

Sahara Hayes proposes the following substitute bill:

Political Advertising Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sahara Hayes

Senate Sponsor: Calvin R. Musselman

2

3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions related to political advertising.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines terms;

9 ▶ specifies that an electioneering communication or a political advertisement includes a
10 communication or advertisement disseminated on a social media platform;

11 ▶ authorizes an election officer to impose a monetary fine against a person who violates
12 certain provisions related to political advertisements; and

13 ▶ makes technical and conforming changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **20A-11-101**, as last amended by Laws of Utah 2024, Chapter 438

21 **20A-11-901**, as last amended by Laws of Utah 2022, Chapter 18

22

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

24 Section 3. Section **20A-11-101** is amended to read:

25 **20A-11-101 . Definitions.**

26 As used in this chapter:

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

- 29 (b) "Address" does not include a post office box.
- 30 (2) "Agent of a reporting entity" means:
- 31 (a) a person acting on behalf of a reporting entity at the direction of the reporting entity;
- 32 (b) a person employed by a reporting entity in the reporting entity's capacity as a
- 33 reporting entity;
- 34 (c) the personal campaign committee of a candidate or officeholder;
- 35 (d) a member of the personal campaign committee of a candidate or officeholder in the
- 36 member's capacity as a member of the personal campaign committee of the candidate
- 37 or officeholder; or
- 38 (e) a political consultant of a reporting entity.
- 39 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
- 40 amendments, and any other ballot propositions submitted to the voters that are
- 41 authorized by the Utah Code Annotated 1953.
- 42 (4) "Candidate" means any person who:
- 43 (a) files a declaration of candidacy for a public office; or
- 44 (b) receives contributions, makes expenditures, or gives consent for any other person to
- 45 receive contributions or make expenditures to bring about the person's nomination or
- 46 election to a public office.
- 47 (5) "Chief election officer" means:
- 48 (a) the lieutenant governor for state office candidates, legislative office candidates,
- 49 officeholders, political parties, political action committees, corporations, political
- 50 issues committees, state school board candidates, judges, and labor organizations, as
- 51 defined in Section 20A-11-1501; and
- 52 (b) the county clerk for local school board candidates.
- 53 (6)(a) "Contribution" means any of the following when done for political purposes:
- 54 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
- 55 value given to the filing entity;
- 56 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
- 57 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
- 58 money or anything of value to the filing entity;
- 59 (iii) any transfer of funds from another reporting entity to the filing entity;
- 60 (iv) compensation paid by any person or reporting entity other than the filing entity
- 61 for personal services provided without charge to the filing entity;
- 62 (v) remuneration from:

- 63 (A) any organization or its directly affiliated organization that has a registered
64 lobbyist; or
- 65 (B) any agency or subdivision of the state, including school districts;
- 66 (vi) a loan made by a candidate deposited to the candidate's own campaign; and
67 (vii) in-kind contributions.
- 68 (b) "Contribution" does not include:
- 69 (i) services provided by individuals volunteering a portion or all of their time on
70 behalf of the filing entity if the services are provided without compensation by the
71 filing entity or any other person;
- 72 (ii) money lent to the filing entity by a financial institution in the ordinary course of
73 business;
- 74 (iii) goods or services provided for the benefit of a political entity at less than fair
75 market value that are not authorized by or coordinated with the political entity; or
76 (iv) data or information described in Subsection (24)(b).
- 77 (7) "Coordinated with" means that goods or services provided for the benefit of a political
78 entity are provided:
- 79 (a) with the political entity's prior knowledge, if the political entity does not object;
80 (b) by agreement with the political entity;
- 81 (c) in coordination with the political entity; or
82 (d) using official logos, slogans, and similar elements belonging to a political entity.
- 83 (8)(a) "Corporation" means a domestic or foreign, profit or nonprofit, business
84 organization that is registered as a corporation or is authorized to do business in a
85 state and makes any expenditure from corporate funds for:
- 86 (i) the purpose of expressly advocating for political purposes; or
87 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
88 proposition.
- 89 (b) "Corporation" does not mean:
- 90 (i) a business organization's political action committee or political issues committee;
91 or
92 (ii) a business entity organized as a partnership or a sole proprietorship.
- 93 (9) "County political party" means, for each registered political party, all of the persons
94 within a single county who, under definitions established by the political party, are
95 members of the registered political party.
- 96 (10) "County political party officer" means a person whose name is required to be

97 submitted by a county political party to the lieutenant governor in accordance with
98 Section 20A-8-402.

