of the reporting
167 entity;

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

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

171 (d) a member of the personal campaign committee of a candidate or officeholder in the
172 member's capacity as a member of the personal campaign committee of the candidate or
173 officeholder; or

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

175 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
176 amendments, and any other ballot propositions submitted to the voters that are authorized by
177 the Utah Code Annotated 1953.

178 (4) "Business expenditure" means any money paid out by a corporation, regardless of
179 whether the money:

180 (a) is for a normal business expense;

- 181 (b) is an expenditure, as defined in this section;
- 182 (c) is paid out for political purposes, as defined in this section;
- 183 (d) is a political issues expenditure, as defined in this section; or
- 184 (e) is paid out for any other purpose.
- 185 ~~[(4)]~~ (5) "Candidate" means any person who:
- 186 (a) files a declaration of candidacy for a public office; or
- 187 (b) receives contributions, makes expenditures, or gives consent for any other person to
- 188 receive contributions or make expenditures to bring about the person's nomination or election
- 189 to a public office.
- 190 ~~[(5)]~~ (6) "Chief election officer" means:
- 191 (a) the lieutenant governor for state office candidates, legislative office candidates,
- 192 officeholders, political parties, political action committees, corporations, political issues
- 193 committees, state school board candidates, judges, and labor organizations, as defined in
- 194 Section [20A-11-1501](#); and
- 195 (b) the county clerk for local school board candidates.
- 196 ~~[(6)]~~ (7) (a) "Contribution" means any of the following when done for political
- 197 purposes:
- 198 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
- 199 value given to the filing entity;
- 200 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
- 201 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
- 202 anything of value to the filing entity;
- 203 (iii) any transfer of funds from another reporting entity to the filing entity;
- 204 (iv) compensation paid by any person or reporting entity other than the filing entity for
- 205 personal services provided without charge to the filing entity;
- 206 (v) remuneration from:
- 207 (A) any organization or its directly affiliated organization that has a registered lobbyist;
- 208 or
- 209 (B) any agency or subdivision of the state, including school districts;
- 210 (vi) a loan made by a candidate deposited to the candidate's own campaign; and
- 211 (vii) in-kind contributions.

212 (b) "Contribution" does not include:

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

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

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

221 [~~(7)~~] (8) "Coordinated with" means that goods or services provided for the benefit of a
222 candidate or political party are provided:

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

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

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

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

229 [~~(8)~~] (9) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
230 organization that is registered as a corporation or is authorized to do business in a state and
231 makes any expenditure from corporate funds for:

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

233 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
234 proposition.

235 (b) "Corporation" does not mean:

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

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

238 [~~(9)~~] (10) "County political party" means, for each registered political party, all of the
239 persons within a single county who, under definitions established by the political party, are
240 members of the registered political party.

241 [~~(10)~~] (11) "County political party officer" means a person whose name is required to
242 be submitted by a county political party to the lieutenant governor in accordance with Section

243 20A-8-402.

244 [~~(11)~~] (12) "Detailed listing" means:

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

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

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

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

250 (b) for each expenditure:

251 (i) the amount of the expenditure;

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

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

254 (iv) the date the expenditure was made.

255 [~~(12)~~] (13) (a) "Donor," as it relates to a political purpose corporation, means a person
256 that gives money, including a fee, due, or assessment for membership in the corporation, to a
257 corporation without receiving full and adequate consideration for the money.

258 (b) "Donor," as it relates to a political purpose corporation, does not include a person
259 that signs a statement that the corporation may not use the money for an expenditure or
260 political issues expenditure.

261 [~~(13)~~] (14) "Election" means each:

262 (a) regular general election;

263 (b) regular primary election; and

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

265 [~~(14)~~] (15) "Electioneering communication" means a communication that:

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

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

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

271 [~~(15)~~] (16) (a) "Expenditure" means any of the following made by a reporting entity or
272 an agent of a reporting entity on behalf of the reporting entity:

273 (i) any disbursement from contributions, receipts, or from the separate bank account

274 required by this chapter;

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

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

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

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

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

286 (b) "Expenditure" does not include:

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

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

291 (iii) anything listed in Subsection [~~(15)~~] (16)(a) that is given by a reporting entity to
292 candidates for office or officeholders in states other than Utah.

293 [~~(16)~~] (17) "Federal office" means the office of president of the United States, United
294 States Senator, or United States Representative.

295 [~~(17)~~] (18) "Filing entity" means the reporting entity that is required to file a financial
296 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

297 [~~(18)~~] (19) "Financial statement" includes any summary report, interim report, verified
298 financial statement, or other statement disclosing contributions, expenditures, receipts,
299 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial
300 Retention Elections.

