

**ELECTIONS AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: Norman K. Thurston

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to election law.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ addresses the level of detail required for reports of contributions and expenditures;
- ▶ expands the rulemaking authority of the director of elections in relation to the level of detail required for reports of contributions and expenditures;
- ▶ provides that a regulated officeholder is not required to file a conflict of interest disclosure at the time of filing for reelection to office if the regulated officeholder already filed a disclosure earlier the same year and indicates that the disclosure is accurate and up-to-date;
- ▶ requires the lieutenant governor to conduct certain studies relating to elections; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



- 28            **20A-9-201**, as last amended by Laws of Utah 2020, Chapter 22
- 29            **20A-11-101**, as last amended by Laws of Utah 2020, Chapter 22
- 30            **20A-11-101.3**, as enacted by Laws of Utah 2014, Chapter 18
- 31            **20A-11-1602**, as last amended by Laws of Utah 2020, Chapter 344
- 32            **20A-11-1602.5**, as enacted by Laws of Utah 2019, Chapter 266
- 33            **20A-11-1603**, as last amended by Laws of Utah 2019, Chapter 266
- 34            **20A-11-1604**, as last amended by Laws of Utah 2019, Chapter 266
- 35            **20A-11-1605**, as last amended by Laws of Utah 2020, Chapter 22
- 36            **20A-11-1706**, as enacted by Laws of Utah 2014, Chapter 60

37 ENACTS:

38            **67-1a-16**, Utah Code Annotated 1953



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

41            Section 1. Section **20A-9-201** is amended to read:

42            **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**  
 43 **more than one political party prohibited with exceptions -- General filing and form**  
 44 **requirements -- Affidavit of impecuniosity.**

45            (1) Before filing a declaration of candidacy for election to any office, an individual  
46 shall:

- 47            (a) be a United States citizen;
- 48            (b) meet the legal requirements of that office; and
- 49            (c) if seeking a registered political party's nomination as a candidate for elective office,  
50 state:

- 51            (i) the registered political party of which the individual is a member; or
- 52            (ii) that the individual is not a member of a registered political party.

53            (2) (a) Except as provided in Subsection (2)(b), an individual may not:

- 54            (i) file a declaration of candidacy for, or be a candidate for, more than one office in  
55 Utah during any election year;
- 56            (ii) appear on the ballot as the candidate of more than one political party; or
- 57            (iii) file a declaration of candidacy for a registered political party of which the  
58 individual is not a member, except to the extent that the registered political party permits

59 otherwise in the registered political party's bylaws.

60 (b) (i) An individual may file a declaration of candidacy for, or be a candidate for,  
61 president or vice president of the United States and another office, if the individual resigns the  
62 individual's candidacy for the other office after the individual is officially nominated for  
63 president or vice president of the United States.

64 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more  
65 than one justice court judge office.

66 (iii) An individual may file a declaration of candidacy for lieutenant governor even if  
67 the individual filed a declaration of candidacy for another office in the same election year if the  
68 individual withdraws as a candidate for the other office in accordance with Subsection  
69 [20A-9-202\(6\)](#) before filing the declaration of candidacy for lieutenant governor.

70 (3) (a) Except for a candidate for president or vice president of the United States,  
71 before the filing officer may accept any declaration of candidacy, the filing officer shall:

72 (i) read to the individual the constitutional and statutory qualification requirements for  
73 the office that the individual is seeking;

74 (ii) require the individual to state whether the individual meets the requirements  
75 described in Subsection (3)(a)(i); ~~and~~

76 (iii) if the declaration of candidacy is for a county office, inform the individual that an  
77 individual who holds a county elected office may not, at the same time, hold a municipal  
78 elected office~~[-]; and~~

79 (iv) if the declaration of candidacy is for a legislative office, inform the individual that  
80 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit  
81 or trust, under authority of the United States or Utah, from being a member of the Legislature.

82 (b) Before accepting a declaration of candidacy for the office of county attorney, the  
83 county clerk shall ensure that the individual filing that declaration of candidacy is:

84 (i) a United States citizen;

85 (ii) an attorney licensed to practice law in the state who is an active member in good  
86 standing of the Utah State Bar;

87 (iii) a registered voter in the county in which the individual is seeking office; and

88 (iv) a current resident of the county in which the individual is seeking office and either  
89 has been a resident of that county for at least one year or was appointed and is currently serving

90 as county attorney and became a resident of the county within 30 days after appointment to the  
91 office.

92 (c) Before accepting a declaration of candidacy for the office of district attorney, the  
93 county clerk shall ensure that, as of the date of the election, the individual filing that  
94 declaration of candidacy is:

95 (i) a United States citizen;

96 (ii) an attorney licensed to practice law in the state who is an active member in good  
97 standing of the Utah State Bar;

98 (iii) a registered voter in the prosecution district in which the individual is seeking  
99 office; and

100 (iv) a current resident of the prosecution district in which the individual is seeking  
101 office and either will have been a resident of that prosecution district for at least one year as of  
102 the date of the election or was appointed and is currently serving as district attorney and  
103 became a resident of the prosecution district within 30 days after receiving appointment to the  
104 office.

105 (d) Before accepting a declaration of candidacy for the office of county sheriff, the  
106 county clerk shall ensure that the individual filing the declaration:

107 (i) is a United States citizen;

108 (ii) is a registered voter in the county in which the individual seeks office;

109 (iii) (A) has successfully met the standards and training requirements established for  
110 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and  
111 Certification Act; or

112 (B) has met the waiver requirements in Section 53-6-206;

113 (iv) is qualified to be certified as a law enforcement officer, as defined in Section  
114 53-13-103; and

115 (v) as of the date of the election, will have been a resident of the county in which the  
116 individual seeks office for at least one year.

117 (e) Before accepting a declaration of candidacy for the office of governor, lieutenant  
118 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of  
119 Education member, the filing officer shall ensure[~~-(i)~~] that the individual filing the declaration  
120 of candidacy also makes the conflict of interest disclosure [~~required by~~] described in Section

121 ~~20A-11-1603[; and].~~

122 ~~[(ii) until January 1, 2020, if the filing officer is not the lieutenant governor, that the~~  
123 ~~individual provides the conflict of interest disclosure form to the lieutenant governor in~~  
124 ~~accordance with Section 20A-11-1603.]~~

125 (4) If an individual who files a declaration of candidacy does not meet the qualification  
126 requirements for the office the individual is seeking, the filing officer may not accept the  
127 individual's declaration of candidacy.