99 (11) "Detailed listing" means:

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

101 (i) the name and address of the individual or source making the contribution or public
102 service assistance, except to the extent that the name or address of the individual
103 or source is unknown;

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

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

106 (b) for each expenditure:

107 (i) the amount of the expenditure;

108 (ii) the goods or services acquired by the expenditure; and

109 (iii) the date the expenditure was made.

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

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

115 (13) "Election" means each:

116 (a) regular general election;

117 (b) regular primary election; and

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

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

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

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

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

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

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

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

- 131 (iii) an express, legally enforceable contract, promise, or agreement to make any
132 purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
133 or anything of value for political purposes;
- 134 (iv) compensation paid by a filing entity for personal services rendered by a person
135 without charge to a reporting entity;
- 136 (v) a transfer of funds between the filing entity and a candidate's personal campaign
137 committee;
- 138 (vi) goods or services provided by the filing entity to or for the benefit of another
139 reporting entity for political purposes at less than fair market value; or
- 140 (vii) an independent expenditure, as defined in Section 20A-11-1702.
- 141 (b) "Expenditure" does not include:
- 142 (i) services provided without compensation by individuals volunteering a portion or
143 all of their time on behalf of a reporting entity;
- 144 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
145 business; or
- 146 (iii) anything listed in Subsection (15)(a) that is given by a reporting entity to
147 candidates for office or officeholders in states other than Utah.
- 148 (16) "Federal office" means the office of president of the United States, United States
149 Senator, or United States Representative.
- 150 (17) "Filing entity" means the reporting entity that is required to file a financial statement
151 required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.
- 152 (18) "Financial statement" includes any summary report, interim report, verified financial
153 statement, or other statement disclosing contributions, expenditures, receipts, donations,
154 or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial Retention
155 Elections.
- 156 (19) "Governing board" means the individual or group of individuals that determine the
157 candidates and committees that will receive expenditures from a political action
158 committee, political party, or corporation.
- 159 (20) "Incorporation" means the process established by Title 10, Chapter 2a, Municipal
160 Incorporation, by which a geographical area becomes legally recognized as a city or
161 town.
- 162 (21) "Incorporation election" means the election conducted under Section 10-2a-210.
- 163 (22) "Incorporation petition" means a petition described in Section 10-2a-208.
- 164 (23) "Individual" means a natural person.

- 165 (24)(a) "In-kind contribution" means anything of value, other than money, that is
166 accepted by or coordinated with a filing entity.
- 167 (b) "In-kind contribution" does not include survey results, voter lists, voter contact
168 information, demographic data, voting trend data, or other information that:
169 (i) is not commissioned for the benefit of a particular candidate or officeholder; and
170 (ii) is offered at no cost to a candidate or officeholder.
- 171 (25) "Interim report" means a report identifying the contributions received and expenditures
172 made since the last report.
- 173 (26) "Legislative office" means the office of state senator, state representative, speaker of
174 the House of Representatives, president of the Senate, and the leader, whip, and assistant
175 whip of any party caucus in either house of the Legislature.
- 176 (27) "Legislative office candidate" means a person who:
177 (a) files a declaration of candidacy for the office of state senator or state representative;
178 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
179 speaker of the House of Representatives, president of the Senate, or the leader, whip,
180 and assistant whip of any party caucus in either house of the Legislature; or
181 (c) receives contributions, makes expenditures, or gives consent for any other person to
182 receive contributions or make expenditures to bring about the person's nomination,
183 election, or appointment to a legislative office.
- 184 (28) "Loan" means any of the following provided by a person that benefits a filing entity if
185 the person expects repayment or reimbursement:
186 (a) an expenditure made using any form of payment;
187 (b) money or funds received by the filing entity;
188 (c) the provision of a good or service with an agreement or understanding that payment
189 or reimbursement will be delayed; or
190 (d) use of any line of credit.
- 191 (29) "Major political party" means either of the two registered political parties that have the
192 greatest number of members elected to the two houses of the Legislature.
- 193 (30) "Officeholder" means a person who holds a public office.
- 194 (31) "Party committee" means any committee organized by or authorized by the governing
195 board of a registered political party.
- 196 (32) "Person" means both natural and legal persons, including individuals, business
197 organizations, personal campaign committees, party committees, political action
198 committees, political issues committees, and labor organizations, as defined in Section

199 20A-11-1501.

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

202 (34) "Personal use expenditure" has the same meaning as provided under Section
203 20A-11-104.