301 [~~(19)~~] (20) "Governing board" means the individual or group of individuals that
302 determine the candidates and committees that will receive expenditures from a political action
303 committee, political party, or corporation.

304 [~~(20)~~] (21) "Incorporation" means the process established by Title 10, Chapter 2, Part

305 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

306 [~~(21)~~] (22) "Incorporation election" means the election authorized by Section 10-2-111
307 or 10-2-127.

308 [~~(22)~~] (23) "Incorporation petition" means a petition authorized by Section 10-2-109 or
309 10-2-125.

310 [~~(23)~~] (24) "Individual" means a natural person.

311 [~~(24)~~] (25) "In-kind contribution" means anything of value, other than money, that is
312 accepted by or coordinated with a filing entity.

313 [~~(25)~~] (26) "Interim report" means a report identifying the contributions received and
314 expenditures made since the last report.

315 [~~(26)~~] (27) "Legislative office" means the office of state senator, state representative,
316 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
317 assistant whip of any party caucus in either house of the Legislature.

318 [~~(27)~~] (28) "Legislative office candidate" means a person who:

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

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

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

326 [~~(28)~~] (29) "Major political party" means either of the two registered political parties
327 that have the greatest number of members elected to the two houses of the Legislature.

328 [~~(29)~~] (30) "Officeholder" means a person who holds a public office.

329 [~~(30)~~] (31) "Party committee" means any committee organized by or authorized by the
330 governing board of a registered political party.

331 [~~(31)~~] (32) "Person" means both natural and legal persons, including individuals,
332 business organizations, personal campaign committees, party committees, political action
333 committees, political issues committees, and labor organizations, as defined in Section
334 20A-11-1501.

335 [~~(32)~~] (33) "Personal campaign committee" means the committee appointed by a

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

337 ~~[(33)]~~ (34) "Personal use expenditure" has the same meaning as provided under Section
338 20A-11-104.

339 ~~[(34)]~~ (35) (a) "Political action committee" means an entity, or any group of
340 individuals or entities within or outside this state, a major purpose of which is to:

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

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

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

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

349 (i) a party committee;

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

352 (iii) an individual;

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

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

357 (vi) a personal campaign committee.

358 ~~[(35)]~~ (36) (a) "Political consultant" means a person who is paid by a reporting entity,
359 or paid by another person on behalf of and with the knowledge of the reporting entity, to
360 provide political advice to the reporting entity.

361 (b) "Political consultant" includes a circumstance described in Subsection ~~[(35)]~~
362 (36)(a), where the person:

363 (i) has already been paid, with money or other consideration;

364 (ii) expects to be paid in the future, with money or other consideration; or

365 (iii) understands that the person may, in the discretion of the reporting entity or another
366 person on behalf of and with the knowledge of the reporting entity, be paid in the future, with

367 money or other consideration.

368 ~~[(36)]~~ (37) "Political convention" means a county or state political convention held by
369 a registered political party to select candidates.

370 ~~[(37)]~~ (38) (a) "Political issues committee" means an entity, or any group of individuals
371 or entities within or outside this state, a major purpose of which is to:

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

375 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
376 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
377 proposed ballot proposition or an incorporation in an incorporation election; or

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

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

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

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

384 (iii) an individual;

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

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

389 ~~[(38)]~~ (39) (a) "Political issues contribution" means any of the following:

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

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

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

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

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

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

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

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

405 ~~[(39)]~~ (40) (a) "Political issues expenditure" means any of the following when made by
406 a political issues committee or on behalf of a political issues committee by an agent of the
407 reporting entity:

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

410 (A) a ballot proposition; or

411 (B) an incorporation petition or incorporation election;

412 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
413 the express purpose of influencing the approval or the defeat of:

414 (A) a ballot proposition; or

415 (B) an incorporation petition or incorporation election;

416 (iii) an express, legally enforceable contract, promise, or agreement to make any
417 political issues expenditure;

418 (iv) compensation paid by a reporting entity for personal services rendered by a person
419 without charge to a political issues committee; or

420 (v) goods or services provided to or for the benefit of another reporting entity at less
421 than fair market value.

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

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

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

427 (41) "Political purpose corporation" means a corporation that makes, or is organized
428 with the intention of making, expenditures, political issues expenditures, or in-kind

429 contributions with a combined value that exceeds 50% of the corporation's business
430 expenditures.

431 [~~(40)~~] (42) "Political purposes" means an act done with the intent or in a way to
432 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
433 for or against any candidate or a person seeking a municipal or county office at any caucus,
434 political convention, or election.

435 [~~(41)~~] (43) (a) "Poll" means the survey of a person regarding the person's opinion or
436 knowledge of an individual who has filed a declaration of candidacy for public office, or of a
437 ballot proposition that has legally qualified for placement on the ballot, which is conducted in
438 person or by telephone, facsimile, Internet, postal mail, or email.