128 (5) If an individual who files a declaration of candidacy meets the requirements  
129 described in Subsection (3), the filing officer shall:

130 (a) inform the individual that:

131 (i) the individual's name will appear on the ballot as the individual's name is written on  
132 the individual's declaration of candidacy;

133 (ii) the individual may be required to comply with state or local campaign finance  
134 disclosure laws; and

135 (iii) the individual is required to file a financial statement before the individual's  
136 political convention under:

137 (A) Section 20A-11-204 for a candidate for constitutional office;

138 (B) Section 20A-11-303 for a candidate for the Legislature; or

139 (C) local campaign finance disclosure laws, if applicable;

140 (b) except for a presidential candidate, provide the individual with a copy of the current  
141 campaign financial disclosure laws for the office the individual is seeking and inform the  
142 individual that failure to comply will result in disqualification as a candidate and removal of  
143 the individual's name from the ballot;

144 (c) provide the individual with a copy of Section 20A-7-801 regarding the Statewide  
145 Electronic Voter Information Website Program and inform the individual of the submission  
146 deadline under Subsection 20A-7-801(4)(a);

147 (d) provide the candidate with a copy of the pledge of fair campaign practices  
148 described under Section 20A-9-206 and inform the candidate that:

149 (i) signing the pledge is voluntary; and

150 (ii) signed pledges shall be filed with the filing officer;

151 (e) accept the individual's declaration of candidacy; and

152 (f) if the individual has filed for a partisan office, provide a certified copy of the  
153 declaration of candidacy to the chair of the county or state political party of which the  
154 individual is a member.

155 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing  
156 officer shall:

157 (a) accept the candidate's pledge; and

158 (b) if the candidate has filed for a partisan office, provide a certified copy of the  
159 candidate's pledge to the chair of the county or state political party of which the candidate is a  
160 member.

161 (7) (a) Except for a candidate for president or vice president of the United States, the  
162 form of the declaration of candidacy shall:

163 (i) be substantially as follows:

164 "State of Utah, County of \_\_\_\_\_

165 I, \_\_\_\_\_, declare my candidacy for the office of \_\_\_\_\_, seeking the  
166 nomination of the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications to  
167 hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_  
168 in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_ Phone No. \_\_\_\_\_; I will not  
169 knowingly violate any law governing campaigns and elections; if filing via a designated  
170 agent, I will be out of the state of Utah during the entire candidate filing period; I will  
171 file all campaign financial disclosure reports as required by law; and I understand that  
172 failure to do so will result in my disqualification as a candidate for this office and  
173 removal of my name from the ballot. The mailing address that I designate for receiving  
174 official election notices is \_\_\_\_\_.

175 \_\_\_\_\_

176 Subscribed and sworn before me this \_\_\_\_\_(month\day\year).

177 Notary Public (or other officer qualified to administer oath)."; and

178 (ii) require the candidate to state, in the sworn statement described in Subsection  
179 (7)(a)(i):

180 (A) the registered political party of which the candidate is a member; or

181 (B) that the candidate is not a member of a registered political party.

182 (b) An agent designated under Subsection 20A-9-202(1)(c) to file a declaration of

183 candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.

184 (8) (a) Except for a candidate for president or vice president of the United States, the  
185 fee for filing a declaration of candidacy is:

186 (i) \$50 for candidates for the local school district board; and

187 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the  
188 person holding the office for all other federal, state, and county offices.

189 (b) Except for presidential candidates, the filing officer shall refund the filing fee to  
190 any candidate:

191 (i) who is disqualified; or

192 (ii) who the filing officer determines has filed improperly.

193 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received  
194 from candidates.

195 (ii) The lieutenant governor shall:

196 (A) apportion to and pay to the county treasurers of the various counties all fees  
197 received for filing of nomination certificates or acceptances; and

198 (B) ensure that each county receives that proportion of the total amount paid to the  
199 lieutenant governor from the congressional district that the total vote of that county for all  
200 candidates for representative in Congress bears to the total vote of all counties within the  
201 congressional district for all candidates for representative in Congress.

202 (d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy  
203 without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by  
204 an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer,  
205 a financial statement filed at the time the affidavit is submitted.

206 (ii) A person who is able to pay the filing fee may not claim impecuniosity.

207 (iii) (A) False statements made on an affidavit of impecuniosity or a financial  
208 statement filed under this section shall be subject to the criminal penalties provided under  
209 Sections 76-8-503 and 76-8-504 and any other applicable criminal provision.

210 (B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be  
211 considered an offense under this title for the purposes of assessing the penalties provided in  
212 Subsection 20A-1-609(2).

213 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in

214 substantially the following form:

215 "Affidavit of Impecuniosity

216 Individual Name

217 \_\_\_\_\_ Address \_\_\_\_\_

218 Phone Number \_\_\_\_\_

219 I, \_\_\_\_\_ (name), do solemnly [swear] [affirm], under penalty of law  
220 for false statements, that, owing to my poverty, I am unable to pay the filing fee required by  
221 law.

222 Date \_\_\_\_\_ Signature \_\_\_\_\_

223 Affiant

224 Subscribed and sworn to before me on \_\_\_\_\_ (month\day\year)

225 \_\_\_\_\_  
226 (signature)

227 Name and Title of Officer Authorized to Administer Oath \_\_\_\_\_".

228 (v) The filing officer shall provide to a person who requests an affidavit of  
229 impecuniosity a statement printed in substantially the following form, which may be included  
230 on the affidavit of impecuniosity:

231 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a  
232 candidate who is found guilty of filing a false statement, in addition to being subject to criminal  
233 penalties, will be removed from the ballot."

234 (vi) The filing officer may request that a person who makes a claim of impecuniosity  
235 under this Subsection (8)(d) file a financial statement on a form prepared by the election  
236 official.

237 (9) An individual who fails to file a declaration of candidacy or certificate of  
238 nomination within the time provided in this chapter is ineligible for nomination to office.