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

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

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

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

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

215 (i) a party committee;

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

219 (iii) an individual;

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

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

224 (vi) a personal campaign committee.

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

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

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

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

232 (iii) understands that the person may, in the discretion of the reporting entity or

233 another person on behalf of and with the knowledge of the reporting entity, be
234 paid in the future, with money or other consideration.

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

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

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

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

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

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

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

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

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

256 (iii) an individual;

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

259 (v) a corporation, except a corporation a major purpose of which is to act as a
260 political issues committee; or

261 (vi) a group of individuals who:

262 (A) associate together for the purpose of challenging or supporting a single ballot
263 proposition, ordinance, or other governmental action by a county, city, town,
264 special district, special service district, or other local political subdivision of
265 the state;

266 (B) have a common liberty, property, or financial interest that is directly impacted

- 267 by the ballot proposition, ordinance, or other governmental action;
268 (C) do not associate together, for the purpose described in Subsection
269 (39)(b)(vi)(A), via a legal entity;
270 (D) do not receive funds for challenging or supporting the ballot proposition,
271 ordinance, or other governmental action from a person other than an individual
272 in the group; and
273 (E) do not expend a total of more than \$5,000 for the purpose described in
274 Subsection (39)(b)(vi)(A).

275 (40)(a) "Political issues contribution" means any of the following:

- 276 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money
277 or anything of value given to a political issues committee;
278 (ii) an express, legally enforceable contract, promise, or agreement to make a
279 political issues donation to influence the approval or defeat of any ballot
280 proposition;
281 (iii) any transfer of funds received by a political issues committee from a reporting
282 entity;
283 (iv) compensation paid by another reporting entity for personal services rendered
284 without charge to a political issues committee; and
285 (v) goods or services provided to or for the benefit of a political issues committee at
286 less than fair market value.

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

- 288 (i) services provided without compensation by individuals volunteering a portion or
289 all of their time on behalf of a political issues committee; or
290 (ii) money lent to a political issues committee by a financial institution in the
291 ordinary course of business.

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

- 295 (i) any payment from political issues contributions made for the purpose of
296 influencing the approval or the defeat of:
297 (A) a ballot proposition; or
298 (B) an incorporation petition or incorporation election;
299 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made
300 for the express purpose of influencing the approval or the defeat of:

- 301 (A) a ballot proposition; or
302 (B) an incorporation petition or incorporation election;
303 (iii) an express, legally enforceable contract, promise, or agreement to make any
304 political issues expenditure;
305 (iv) compensation paid by a reporting entity for personal services rendered by a
306 person without charge to a political issues committee; or
307 (v) goods or services provided to or for the benefit of another reporting entity at less
308 than fair market value.
- 309 (b) "Political issues expenditure" does not include:
310 (i) services provided without compensation by individuals volunteering a portion or
311 all of their time on behalf of a political issues committee; or
312 (ii) money lent to a political issues committee by a financial institution in the
313 ordinary course of business.
- 314 (42) "Political purposes" means an act done with the intent or in a way to influence or tend
315 to influence, directly or indirectly, any person to refrain from voting or to vote for or
316 against any:
317 (a) candidate or a person seeking a municipal or county office at any caucus, political
318 convention, or election; or
319 (b) judge standing for retention at any election.
- 320 (43)(a) "Poll" means the survey of a person regarding the person's opinion or knowledge
321 of an individual who has filed a declaration of candidacy for public office, or of a
322 ballot proposition that has legally qualified for placement on the ballot, which is
323 conducted in person or by telephone, facsimile, Internet, postal mail, or email.
324 (b) "Poll" does not include:
325 (i) a ballot; or
326 (ii) an interview of a focus group that is conducted, in person, by one individual, if:
327 (A) the focus group consists of more than three, and less than thirteen, individuals;
328 and
329 (B) all individuals in the focus group are present during the interview.
- 330 (44) "Primary election" means any regular primary election held under the election laws.
- 331 (45) "Publicly identified class of individuals" means a group of 50 or more individuals
332 sharing a common occupation, interest, or association that contribute to a political action
333 committee or political issues committee and whose names can be obtained by contacting
334 the political action committee or political issues committee upon whose financial