439 (b) "Poll" does not include:

440 (i) a ballot; or

441 (ii) an interview of a focus group that is conducted, in person, by one individual, if:

442 (A) the focus group consists of more than three, and less than thirteen, individuals; and

443 (B) all individuals in the focus group are present during the interview.

444 [~~(42)~~] (44) "Primary election" means any regular primary election held under the
445 election laws.

446 (45) "Publicly identified class of individuals" means a group of 50 or more individuals
447 sharing a common occupation, interest, or association that contribute to a political action
448 committee or political issues committee and whose names can be obtained by contacting the
449 political action committee or political issues committee upon whose financial statement the
450 individuals are listed.

451 [~~(43)~~] (46) "Public office" means the office of governor, lieutenant governor, state
452 auditor, state treasurer, attorney general, state school board member, state senator, state
453 representative, speaker of the House of Representatives, president of the Senate, and the leader,
454 whip, and assistant whip of any party caucus in either house of the Legislature.

455 [~~(44)~~] (47) (a) "Public service assistance" means the following when given or provided
456 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to
457 communicate with the officeholder's constituents:

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

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

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

463 (i) anything provided by the state;

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

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

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

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

472 [~~(46)~~] (48) "Receipts" means contributions and public service assistance.

473 [~~(47)~~] (49) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
474 Lobbyist Disclosure and Regulation Act.

475 [~~(48)~~] (50) "Registered political action committee" means any political action
476 committee that is required by this chapter to file a statement of organization with the Office of
477 the Lieutenant Governor.

478 [~~(49)~~] (51) "Registered political issues committee" means any political issues
479 committee that is required by this chapter to file a statement of organization with the Office of
480 the Lieutenant Governor.

481 [~~(50)~~] (52) "Registered political party" means an organization of voters that:

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

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

487 [~~(51)~~] (53) (a) "Remuneration" means a payment:

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

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

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

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

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

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

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

496 [~~(52)~~] (54) "Reporting entity" means a candidate, a candidate's personal campaign

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

498 committee, a political action committee, a political issues committee, a political purpose

499 corporation, or a labor organization, as defined in Section [20A-11-1501](#).

500 [~~(53)~~] (55) "School board office" means the office of state school board.

501 [~~(54)~~] (56) (a) "Source" means the person or entity that is the legal owner of the

502 tangible or intangible asset that comprises the contribution.

503 (b) "Source" means, for political action committees and corporations, the political

504 action committee and the corporation as entities, not the contributors to the political action

505 committee or the owners or shareholders of the corporation.

506 [~~(55)~~] (57) "State office" means the offices of governor, lieutenant governor, attorney

507 general, state auditor, and state treasurer.

508 [~~(56)~~] (58) "State office candidate" means a person who:

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

510 (b) receives contributions, makes expenditures, or gives consent for any other person to

511 receive contributions or make expenditures to bring about the person's nomination, election, or

512 appointment to a state office.

513 [~~(57)~~] (59) "Summary report" means the year end report containing the summary of a

514 reporting entity's contributions and expenditures.

515 [~~(58)~~] (60) "Supervisory board" means the individual or group of individuals that

516 allocate expenditures from a political issues committee.

517 Section 6. Section **20A-11-601** is amended to read:

518 **20A-11-601. Political action committees -- Registration -- Criminal penalty for**

519 **providing false information or accepting unlawful contribution.**

520 (1) (a) Each political action committee shall file a statement of organization with the

521 lieutenant governor's office by January 10 of each year, unless the political action committee

522 has filed a notice of dissolution under Subsection (4).

523 (b) If a political action committee is organized after the January 10 filing date, the
524 political action committee shall file an initial statement of organization no later than seven days
525 after:

526 (i) receiving contributions totaling at least \$750; or

527 (ii) distributing expenditures for political purposes totaling at least \$50.

528 (2) (a) Each political action committee shall designate two officers who have primary
529 decision-making authority for the political action committee.

530 (b) A person may not exercise primary decision-making authority for a political action
531 committee who is not designated under Subsection (2)(a).

532 (3) The statement of organization shall include:

533 (a) the name and address of the political action committee;

534 (b) the name, street address, phone number, occupation, and title of the two primary
535 officers designated under Subsection (2)(a);

536 (c) the name, street address, occupation, and title of all other officers of the political
537 action committee;

538 (d) the name and street address of the organization, individual corporation, association,
539 unit of government, or union that the political action committee represents, if any;

540 (e) the name and street address of all affiliated or connected organizations and their
541 relationships to the political action committee;

542 (f) the name, street address, business address, occupation, and phone number of the
543 committee's treasurer or chief financial officer; and

544 (g) the name, street address, and occupation of each member of the governing and
545 advisory boards, if any.