239 (10) A declaration of candidacy filed under this section may not be amended or  
240 modified after the final date established for filing a declaration of candidacy.

241 Section 2. Section 20A-11-101 is amended to read:

242 **20A-11-101. Definitions.**

243 As used in this chapter:

244 (1) (a) "Address" means the number and street where an individual resides or where a



245 reporting entity has its principal office.

246 (b) "Address" does not include a post office box.

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

248 (a) a person acting on behalf of a reporting entity at the direction of the reporting  
249 entity;

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

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

253 (d) a member of the personal campaign committee of a candidate or officeholder in the  
254 member's capacity as a member of the personal campaign committee of the candidate or  
255 officeholder; or

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

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

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

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

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

265 (5) "Chief election officer" means:

266 (a) the lieutenant governor for state office candidates, legislative office candidates,  
267 officeholders, political parties, political action committees, corporations, political issues  
268 committees, state school board candidates, judges, and labor organizations, as defined in  
269 Section [20A-11-1501](#); and

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

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

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

274 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,  
275 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or

276 anything of value to the filing entity;

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

278 (iv) compensation paid by any person or reporting entity other than the filing entity for

279 personal services provided without charge to the filing entity;

280 (v) remuneration from:

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

282 or

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

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

285 (vii) in-kind contributions.

286 (b) "Contribution" does not include:

287 (i) services provided by individuals volunteering a portion or all of their time on behalf

288 of the filing entity if the services are provided without compensation by the filing entity or any

289 other person;

290 (ii) money lent to the filing entity by a financial institution in the ordinary course of

291 business; or

292 (iii) goods or services provided for the benefit of a political entity at less than fair

293 market value that are not authorized by or coordinated with the political entity.

294 (7) "Coordinated with" means that goods or services provided for the benefit of a

295 political entity are provided:

296 (a) with the political entity's prior knowledge, if the political entity does not object;

297 (b) by agreement with the political entity;

298 (c) in coordination with the political entity; or

299 (d) using official logos, slogans, and similar elements belonging to a political entity.

300 (8) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business

301 organization that is registered as a corporation or is authorized to do business in a state and

302 makes any expenditure from corporate funds for:

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

304 (ii) the purpose of expressly advocating the approval or the defeat of any ballot

305 proposition.

306 (b) "Corporation" does not mean:

307 (i) a business organization's political action committee or political issues committee; or  
308 (ii) a business entity organized as a partnership or a sole proprietorship.

309 (9) "County political party" means, for each registered political party, all of the persons  
310 within a single county who, under definitions established by the political party, are members of  
311 the registered political party.

312 (10) "County political party officer" means a person whose name is required to be  
313 submitted by a county political party to the lieutenant governor in accordance with Section  
314 [20A-8-402](#).

315 (11) (a) "Detailed listing" means:

316 ~~[(a)]~~ (i) for each contribution or public service assistance:

317 ~~[(i)]~~ (A) the name and address of the individual or source making the contribution or  
318 public service assistance, except to the extent that the name or address of the individual or  
319 source is unknown;

320 ~~[(ii)]~~ (B) the amount or value of the contribution or public service assistance; and

321 ~~[(iii)]~~ (C) the date the contribution or public service assistance was made; and

322 ~~[(b)]~~ (ii) for each expenditure:

323 ~~[(i)]~~ (A) the amount of the expenditure;

324 ~~[(ii)]~~ (B) the person or entity to whom it was disbursed;

325 ~~[(iii)]~~ (C) the specific purpose, item, or service acquired by the expenditure; and

326 ~~[(iv)]~~ (D) the date the expenditure was made.

327 (b) "Detailed listing" includes the level of detail described in, or established by rule  
328 under, Section [20A-11-101.3](#).

329 (12) (a) "Donor" means a person that gives money, including a fee, due, or assessment  
330 for membership in the corporation, to a corporation without receiving full and adequate  
331 consideration for the money.

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

334 (13) "Election" means each:

335 (a) regular general election;

336 (b) regular primary election; and

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

338 (14) "Electioneering communication" means a communication that:

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

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

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

344 (15) (a) "Expenditure" means any of the following made by a reporting entity or an  
345 agent of a reporting entity on behalf of the reporting entity:

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

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

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

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

355 (v) a transfer of funds between the filing entity and a candidate's personal campaign  
356 committee; [~~or~~]

357 (vi) goods or services provided by the filing entity to or for the benefit of another  
358 reporting entity for political purposes at less than fair market value[~~;~~]; or

359 (vii) an independent expenditure.

360 (b) "Expenditure" does not include:

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

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

365 (iii) anything listed in Subsection (15)(a) that is given by a reporting entity to  
366 candidates for office or officeholders in states other than Utah.

367 (16) "Federal office" means the office of president of the United States, United States  
368 Senator, or United States Representative.

369 (17) "Filing entity" means the reporting entity that is required to file a financial  
370 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

371 (18) "Financial statement" includes any summary report, interim report, verified  
372 financial statement, or other statement disclosing contributions, expenditures, receipts,  
373 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial  
374 Retention Elections.

375 (19) "Governing board" means the individual or group of individuals that determine the  
376 candidates and committees that will receive expenditures from a political action committee,  
377 political party, or corporation.

378 (20) "Incorporation" means the process established by Title 10, Chapter 2a, Municipal  
379 Incorporation, by which a geographical area becomes legally recognized as a city, town, or  
380 metro township.

381 (21) "Incorporation election" means the election conducted under Section [10-2a-210](#) or  
382 [10-2a-404](#).

383 (22) "Incorporation petition" means a petition described in Section [10-2a-208](#).

384 (23) "Individual" means a natural person.

385 (24) "In-kind contribution" means anything of value, other than money, that is accepted  
386 by or coordinated with a filing entity.

387 (25) "Interim report" means a report identifying the contributions received and  
388 expenditures made since the last report.

389 (26) "Legislative office" means the office of state senator, state representative, speaker  
390 of the House of Representatives, president of the Senate, and the leader, whip, and assistant  
391 whip of any party caucus in either house of the Legislature.