- 335 statement the individuals are listed.
- 336 (46) "Public office" means the office of governor, lieutenant governor, state auditor, state
337 treasurer, attorney general, state school board member, state senator, state representative,
338 speaker of the House of Representatives, president of the Senate, and the leader, whip,
339 and assistant whip of any party caucus in either house of the Legislature.
- 340 (47)(a) "Public service assistance" means the following when given or provided to an
341 officeholder to defray the costs of functioning in a public office or aid the
342 officeholder to communicate with the officeholder's constituents:
- 343 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit
344 of money or anything of value to an officeholder; or
- 345 (ii) goods or services provided at less than fair market value to or for the benefit of
346 the officeholder.
- 347 (b) "Public service assistance" does not include:
- 348 (i) anything provided by the state;
- 349 (ii) services provided without compensation by individuals volunteering a portion or
350 all of their time on behalf of an officeholder;
- 351 (iii) money lent to an officeholder by a financial institution in the ordinary course of
352 business;
- 353 (iv) news coverage or any publication by the news media; or
- 354 (v) any article, story, or other coverage as part of any regular publication of any
355 organization unless substantially all the publication is devoted to information
356 about the officeholder.
- 357 (48) "Receipts" means contributions and public service assistance.
- 358 (49) "Registered lobbyist" means a person licensed under Title 36, Chapter 11, Lobbyist
359 Disclosure and Regulation Act.
- 360 (50) "Registered political action committee" means any political action committee that is
361 required by this chapter to file a statement of organization with the Office of the
362 Lieutenant Governor.
- 363 (51) "Registered political issues committee" means any political issues committee that is
364 required by this chapter to file a statement of organization with the Office of the
365 Lieutenant Governor.
- 366 (52) "Registered political party" means an organization of voters that:
- 367 (a) participated in the last regular general election and polled a total vote equal to 2% or
368 more of the total votes cast for all candidates for the United States House of

- 369 Representatives for any of its candidates for any office; or
- 370 (b) has complied with the petition and organizing procedures of Chapter 8, Political
371 Party Formation and Procedures.
- 372 (53)(a) "Remuneration" means a payment:
- 373 (i) made to a legislator for the period the Legislature is in session; and
- 374 (ii) that is approximately equivalent to an amount a legislator would have earned
375 during the period the Legislature is in session in the legislator's ordinary course of
376 business.
- 377 (b) "Remuneration" does not mean anything of economic value given to a legislator by:
- 378 (i) the legislator's primary employer in the ordinary course of business; or
- 379 (ii) a person or entity in the ordinary course of business:
- 380 (A) because of the legislator's ownership interest in the entity; or
- 381 (B) for services rendered by the legislator on behalf of the person or entity.
- 382 (54) "Reporting entity" means a candidate, a candidate's personal campaign committee, a
383 judge, a judge's personal campaign committee, an officeholder, a party committee, a
384 political action committee, a political issues committee, a corporation, or a labor
385 organization, as defined in Section 20A-11-1501.
- 386 (55) "School board office" means the office of state school board.
- 387 (56)(a) "Source" means the person or entity that is the legal owner of the tangible or
388 intangible asset that comprises the contribution.
- 389 (b) "Source" means, for political action committees and corporations, the political action
390 committee and the corporation as entities, not the contributors to the political action
391 committee or the owners or shareholders of the corporation.
- 392 (57) "State office" means the offices of governor, lieutenant governor, attorney general,
393 state auditor, and state treasurer.
- 394 (58) "State office candidate" means a person who:
- 395 (a) files a declaration of candidacy for a state office; or
- 396 (b) receives contributions, makes expenditures, or gives consent for any other person to
397 receive contributions or make expenditures to bring about the person's nomination,
398 election, or appointment to a state office.
- 399 (59) "Summary report" means the year end report containing the summary of a reporting
400 entity's contributions and expenditures.
- 401 (60) "Supervisory board" means the individual or group of individuals that allocate
402 expenditures from a political issues committee.

403 Section 1. Section **20A-11-901** is amended to read:

404 **20A-11-901 . Political advertisements -- Requirement that ads designate**
 405 **responsibility and authorization -- Report to lieutenant governor -- Unauthorized use of**
 406 **endorsements.**

407 (1) As used in this section:

408 (a)(i) "Advertisement" means a communication disseminated through:

409 (A) the Internet, a social media platform, newspaper, magazine, an outdoor
 410 advertising facility, a direct mailing, or a broadcast, cable, or satellite provider;

411 or

412 (B) any other medium used for communicating with the general public.

413 (ii) "Advertisement" includes ~~it~~ → [a news story, commentary, an editorial, or] ← ~~it~~ a
 413a marketing

414 campaign disseminated on a medium described in Subsection (1)(a)(i).

415 (b) "Local attorney" means:

416 (i) a county attorney or district attorney, as described in Title 17, Chapter 18a,

417 Powers and Duties of County and District Attorney; or

418 (ii) a city attorney under Section 10-3-928.