546 (4) (a) Any registered political action committee that intends to permanently cease
547 operations shall file a notice of dissolution with the lieutenant governor's office.

548 (b) Any notice of dissolution filed by a political action committee does not exempt that
549 political action committee from complying with the financial reporting requirements of this
550 chapter.

551 (5) (a) Unless the political action committee has filed a notice of dissolution under
552 Subsection (4), a political action committee shall file, with the lieutenant governor's office,

553 notice of any change of an officer described in Subsection (2)(a).

554 (b) Notice of a change of a primary officer described in Subsection (2)(a) shall:

555 (i) be filed within 10 days of the date of the change; and

556 (ii) contain the name and title of the officer being replaced, and the name, street
557 address, occupation, and title of the new officer.

558 (6) (a) A person is guilty of providing false information in relation to a political action
559 committee if the person intentionally or knowingly gives false or misleading material
560 information in the statement of organization or the notice of change of primary officer.

561 (b) Each primary officer designated in Subsection (2)(a) is guilty of accepting an
562 unlawful contribution if the political action committee knowingly or recklessly accepts a
563 contribution from a political purpose corporation that:

564 (i) was organized less than 90 days before the date of the general election; and

565 (ii) at the time the political action committee accepts the contribution, has failed to file
566 a statement of organization with the lieutenant governor's office as required by Section
567 [20A-11-704](#).

568 (c) A violation of this Subsection (6) is a third degree felony.

569 Section 7. Section **20A-11-701** is amended to read:

570 **20A-11-701. Campaign financial reporting by political purpose corporations --**
571 **Filing requirements -- Statement contents -- Donor reporting and notification required.**

572 (1) (a) Each political purpose corporation [~~that has made expenditures for political~~
573 ~~purposes that total at least \$750 during a calendar year~~] shall file a verified financial statement
574 with the lieutenant governor's office:

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

576 (ii) seven days before the state political convention for each major political party;

577 (iii) seven days before the regular primary election date;

578 (iv) on August 31; and

579 (v) seven days before the regular general election date.

580 (b) The political purpose corporation shall report:

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

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

584 (iii) whether the political purpose corporation, including an officer of the political
585 purpose corporation, director of the political purpose corporation, or person with at least 10%
586 ownership in the political purpose corporation:

587 (A) has bid since the last financial statement on a contract, as defined in Section
588 63G-6a-103, in excess of \$100,000;

589 (B) is currently bidding on a contract, as defined in Section 63G-6a-103, in excess of
590 \$100,000; or

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

592 (c) The political purpose corporation need not file a financial statement under this
593 section if the political purpose corporation made no expenditures during the reporting period.

594 (2) The financial statement shall include:

595 (a) the name and address of each reporting entity that received an expenditure from the
596 political purpose corporation, and the amount of each expenditure;

597 (b) the total amount of expenditures disbursed by the political purpose corporation:

598 (i) since the last financial statement; and

599 (ii) during the calendar year;

600 (c) (i) a statement that the political purpose corporation did not receive any money
601 from any donor during the calendar year or the previous calendar year that the political purpose
602 corporation has not reported in a previous financial statement; or

603 (ii) a report, described in Subsection (3), of the money received from donors during the
604 calendar year or the previous calendar year that the political purpose corporation has not
605 reported in a previous financial statement; and

606 (d) a statement by the corporation's treasurer or chief financial officer certifying the
607 accuracy of the financial statement.

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

609 (i) the name and address of each donor;

610 (ii) the amount of the money received by the political purpose corporation from each
611 donor; and

612 (iii) the date on which the political purpose corporation received the money.

613 (b) A political purpose corporation shall report money received from donors in the
614 following order:

615 (i) first, beginning with the least recent date on which the political purpose corporation
616 received money that the political purpose corporation has not reported in a previous financial
617 statement, the money received from a donor that:

618 (A) requests that the political purpose corporation use the money to make an
619 expenditure;

620 (B) gives the money to the political purpose corporation in response to a solicitation
621 indicating the political purpose corporation's intent to make an expenditure; or

622 (C) knows that the political purpose corporation may use the money to make an
623 expenditure; and

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

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

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

629 (C) have not been reported in a previous financial statement.

630 (c) If the amount reported under Subsection (3)(b) is less than the total amount of
631 expenditures made since the last financial statement, the financial statement shall contain a
632 statement that the political purpose corporation has reported all donors that gave money, and all
633 money received by donors, during the calendar year or previous calendar year that the political
634 purpose corporation has not reported in a previous financial statement.

635 (d) The political purpose corporation shall indicate on the financial statement that the
636 amount attributed to each donor under Subsection (3)(b)(ii) is only an estimate.