392 (27) "Legislative office candidate" means a person who:

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

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

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

400 (28) "Loan" means any of the following provided by a person that benefits a filing  
401 entity if the person expects repayment or reimbursement:

- 402 (a) an expenditure made using any form of payment;
- 403 (b) money or funds received by the filing entity;
- 404 (c) the provision of a good or service with an agreement or understanding that payment  
405 or reimbursement will be delayed; or
- 406 (d) use of any line of credit.

407 (29) "Major political party" means either of the two registered political parties that  
408 have the greatest number of members elected to the two houses of the Legislature.

409 (30) "Officeholder" means a person who holds a public office.

410 (31) "Party committee" means any committee organized by or authorized by the  
411 governing board of a registered political party.

412 (32) "Person" means both natural and legal persons, including individuals, business  
413 organizations, personal campaign committees, party committees, political action committees,  
414 political issues committees, and labor organizations, as defined in Section [20A-11-1501](#).

415 (33) "Personal campaign committee" means the committee appointed by a candidate to  
416 act for the candidate as provided in this chapter.

417 (34) "Personal use expenditure" has the same meaning as provided under Section  
418 [20A-11-104](#).

419 (35) (a) "Political action committee" means an entity, or any group of individuals or  
420 entities within or outside this state, a major purpose of which is to:

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

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

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

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

429 (i) a party committee;

430 (ii) any entity that provides goods or services to a candidate or committee in the regular

431 course of its business at the same price that would be provided to the general public;

432 (iii) an individual;

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

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

437 (vi) a personal campaign committee.

438 (36) (a) "Political consultant" means a person who is paid by a reporting entity, or paid  
439 by another person on behalf of and with the knowledge of the reporting entity, to provide  
440 political advice to the reporting entity.

441 (b) "Political consultant" includes a circumstance described in Subsection (36)(a),  
442 where the person:

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

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

445 (iii) understands that the person may, in the discretion of the reporting entity or another  
446 person on behalf of and with the knowledge of the reporting entity, be paid in the future, with  
447 money or other consideration.

448 (37) "Political convention" means a county or state political convention held by a  
449 registered political party to select candidates.

450 (38) "Political entity" means a candidate, a political party, a political action committee,  
451 or a political issues committee.

452 (39) (a) "Political issues committee" means an entity, or any group of individuals or  
453 entities within or outside this state, a major purpose of which is to:

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

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

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

- 462 (b) "Political issues committee" does not mean:
- 463 (i) a registered political party or a party committee;
- 464 (ii) any entity that provides goods or services to an individual or committee in the
- 465 regular course of its business at the same price that would be provided to the general public;
- 466 (iii) an individual;
- 467 (iv) individuals who are related and who make contributions from a joint checking
- 468 account;
- 469 (v) a corporation, except a corporation a major purpose of which is to act as a political
- 470 issues committee; or
- 471 (vi) a group of individuals who:
- 472 (A) associate together for the purpose of challenging or supporting a single ballot
- 473 proposition, ordinance, or other governmental action by a county, city, town, local district,
- 474 special service district, or other local political subdivision of the state;
- 475 (B) have a common liberty, property, or financial interest that is directly impacted by
- 476 the ballot proposition, ordinance, or other governmental action;
- 477 (C) do not associate together, for the purpose described in Subsection (39)(b)(vi)(A),
- 478 via a legal entity;
- 479 (D) do not receive funds for challenging or supporting the ballot proposition,
- 480 ordinance, or other governmental action from a person other than an individual in the group;
- 481 and
- 482 (E) do not expend a total of more than \$5,000 for the purpose described in Subsection
- 483 (39)(b)(vi)(A).
- 484 (40) (a) "Political issues contribution" means any of the following:
- 485 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
- 486 anything of value given to a political issues committee;
- 487 (ii) an express, legally enforceable contract, promise, or agreement to make a political
- 488 issues donation to influence the approval or defeat of any ballot proposition;
- 489 (iii) any transfer of funds received by a political issues committee from a reporting
- 490 entity;
- 491 (iv) compensation paid by another reporting entity for personal services rendered
- 492 without charge to a political issues committee; and



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

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

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

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

500 (41) (a) "Political issues expenditure" means any of the following when made by a  
501 political issues committee or on behalf of a political issues committee by an agent of the  
502 reporting entity:

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

505 (A) a ballot proposition; or

506 (B) an incorporation petition or incorporation election;

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

509 (A) a ballot proposition; or

510 (B) an incorporation petition or incorporation election;

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

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

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

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

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

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

522 (42) "Political purposes" means an act done with the intent or in a way to influence or  
523 tend to influence, directly or indirectly, any person to refrain from voting or to vote for or

524 against any:

525 (a) candidate or a person seeking a municipal or county office at any caucus, political  
526 convention, or election; or

527 (b) judge standing for retention at any election.

528 (43) (a) "Poll" means the survey of a person regarding the person's opinion or  
529 knowledge of an individual who has filed a declaration of candidacy for public office, or of a  
530 ballot proposition that has legally qualified for placement on the ballot, which is conducted in  
531 person or by telephone, facsimile, Internet, postal mail, or email.

532 (b) "Poll" does not include:

533 (i) a ballot; or

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

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

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

537 (44) "Primary election" means any regular primary election held under the election  
538 laws.

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

544 (46) "Public office" means the office of governor, lieutenant governor, state auditor,  
545 state treasurer, attorney general, state school board member, state senator, state representative,  
546 speaker of the House of Representatives, president of the Senate, and the leader, whip, and  
547 assistant whip of any party caucus in either house of the Legislature.

548 (47) (a) "Public service assistance" means the following when given or provided to an  
549 officeholder to defray the costs of functioning in a public office or aid the officeholder to  
550 communicate with the officeholder's constituents:

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

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

- 555 (b) "Public service assistance" does not include:
- 556 (i) anything provided by the state;
- 557 (ii) services provided without compensation by individuals volunteering a portion or all  
558 of their time on behalf of an officeholder;
- 559 (iii) money lent to an officeholder by a financial institution in the ordinary course of  
560 business;
- 561 (iv) news coverage or any publication by the news media; or
- 562 (v) any article, story, or other coverage as part of any regular publication of any  
563 organization unless substantially all the publication is devoted to information about the  
564 officeholder.
- 565 (48) "Receipts" means contributions and public service assistance.
- 566 (49) "Registered lobbyist" means a person licensed under Title 36, Chapter 11,  
567 Lobbyist Disclosure and Regulation Act.
- 568 (50) "Registered political action committee" means any political action committee that  
569 is required by this chapter to file a statement of organization with the Office of the Lieutenant  
570 Governor.
- 571 (51) "Registered political issues committee" means any political issues committee that  
572 is required by this chapter to file a statement of organization with the Office of the Lieutenant  
573 Governor.
- 574 (52) "Registered political party" means an organization of voters that:
- 575 (a) participated in the last regular general election and polled a total vote equal to 2%  
576 or more of the total votes cast for all candidates for the United States House of Representatives  
577 for any of its candidates for any office; or
- 578 (b) has complied with the petition and organizing procedures of Chapter 8, Political  
579 Party Formation and Procedures.
- 580 (53) (a) "Remuneration" means a payment:
- 581 (i) made to a legislator for the period the Legislature is in session; and
- 582 (ii) that is approximately equivalent to an amount a legislator would have earned  
583 during the period the Legislature is in session in the legislator's ordinary course of business.
- 584 (b) "Remuneration" does not mean anything of economic value given to a legislator by:
- 585 (i) the legislator's primary employer in the ordinary course of business; or

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

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

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

589 (54) "Reporting entity" means a candidate, a candidate's personal campaign committee,  
590 a judge, a judge's personal campaign committee, an officeholder, a party committee, a political  
591 action committee, a political issues committee, a corporation, or a labor organization, as  
592 defined in Section 20A-11-1501.

593 (55) "School board office" means the office of state school board.

594 (56) (a) "Source" means the person or entity that is the legal owner of the tangible or  
595 intangible asset that comprises the contribution.

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

599 (57) "State office" means the offices of governor, lieutenant governor, attorney general,  
600 state auditor, and state treasurer.

601 (58) "State office candidate" means a person who:

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

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

606 (59) "Summary report" means the year end report containing the summary of a  
607 reporting entity's contributions and expenditures.

608 (60) "Supervisory board" means the individual or group of individuals that allocate  
609 expenditures from a political issues committee.

610 Section 3. Section 20A-11-101.3 is amended to read:

611 **20A-11-101.3. Detailed listing and report requirements -- Rulemaking authority.**

612 (1) As it relates to an expenditure, a detailed listing requires:

613 (a) more than simply disclosing a lump sum paid to a campaign manager or consultant  
614 for campaign services or other broad categories of items or services; and

615 (b) a list of specific items or services and who provided those items or services,  
616 including, for example:

- 617           (i) printing flyers or mailers;  
 618           (ii) printing signs;  
 619           (iii) postage or other means of delivering flyers or mailers;  
 620           (iv) purchasing advertising via television, radio, Internet, billboard, newspaper, or  
 621 another specified medium;  
 622           (v) conducting a poll; or  
 623           (vi) paying campaign workers for time worked.

624           (2) The director of elections, within the Lieutenant Governor's Office, may make rules,  
 625 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in relation to  
 626 the form, type, and level of detail required ~~[in]~~ for a detailed listing ~~[or]~~, a financial disclosure  
 627 form, or another report described in this chapter.

628           Section 4. Section **20A-11-1602** is amended to read:

629           **20A-11-1602. Definitions.**

630           As used in this part:

631           (1) "Conflict of interest" means an action that is taken by a regulated officeholder that  
 632 the officeholder reasonably believes may cause direct financial benefit or detriment to the  
 633 officeholder, a member of the officeholder's immediate family, or an individual or entity that  
 634 the officeholder is required to disclose under the provisions of this section, if that benefit or  
 635 detriment is distinguishable from the effects of that action on the public or on the officeholder's  
 636 profession, occupation, or association generally.

637           (2) "Conflict of interest disclosure" means ~~[(a) before January 1, 2020, a conflict of~~  
 638 ~~interest disclosure form that includes all information required under Section 20A-11-1604, and~~  
 639 ~~(b) on or after January 1, 2020,]~~ a disclosure, on the website, of all information required under  
 640 Section [20A-11-1604](#).

641           (3) "Entity" means a corporation, a partnership, a limited liability company, a limited  
 642 partnership, a sole proprietorship, an association, a cooperative, a trust, an organization, a joint  
 643 venture, a governmental entity, an unincorporated organization, or any other legal entity,  
 644 regardless of whether it is established primarily for the purpose of gain or economic profit.

645           (4) "Filing officer" means:

646           (a) the lieutenant governor, for the office of a state constitutional officer or State Board  
 647 of Education member; or

648 (b) the lieutenant governor or the county clerk in the county of the candidate's  
649 residence, for a state legislative office.

650 (5) "Immediate family" means the regulated officeholder's spouse, a child living in the  
651 regulated officeholder's immediate household, or an individual claimed as a dependent for state  
652 or federal income tax purposes by the regulated officeholder.

653 (6) "Income" means earnings, compensation, or any other payment made to an  
654 individual for gain, regardless of source, whether denominated as wages, salary, commission,  
655 pay, bonus, severance pay, incentive pay, contract payment, interest, per diem, expenses,  
656 reimbursement, dividends, or otherwise.

657 (7) (a) "Owner or officer" means an individual who owns an ownership interest in an  
658 entity or holds a position where the person has authority to manage, direct, control, or make  
659 decisions for:

660 (i) the entity or a portion of the entity; or  
661 (ii) an employee, agent, or independent contractor of the entity.

662 (b) "Owner or officer" includes:

663 (i) a member of a board of directors or other governing body of an entity; or  
664 (ii) a partner in any type of partnership.

665 (8) "Preceding year" means the year immediately preceding the day on which the  
666 regulated officeholder makes a conflict of interest disclosure.

667 (9) "Regulated officeholder" means an individual who is required to make a conflict of  
668 interest disclosure under the provisions of this part.

669 (10) "State constitutional officer" means the governor, the lieutenant governor, the state  
670 auditor, the state treasurer, or the attorney general.

671 (11) "Website" means the Candidate and Officeholder Conflict of Interest Disclosure  
672 Website described in Section [20A-11-1602.5](#).