637 (e) (i) For all individual donations of \$50 or less, the political purpose corporation may
638 report a single aggregate figure without separate detailed listings.

639 (ii) The political purpose corporation:

640 (A) may not report in the aggregate two or more donations from the same source that
641 have an aggregate total of more than \$50; and

642 (B) shall separately report donations described in Subsection (3)(e)(ii)(A).

643 (4) [~~If a corporation makes expenditures that total at least \$750 during a calendar year;~~
644 ~~the~~] A political purpose corporation shall notify a person giving money to the political purpose
645 corporation that:

646 (a) the political purpose corporation may use the money to make an expenditure; and
647 (b) the person's name and address may be disclosed on the political purpose
648 corporation's financial statement.

649 Section 8. Section **20A-11-702** is amended to read:

650 **20A-11-702. Campaign financial reporting of political issues expenditures by**
651 **political purpose corporations -- Financial reporting -- Donor reporting and notification**
652 **required.**

653 (1) (a) Each political purpose corporation that has made political issues expenditures
654 on current or proposed ballot issues [~~that total at least \$750~~] during a calendar year shall file a
655 verified financial statement with the lieutenant governor's office:

- 656 (i) on January 10, reporting expenditures as of December 31 of the previous year;
- 657 (ii) seven days before the state political convention of each major political party;
- 658 (iii) seven days before the regular primary election date;
- 659 (iv) on August 31; and
- 660 (v) seven days before the regular general election date.

661 (b) The political purpose corporation shall report:

- 662 (i) a detailed listing of all expenditures made since the last financial statement; and
- 663 (ii) for financial statements under Subsections (1)(a)(ii) through (v), expenditures as of
664 five days before the required filing date of the financial statement.

665 (c) The political purpose corporation need not file a statement under this section if it
666 made no expenditures during the reporting period.

667 (2) That statement shall include:

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

671 (b) the total amount of political issues expenditures disbursed by the political purpose
672 corporation:

- 673 (i) since the last financial statement; and
- 674 (ii) during the calendar year;

675 (c) (i) a statement that the political purpose corporation did not receive any money
676 from any donor during the calendar year or the previous calendar year that the corporation has

677 not reported in a previous financial statement; or

678 (ii) a report, described in Subsection (3), of the money received from donors during the
679 calendar year or the previous calendar year that the political purpose corporation has not
680 reported in a previous financial statement; and

681 (d) a statement by the political purpose corporation's treasurer or chief financial officer
682 certifying the accuracy of the verified financial statement.

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

684 (i) the name and address of each donor;

685 (ii) the amount of the money received by the political purpose corporation from each
686 donor; and

687 (iii) the date on which the political purpose corporation received the money.

688 (b) A political purpose corporation shall report money received from donors in the
689 following order:

690 (i) first, beginning with the least recent date on which the political purpose corporation
691 received money that has not been reported in a previous financial statement, the money
692 received from a donor that:

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

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

697 (C) knows that the political purpose corporation may use the money to make a political
698 issues expenditure; and

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

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

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

704 (C) have not been reported in a previous financial statement.

705 (c) If the amount reported under Subsection (3)(b) is less than the total amount of
706 political issues expenditures made since the last financial statement, the financial statement
707 shall contain a statement that the corporation has reported all donors that gave money, and all

708 money received by donors, during the calendar year or previous calendar year that the
709 corporation has not reported in a previous financial statement.

710 (d) The political purpose corporation shall indicate on the financial statement that the
711 amount attributed to each donor under Subsection (3)(b)(ii) is only an estimate.

712 (e) (i) For all individual donations of \$50 or less, the political purpose corporation may
713 report a single aggregate figure without separate detailed listings.

714 (ii) The political purpose corporation:

715 (A) may not report in the aggregate two or more donations from the same source that
716 have an aggregate total of more than \$50; and

717 (B) shall separately report donations described in Subsection (3)(e)(ii)(A).

718 (4) If a political purpose corporation makes political issues expenditures [~~that total at~~
719 ~~least \$750~~] during a calendar year, the political purpose corporation shall notify a person giving
720 money to the corporation that:

721 (a) the political purpose corporation may use the money to make a political issues
722 expenditure; and

723 (b) the person's name and address may be disclosed on the political purpose
724 corporation's financial statement.

725 Section 9. Section **20A-11-703** is amended to read:

726 **20A-11-703. Criminal penalties -- Fines.**

727 (1) Within 30 days after a deadline for the filing of any statement required by this part,
728 the lieutenant governor shall review each filed statement to ensure that:

729 (a) each political purpose corporation that is required to file a statement has filed one;
730 and

731 (b) each statement contains the information required by this part.