673 Section 5. Section **20A-11-1602.5** is amended to read:

674 **20A-11-1602.5. Candidate and Officeholder Conflict of Interest Disclosure**  
675 **Website.**

676 (1) The lieutenant governor shall, in cooperation with the county clerks, establish and  
677 administer a Candidate and Officeholder Conflict of Interest Disclosure Website.

678 (2) [~~Beginning no later than January 1, 2020, the~~] The website shall:

- 679 (a) permit a candidate or officeholder to securely access the website for the purpose of:  
 680 (i) complying with the conflict of interest disclosure requirements described in this  
 681 part; and  
 682 (ii) editing conflict of interest disclosures;  
 683 (b) contain a record of all conflict of interest disclosures and edits made by the  
 684 candidate or officeholder for at least the preceding four years; and  
 685 (c) permit any person to view a conflict of interest disclosure made by a candidate or  
 686 officeholder.

687 ~~[(3) No sooner than January 1, 2020, and before January 11, 2020, each individual who~~  
 688 ~~is required to make a conflict of interest disclosure under this part shall, regardless of whether~~  
 689 ~~the individual has already made a conflict of interest disclosure by a means other than the~~  
 690 ~~website, make a complete and updated conflict of interest disclosure on the website using the~~  
 691 ~~secure access described in Subsection (2)(a).]~~

692 Section 6. Section **20A-11-1603** is amended to read:

693 **20A-11-1603. Conflict of interest disclosure -- Required when filing for candidacy**  
 694 **-- Public availability.**

695 ~~[(1) Beginning on January 1, 2020]~~

696 (1) (a) Except as provided in Subsection (1)(b), candidates seeking the following  
 697 offices shall make a complete conflict of interest disclosure on the website at the time of filing  
 698 a declaration of candidacy:

699 ~~[(a)]~~ (i) state constitutional officer;

700 ~~[(b)]~~ (ii) state legislator; or

701 ~~[(c)]~~ (iii) State Board of Education member.

702 (b) A candidate is not required to comply with Subsection (1)(a) if the candidate:

703 (i) currently holds the office for which the candidate is seeking reelection;

704 (ii) already, that same year, filed the conflict of interest disclosure for the office

705 described in Subsection (1)(b)(i), in accordance Section [20A-11-1604](#); and

706 (iii) at the time the candidate files the declaration of candidacy, indicates, in writing,

707 that the conflict of interest disclosure described in Subsection (1)(b)(ii) is updated and accurate

708 as of the date of filing the declaration of candidacy.

709 (2) ~~[(A)]~~ Except as provided in Subsection (1)(b), a filing officer may not accept a

710 declaration of candidacy for an office listed in Subsection (1)(a) until the candidate makes a  
711 complete conflict of interest disclosure on the website.

712 (3) The conflict of interest disclosure described in Subsection (1)(a) shall contain the  
713 same requirements and shall be in the same format as the conflict of interest disclosure  
714 described in Section 20A-11-1604.

715 [~~(4) Until January 1, 2020, the filing officer shall:~~]

716 [~~(a) make each financial disclosure form that the filing officer receives available for  
717 public inspection at the filing officer's place of business; and]~~

718 [~~(b) if the filing officer is not the lieutenant governor, provide each financial disclosure  
719 form to the lieutenant governor within one business day after the day on which the candidate  
720 files the financial disclosure form.]~~

721 [~~(5) Until January 1, 2020, the lieutenant governor shall make each financial disclosure  
722 form that the lieutenant governor receives available to the public:]~~

723 [~~(a) at the Office of the Lieutenant Governor; and]~~

724 [~~(b) on the Statewide Electronic Voter Information Website administered by the  
725 lieutenant governor.]~~

726 [~~(6) Beginning on January 1, 2020, the]~~

727 (4) The lieutenant governor shall make the complete conflict of interest disclosure  
728 made by each candidate available for public inspection on the website.

729 Section 7. Section 20A-11-1604 is amended to read:

730 **20A-11-1604. Failure to disclose conflict of interest -- Failure to comply with**  
731 **reporting requirements.**

732 (1) (a) Before or during the execution of any order, settlement, declaration, contract, or  
733 any other official act of office in which a state constitutional officer has actual knowledge that  
734 the state constitutional officer has a conflict of interest that is not stated in the conflict of  
735 interest disclosure, the state constitutional officer shall publicly declare that the state  
736 constitutional officer may have a conflict of interest and what that conflict of interest is.

737 (b) Before or during any vote on legislation or any legislative matter in which a  
738 legislator has actual knowledge that the legislator has a conflict of interest that is not stated in  
739 the conflict of interest disclosure, the legislator shall orally declare to the committee or body  
740 before which the matter is pending that the legislator may have a conflict of interest and what



741 that conflict is.

742 (c) Before or during any vote on any rule, resolution, order, or any other board matter  
743 in which a member of the State Board of Education has actual knowledge that the member has  
744 a conflict of interest that is not stated in the conflict of interest disclosure, the member shall  
745 orally declare to the board that the member may have a conflict of interest and what that  
746 conflict of interest is.

747 (2) Any public declaration of a conflict of interest that is made under Subsection (1)  
748 shall be noted:

749 (a) on the official record of the action taken, for a state constitutional officer;

750 (b) in the minutes of the committee meeting or in the Senate or House Journal, as  
751 applicable, for a legislator; or

752 (c) in the minutes of the meeting or on the official record of the action taken, for a  
753 member of the State Board of Education.

754 ~~[(3) (a) Until January 1, 2020, a state constitutional officer shall file a financial  
755 disclosure form:]~~

756 ~~[(i) (A) on January 10 each year, or the following business day if the due date falls on a  
757 weekend or holiday; or]~~

758 ~~[(B) if the state constitutional officer takes office after January 10, within 10 days after  
759 the day on which the state constitutional officer takes office; and]~~

760 ~~[(ii) each time the state constitutional officer changes employment.]~~

761 ~~[(b) Beginning on January 1, 2020, a]~~

762 (3) A state constitutional officer shall make a complete conflict of interest disclosure  
763 on the website:

764 (a) (i) ~~[(A)]~~ no sooner than January 1 each year, and before January 11 each year; or

765 ~~[(B)]~~ (ii) if the state constitutional officer takes office after January 10, within 10 days  
766 after the day on which the state constitutional officer takes office; and

767 ~~[(ii)]~~ (b) each time the state constitutional officer changes employment.

768 ~~[(c) Until January 1, 2020, a legislator shall file a financial disclosure form:]~~

769 ~~[(i) (A) on the first day of each general session of the Legislature; or]~~

770 ~~[(B) if the legislator takes office after the first day of the general session of the  
771 Legislature, within 10 days after the day on which the legislator takes office; and]~~

772 ~~[(ii) each time the legislator changes employment.]~~  
773 ~~[(d) Beginning on January 1, 2020, a]~~  
774 (4) A legislator shall make a complete conflict of interest disclosure on the website:  
775 (a) (i) ~~[(A)]~~ no sooner than January 1 each year, and before January 11 each year; or  
776 ~~[(B)] (ii) if the legislator takes office after January 10, within 10 days after the day on~~  
777 which the legislator takes office; and  
778 ~~[(ii)] (b) each time the legislator changes employment.~~  
779 ~~[(e) Until January 1, 2020, a member of the State Board of Education shall file a~~  
780 ~~financial disclosure form:]~~  
781 ~~[(i) (A) on January 10 of each year, or the following business day if the due date falls~~  
782 ~~on a weekend or holiday; or]~~  
783 ~~[(B) if the member takes office after January 10, within 10 days after the day on which~~  
784 ~~the member takes office; and]~~  
785 ~~[(ii) each time the member changes employment.]~~  
786 ~~[(f) Beginning on January 1, 2020, a]~~  
787 (5) A member of the State Board of Education shall make a complete conflict of  
788 interest disclosure on the website:  
789 (a) (i) ~~[(A)]~~ no sooner than January 1 each year, and before January 11 each year; or  
790 ~~[(B)] (ii) if the member takes office after January 10, within 10 days after the day on~~  
791 which the member takes office; and  
792 ~~[(ii)] (b) each time the member changes employment.~~  
793 ~~[(4) The]~~  
794 (6) A conflict of interest disclosure described in Subsection (3), (4), or (5) shall  
795 include:  
796 (a) the regulated officeholder's name;  
797 (b) the name and address of each of the regulated officeholder's current employers and  
798 each of the regulated officeholder's employers during the preceding year;  
799 (c) for each employer described in Subsection ~~[(4)] (6)(b)~~, a brief description of the  
800 employment, including the regulated officeholder's occupation and, as applicable, job title;  
801 (d) for each entity in which the regulated officeholder is an owner or officer, or was an  
802 owner or officer during the preceding year:

- 803 (i) the name of the entity;
- 804 (ii) a brief description of the type of business or activity conducted by the entity; and
- 805 (iii) the regulated officeholder's position in the entity;
- 806 (e) in accordance with Subsection [~~(5)(b)~~] (7), for each individual from whom, or
- 807 entity from which, the regulated officeholder has received \$5,000 or more in income during the
- 808 preceding year:
- 809 (i) the name of the individual or entity; and
- 810 (ii) a brief description of the type of business or activity conducted by the individual or
- 811 entity;
- 812 (f) for each entity in which the regulated officeholder holds any stocks or bonds having
- 813 a fair market value of \$5,000 or more as of the date of the disclosure form or during the
- 814 preceding year, but excluding funds that are managed by a third party, including blind trusts,
- 815 managed investment accounts, and mutual funds:
- 816 (i) the name of the entity; and
- 817 (ii) a brief description of the type of business or activity conducted by the entity;
- 818 (g) for each entity not listed in Subsections [~~(4)~~] (6)(d) through (f) in which the
- 819 regulated officeholder currently serves, or served in the preceding year, on the board of
- 820 directors or in any other type of paid leadership capacity:
- 821 (i) the name of the entity or organization;
- 822 (ii) a brief description of the type of business or activity conducted by the entity; and
- 823 (iii) the type of advisory position held by the regulated officeholder;
- 824 (h) at the option of the regulated officeholder, a description of any real property in
- 825 which the regulated officeholder holds an ownership or other financial interest that the
- 826 regulated officeholder believes may constitute a conflict of interest, including a description of
- 827 the type of interest held by the regulated officeholder in the property;
- 828 (i) the name of the regulated officeholder's spouse and any other adult residing in the
- 829 regulated officeholder's household who is not related by blood or marriage, as applicable;
- 830 (j) for the regulated officeholder's spouse, the information that a regulated officeholder
- 831 is required to provide under Subsection [~~(4)~~] (6)(b);
- 832 (k) a brief description of the employment and occupation of each adult who:
- 833 (i) resides in the regulated officeholder's household; and

834 (ii) is not related to the regulated officeholder by blood or marriage;

835 (l) at the option of the regulated officeholder, a description of any other matter or  
836 interest that the regulated officeholder believes may constitute a conflict of interest;

837 (m) the date the form was completed;

838 (n) a statement that the regulated officeholder believes that the form is true and  
839 accurate to the best of the regulated officeholder's knowledge; and

840 (o) the signature of the regulated officeholder.

841 ~~[(5)(a) Before January 1, 2020, the regulated officeholder shall file the financial~~  
842 ~~disclosure form with:]~~

843 ~~[(i) the secretary of the Senate, if the regulated officeholder is a member of the Senate;]~~  
844 ~~[(ii) the chief clerk of the House of Representatives, if the regulated officeholder is a~~  
845 ~~member of the House of Representatives; or]~~

846 ~~[(iii) the lieutenant governor, if the regulated officeholder is a regulated officeholder~~  
847 ~~other than a regulated officeholder described in Subsection (5)(a)(i) or (ii).]~~

848 ~~[(b)]~~ (7) In making the disclosure described in Subsection ~~[(4)]~~ (6)(e), a regulated  
849 officeholder who provides goods or services to multiple customers or clients as part of a  
850 business or a licensed profession is only required to provide the information described in  
851 Subsection ~~[(4)]~~ (6)(e) in relation to the entity or practice through which the regulated  
852 officeholder provides the goods or services and is not required to provide the information  
853 described in Subsection ~~[(4)]~~ (6)(e) in relation to the regulated officeholder's individual  
854 customers or clients.