732 (2) If it appears that any political purpose corporation has failed to file any statement, if
733 it appears that a filed statement does not conform to the law, or if the lieutenant governor has
734 received a written complaint alleging a violation of the law or the falsity of any statement, the
735 lieutenant governor shall:

736 (a) impose a fine against the political purpose corporation in accordance with Section
737 **20A-11-1005**; and

738 (b) within five days of discovery of a violation or receipt of a written complaint, notify

739 the political purpose corporation of the violation or written complaint and direct the political
740 purpose corporation to file a statement correcting the problem.

741 (3) (a) It is unlawful for any political purpose corporation to fail to file or amend a
742 statement within seven days after receiving notice from the lieutenant governor under this
743 section.

744 (b) Each political purpose corporation that violates Subsection (3)(a) is guilty of a class
745 B misdemeanor.

746 (c) The lieutenant governor shall report all violations of Subsection (3)(a) to the
747 attorney general.

748 (d) In addition to the criminal penalty described in Subsection (3)(b), the lieutenant
749 governor shall impose a civil fine of \$1,000 against a political purpose corporation that violates
750 Subsection (3)(a).

751 Section 10. Section **20A-11-704** is amended to read:

752 **20A-11-704. Statement of organization required for certain new political purpose**
753 **corporations.**

754 (1) A political purpose corporation that is incorporated, organized, or otherwise created
755 less than 90 days before the date of a general election shall file a statement of organization with
756 the lieutenant governor's office before making a contribution to a political action committee or
757 a political issues committee in association with the election.

758 (2) The statement of organization shall include:

759 (a) the name and street address of the political purpose corporation;

760 (b) the name, street address, phone number, occupation, and title of one or more
761 individuals that have primary decision-making authority for the political purpose corporation;

762 (c) the name, street address, phone number, occupation, and title of the political
763 purpose corporation's chief financial officer;

764 (d) the name, street address, occupation, and title of all other officers or managers of
765 the political purpose corporation; and

766 (e) the name, street address, and occupation of each member of the political purpose
767 corporation's governing and advisory boards, if any.

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

769 **20A-11-705. Notice of in-kind contributions.**

770 (1) A corporation that makes an in-kind contribution to a reporting entity shall, within
771 seven days after the day on which the corporation makes the in-kind contribution, provide the
772 reporting entity a written notice that includes:

- 773 (a) the name and address of the corporation;
774 (b) the date of the in-kind expenditure;
775 (c) a description of the in-kind expenditure; and
776 (d) the value, in dollars, of the in-kind expenditure.

777 (2) A corporation that provides, and a reporting entity that receives, the written notice
778 described in Subsection (1) shall retain a copy of the notice for five years after the day on
779 which the written notice is provided to the reporting entity.

780 (3) A corporation or reporting entity that fails to comply with the requirements of this
781 section is guilty of a class B misdemeanor.

782 (4) A person that intentionally or knowingly provides, or conspires to provide, false
783 information on a written notice described in this section is guilty of a class B misdemeanor.

784 Section 12. Section **20A-11-801** is amended to read:

785 **20A-11-801. Political issues committees -- Registration -- Criminal penalty for**
786 **providing false information or accepting unlawful contribution.**

787 (1) (a) Each political issues committee shall file a statement of organization with the
788 lieutenant governor's office by January 10 of each year, unless the political issues committee
789 has filed a notice of dissolution under Subsection (4).

790 (b) If a political issues committee is organized after the January 10 filing date, the
791 political issues committee shall file an initial statement of organization no later than seven days
792 after:

- 793 (i) receiving political issues contributions totaling at least \$750; or
794 (ii) disbursing political issues expenditures totaling at least \$50.

795 (2) Each political issues committee shall designate two officers that have primary
796 decision-making authority for the political issues committee.

797 (3) The statement of organization shall include:

- 798 (a) the name and street address of the political issues committee;
799 (b) the name, street address, phone number, occupation, and title of the two primary
800 officers designated under Subsection (2);

801 (c) the name, street address, occupation, and title of all other officers of the political
802 issues committee;

803 (d) the name and street address of the organization, individual, corporation,
804 association, unit of government, or union that the political issues committee represents, if any;

805 (e) the name and street address of all affiliated or connected organizations and their
806 relationships to the political issues committee;

807 (f) the name, street address, business address, occupation, and phone number of the
808 committee's treasurer or chief financial officer;

809 (g) the name, street address, and occupation of each member of the supervisory and
810 advisory boards, if any; and

811 (h) the ballot proposition whose outcome they wish to affect, and whether they support
812 or oppose it.

813 (4) (a) Any registered political issues committee that intends to permanently cease
814 operations during a calendar year shall file a notice of dissolution with the lieutenant governor's
815 office.