855 ~~[(6) Until January 1, 2020, the lieutenant governor, the secretary of the Senate, and the~~  
856 ~~chief clerk of the House of Representatives shall ensure that blank conflict of interest~~  
857 ~~disclosure forms are available on the Internet and at their offices:]~~

858 ~~[(7) Until January 1, 2020, an individual described in Subsection (6) who receives a~~  
859 ~~conflict of interest disclosure form or an amendment to a conflict of interest disclosure form~~  
860 ~~under this section shall make each version of the form, and each amendment to the form,~~  
861 ~~available to the public for the period of time described in Subsection (8), in the following~~  
862 ~~manner:]~~

863 ~~[(a) on the Internet; and]~~

864 ~~[(b) at the office where the form or the amendment to the form was filed.]~~

865 ~~[(8) The period of time that an individual described in Subsection (7) shall make each~~  
866 ~~version of a conflict of interest disclosure form and each amendment to a conflict of interest~~  
867 ~~disclosure form available to the public is:]~~

868 ~~[(a) two years after the day on which the individual described in Subsection (7)~~  
869 ~~receives the form, for a regulated officeholder in an office that has a normal term of two years~~  
870 ~~or less; or]~~

871 ~~[(b) four years after the day on which the individual described in Subsection (7)~~  
872 ~~receives the form, for a regulated officeholder in an office that has a normal term of more than~~  
873 ~~two years.]~~

874 ~~[(9)] (8) The disclosure requirements described in this section do not prohibit a~~  
875 ~~regulated officeholder from voting or acting on any matter.~~

876 ~~[(10)] (9) A regulated officeholder may amend a conflict of interest disclosure~~  
877 ~~described in this part at any time.~~

878 ~~[(11)] (10) A regulated officeholder who violates the requirements of Subsection (1) is~~  
879 ~~guilty of a class B misdemeanor.~~

880 ~~[(12)] (11) (a) A regulated officeholder who intentionally or knowingly violates a~~  
881 ~~provision of this section, other than Subsection (1), is guilty of a class B misdemeanor.~~

882 (b) In addition to the criminal penalty described in Subsection ~~[(12)] (11)(a)~~, the  
883 lieutenant governor shall impose a civil penalty of \$100 against a regulated officeholder who  
884 violates a provision of this section, other than Subsection (1).

885 Section 8. Section **20A-11-1605** is amended to read:

886 **20A-11-1605. Failure to file -- Penalties.**

887 (1) Within 60 days after the day on which a regulated officeholder is required to file a  
888 conflict of interest disclosure under Subsection **20A-11-1604(3)**~~[(a)(i), (b)(i), (c)(i), (d)(i),~~  
889 ~~(e)(i), or (f)(i)]~~, (4) or (5), the lieutenant governor shall review each filed conflict of interest  
890 disclosure to ensure that:

891 (a) each regulated officeholder who is required to file a conflict of interest disclosure  
892 has filed one; and

893 (b) each conflict of interest disclosure contains the information required under Section  
894 **20A-11-1604**.

895 (2) The lieutenant governor shall take the action described in Subsection (3) if:

896 (a) a regulated officeholder has failed to timely file a conflict of interest disclosure;

897 (b) a filed conflict of interest disclosure does not comply with the requirements of

898 Section [20A-11-1604](#); or

899 (c) the lieutenant governor receives a written complaint alleging a violation of Section  
900 [20A-11-1604](#), other than Subsection [20A-11-1604](#)(1), and after receiving the complaint and  
901 giving the regulated officeholder notice and an opportunity to be heard, the lieutenant governor  
902 determines that a violation occurred.

903 (3) If a circumstance described in Subsection (2) occurs, the lieutenant governor shall,  
904 within five days after the day on which the lieutenant governor determines that a violation  
905 occurred, notify the regulated officeholder of the violation and direct the regulated officeholder  
906 to file an amended report correcting the problem.

907 (4) (a) It is unlawful for a regulated officeholder to fail to file or amend a conflict of  
908 interest disclosure within seven days after the day on which the regulated officeholder receives  
909 the notice described in Subsection (3).

910 (b) A regulated officeholder who violates Subsection (4)(a) is guilty of a class B  
911 misdemeanor.

912 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the  
913 attorney general.

914 (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant  
915 governor shall impose a civil fine of \$100 against a regulated officeholder who violates  
916 Subsection (4)(a).

917 (5) The lieutenant governor shall deposit a fine collected under this part into the  
918 General Fund as a dedicated credit to pay for the costs of administering the provisions of this  
919 part.

920 Section 9. Section [20A-11-1706](#) is amended to read:

921 **[20A-11-1706. Penalties.](#)**

922 (1) The chief election officer shall impose a \$100 fine against an individual who fails  
923 to file an independent expenditure report, that includes the information required for the report,  
924 within the time period required by this part.

925 (2) The chief election officer shall impose a \$1000 fine against a person who is not an  
926 individual who fails to file an independent expenditure report, that includes the information

927 required for the report, within the time period required by this part.

928 (3) The chief election officer shall deposit fines collected under this chapter ~~[in]~~ into  
929 the General Fund.

930 Section 10. Section **67-1a-16** is enacted to read:

931 **67-1a-16. Studies by lieutenant governor -- Reporting.**

932 (1) The lieutenant governor shall conduct a study relating to actions that could be taken  
933 to ensure that individuals with a disability and elderly individuals have the same opportunity as  
934 other voters to vote, including:

935 (a) the feasibility of using web-based or mobile online voting;

936 (b) the feasibility of using electronic ballots and electronic signatures;

937 (c) methods of making vote-by-mail more accessible; and

938 (d) other methods of permitting a voter to independently cast an accessible, secret  
939 ballot from home.

940 (2) The lieutenant governor shall conduct a study on the most effective and lowest cost  
941 methods of verifying a voter's current residence and eligibility to vote in an election.

942 (3) No later than July 1, 2022, the lieutenant governor shall present the results of the  
943 studies described in this section, and any recommendations based on the studies, to the  
944 Government Operations Interim Committee.

945 (4) No later than February 15, 2023, the lieutenant governor shall present the results of  
946 the study described in Subsection (1), and any recommendations based on the study, to the  
947 Infrastructure and General Government Appropriations Subcommittee.