816 (b) Any notice of dissolution filed by a political issues committee does not exempt that
817 political issues committee from complying with the financial reporting requirements of this
818 chapter.

819 (5) (a) Unless the political issues committee has filed a notice of dissolution under
820 Subsection (4), a political issues committee shall file, with the lieutenant governor's office,
821 notice of any change of an officer described in Subsection (2).

822 (b) Notice of a change of a primary officer described in Subsection (2) shall:

823 (i) be filed within 10 days of the date of the change; and

824 (ii) contain the name and title of the officer being replaced and the name, street
825 address, occupation, and title of the new officer.

826 (6) (a) A person is guilty of providing false information in relation to a political issues
827 committee if the person intentionally or knowingly gives false or misleading material
828 information in the statement of organization or the notice of change of primary officer.

829 (b) Each primary officer designated in Subsection (2) is guilty of accepting an unlawful
830 contribution if the political issues committee knowingly or recklessly accepts a contribution
831 from a political purpose corporation that:

832 (i) was organized less than 90 days before the date of the general election; and
833 (ii) at the time the political issues committee accepts the contribution, has failed to file
834 a statement of organization with the lieutenant governor's office as required by Section
835 [20A-11-704](#).

836 (c) A violation of this Subsection (6) is a third degree felony.
837 Section 13. Section **20A-11-1004** is amended to read:

838 **20A-11-1004. Summary of financial reports of political action committees and**
839 **political purpose corporations.**

840 (1) The lieutenant governor's office shall prepare a summary of each financial report
841 submitted by each political purpose corporation, political action committee, and political issues
842 committee.

843 (2) Each summary shall include the following information:

844 (a) for each candidate:

845 (i) the name of each political action committee and political purpose corporation that
846 made expenditures to the candidate; and

847 (ii) the aggregate total of expenditures made by each political action committee and
848 political purpose corporation to the candidate;

849 (b) for each political action committee:

850 (i) the name of each individual or organization listed on the financial report that made
851 contributions to the political action committee and the aggregate total of contributions made by
852 each individual or organization listed on the financial report to the political action committee;
853 and

854 (ii) the name of each candidate, personal campaign committee, and political action
855 committee that received expenditures from a political action committee and the aggregate total
856 of expenditures made to each candidate, personal campaign committee, and political action
857 committee;

858 (c) for each political purpose corporation:

859 (i) the name of each candidate, personal campaign committee, and political action
860 committee that received expenditures from the political purpose corporation, and the aggregate
861 total of expenditures made by the political purpose corporation to each candidate, personal
862 campaign committee, and political action committee; and

863 (ii) the name of each individual, entity, or group of individuals or entities that received
 864 disbursements from the political purpose corporation, and the aggregate total of disbursements
 865 made by the political purpose corporation to each individual, entity, or group of individuals or
 866 entities;

867 (d) for each political issues committee:

868 (i) the name of each individual or organization listed on the financial report that made
 869 political issues contributions to the political issues committee and the aggregate total of
 870 political issues contributions made by each individual or organization listed on the financial
 871 report to the political issues committee; and

872 (ii) the name of each individual, entity, or group of individuals or entities that received
 873 political issues expenditures from a political issues committee and the aggregate total of
 874 political issues expenditures made to each individual, entity, or group of individuals or entities.

875 Section 14. Section **36-11-201** is amended to read:

876 **36-11-201. Lobbyist, principal, and government officer financial reporting**
 877 **requirements -- Prohibition for related person to make expenditures.**

878 (1) (a) (i) [~~A~~] Except as provided in Subsection (1)(a)(ii), a lobbyist shall file financial
 879 reports with the lieutenant governor on or before the due dates specified in Subsection (2).

880 (ii) [~~If a~~] A lobbyist who has not made an expenditure during [the] a quarterly reporting
 881 period[; the lobbyist shall file a financial report listing the amount of expenditures as "none."]
 882 is not required to file a quarterly financial report for that quarterly reporting period.

883 (iii) A lobbyist who is not required to file any quarterly reports under this section for a
 884 calendar year shall, on or before January 10 of the following year, file a financial report listing
 885 the amount of the expenditures for the entire preceding year as "none."

886 (b) A government officer or principal that makes an expenditure during any of the
 887 quarterly reporting periods under Subsection (2)(a) shall file a financial report with the
 888 lieutenant governor on or before the date that a report for that quarter is due.

889 (2) (a) A financial report is due quarterly on the following dates:

890 (i) April 10, for the period of January 1 through March 31;

891 (ii) July 10, for the period of April 1 through June 30;

892 (iii) October 10, for the period of July 1 through September 30; and

893 (iv) January 10, for the period of October 1 through December 31 of the previous year.

894 (b) If the due date for a financial report falls on a Saturday, Sunday, or legal holiday,
895 the report is due on the next succeeding business day.

896 (c) A financial report is timely filed if it is filed electronically before the close of
897 regular office hours on or before the due date.

898 (3) A financial report shall contain:

899 (a) the total amount of expenditures made to benefit any public official during the
900 quarterly reporting period;

901 (b) the total amount of expenditures made, by the type of public official, during the
902 quarterly reporting period;

903 (c) for the financial report due on January 10:

904 (i) the total amount of expenditures made to benefit any public official during the last
905 calendar year; and

906 (ii) the total amount of expenditures made, by the type of public official, during the last
907 calendar year;

908 (d) a disclosure of each expenditure made during the quarterly reporting period to
909 reimburse or pay for travel or lodging for a public official, including:

910 (i) each travel destination and each lodging location;

911 (ii) the name of each public official who benefitted from the expenditure on travel or
912 lodging;

913 (iii) the public official type of each public official named;

914 (iv) for each public official named, a listing of the amount and purpose of each
915 expenditure made for travel or lodging; and

916 (v) the total amount of expenditures listed under Subsection (3)(d)(iv);

917 (e) a disclosure of aggregate daily expenditures greater than \$10 made during the
918 quarterly reporting period including:

919 (i) the date and purpose of the expenditure;

920 (ii) the location of the expenditure;

921 (iii) the name of any public official benefitted by the expenditure;

922 (iv) the type of the public official benefitted by the expenditure; and

923 (v) the total monetary worth of the benefit that the expenditure conferred on any public
924 official;

925 (f) for each public official who was employed by the lobbyist, principal, or government
926 officer, a list that provides:

927 (i) the name of the public official; and

928 (ii) the nature of the employment with the public official;

929 (g) each bill or resolution, by number and short title, on behalf of which the lobbyist,
930 principal, or government officer made an expenditure to a public official;

931 (h) a description of each executive action on behalf of which the lobbyist, principal, or
932 government officer made an expenditure to a public official;

933 (i) the general purposes, interests, and nature of the entities that the lobbyist, principal,
934 or government officer filing the report represents; and

935 (j) for a lobbyist, a certification that the information provided in the report is true,
936 accurate, and complete to the lobbyist's best knowledge and belief.

937 (4) A related person may not, while assisting a lobbyist, principal, or government
938 officer in lobbying, make an expenditure that benefits a public official under circumstances that
939 would otherwise fall within the disclosure requirements of this chapter if the expenditure was
940 made by the lobbyist, principal, or government officer.

941 (5) The lieutenant governor shall:

942 (a) (i) develop a preprinted form for a financial report required by this section; and

943 (ii) make copies of the form available to a lobbyist, principal, or government officer
944 who requests a form; and

945 (b) provide a reporting system that allows a lobbyist, principal, or government officer
946 to submit a financial report required by this chapter via the Internet.

947 (6) (a) A lobbyist and a principal shall continue to file a financial report required by
948 this section until the lobbyist or principal files a statement with the lieutenant governor that:

949 (i) states:

950 (A) for a lobbyist, that the lobbyist has ceased lobbying activities; or

951 (B) for a principal, that the principal no longer employs an individual as a lobbyist;

952 (ii) in the case of a lobbyist, states that the lobbyist is surrendering the lobbyist's
953 license;

954 (iii) contains a listing, as required by this section, of all previously unreported
955 expenditures that have been made through the date of the statement; and

956 (iv) states that the lobbyist or principal will not make any additional expenditure that is
957 not disclosed on the statement unless the lobbyist or principal complies with the disclosure and
958 licensing requirements of this chapter.

959 (b) ~~[A]~~ Except as provided in Subsection (1)(a)(ii), a person that fails to renew the
960 lobbyist's license or otherwise ceases to be licensed is required to file a financial report
961 quarterly until the person files the statement required by Subsection (6)(a).

962 Section 15. Section **36-11-305.5** is amended to read:

963 **36-11-305.5. Lobbyist requirements.**

964 ~~[(1) The lieutenant governor shall issue to each lobbyist a name tag that includes:]~~

965 ~~[(a) the word "Lobbyist" in at least 18-point type; and]~~

966 ~~[(b) the first and last name of the lobbyist, in at least 18-point type.]~~

967 ~~[(2) Beginning on August 1, 2014, a lobbyist may not lobby a public official while the~~
968 ~~lobbyist is at the capitol hill complex unless the lobbyist is wearing the name tag described in~~
969 ~~Subsection (1) in plain view.]~~

970 ~~[(3)]~~ A lobbyist shall, at the beginning of making a communication to a public official
971 that constitutes lobbying, inform the public official of the identity of the principal on whose
972 behalf the lobbyist is lobbying.