419 ~~[(1)] (2)~~ [(a)] Whenever any person makes an expenditure for the purpose of financing an
 420 advertisement expressly advocating for the election or defeat of a clearly identified
 421 candidate, or solicits any contribution through ~~[any broadcasting station, newspaper,~~
 422 ~~magazine, outdoor advertising facility, direct mailing, or any other type of general~~
 423 ~~public political advertising]~~ an advertisement, the advertisement:

424 [(i)] (a) if paid for and authorized by a candidate or the candidate's campaign committee,
 425 shall clearly state that the advertisement has been paid for by the candidate or the
 426 campaign committee;

427 [(ii)] (b) if paid for by another person but authorized by a candidate or the candidate's
 428 campaign committee, shall clearly state who paid for the advertisement and that the
 429 candidate or the campaign committee authorized the advertisement; or

430 [(iii)] (c) if not authorized by a candidate or a candidate's campaign committee, shall
 431 clearly state the name of the person who paid for the advertisement and state that the
 432 advertisement is not authorized by any candidate or candidate's committee.

433 ~~[(2)] (3)~~ (a) A person that makes an expenditure for the purpose of financing an

434 advertisement related to a ballot proposition shall ensure that the advertisement

435 complies with Subsection ~~[(2)(b)] (3)~~ (b) if the advertisement expressly advocates:

- 436 (i) for placing a ballot proposition on the ballot;
- 437 (ii) for keeping a ballot proposition off the ballot;
- 438 (iii) that a voter refrain from voting on a ballot proposition; or
- 439 (iv) that a voter vote for or against a ballot proposition.
- 440 (b) An advertisement described in Subsection [~~(2)~~(a)] (3)(a) shall:
- 441 (i) if paid for by a political issues committee, clearly state that the advertisement was
- 442 paid for by the political issues committee;
- 443 (ii) if paid for by another person but authorized by a political issues committee,
- 444 clearly state who paid for the advertisement and that the political issues committee
- 445 authorized the advertisement; or
- 446 (iii) if not authorized by a political issues committee, clearly state the name of the
- 447 person who paid for the advertisement and state that the advertisement is not
- 448 authorized by any political issues committee.
- 449 [~~(3)~~] (4) The requirements of Subsections [~~(1)~~] (2) and [~~(2)~~] (3) do not apply to:
- 450 (a) lawn signs with dimensions of four by eight feet or smaller;
- 451 (b) bumper stickers;
- 452 (c) campaign pins, buttons, and pens; or
- 453 (d) similar small items upon which the disclaimer cannot be conveniently printed.
- 454 [~~(4)~~] (5)(a) A person who is not a reporting entity and pays for an electioneering
- 455 communication shall file a report with the lieutenant governor within 24 hours of
- 456 making the payment or entering into a contract to make the payment.
- 457 (b) The report shall include:
- 458 (i) the name and address of the person described in Subsection [~~(4)~~(a)] (5)(a);
- 459 (ii) the name and address of each person contributing at least \$100 to the person
- 460 described in Subsection [~~(4)~~(a)] (5)(a) for the purpose of disseminating the
- 461 electioneering communication;
- 462 (iii) the amount spent on the electioneering communication;
- 463 (iv) the name of the identified referenced candidate; and
- 464 (v) the medium used to disseminate the electioneering communication.
- 465 [~~(5)~~] (6) A person may not, in order to promote the success of any candidate for nomination
- 466 or election to any public office, or in connection with any question submitted to the
- 467 voters, include or cause to be included the name of any person as endorser or supporter
- 468 in any political advertisement, circular, poster, or publication without the express
- 469 consent of that person.

- 470 ~~[(6)]~~ (7)(a) It is unlawful for a person to pay the owner, editor, publisher, or agent of any
471 newspaper or other periodical to induce the owner, editor, publisher, or agent to
472 advocate or oppose editorially any candidate for nomination or election.
- 473 (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to
474 advocate or oppose editorially any candidate for nomination or election.
- 475 (8) The lieutenant governor shall impose a \$1,000 fine against a person who:
- 476 (a) violates Subsection (5); or
- 477 (b) violates any other disclosure requirement or prohibition described in this section, if
478 the violation relates to:
- 479 (i) a statewide ballot proposition; or
- 480 (ii) the nomination or election of a candidate for:
- 481 (A) federal office;
- 482 (B) state office;
- 483 (C) legislative office; or
- 484 (D) state school board.
- 485 (9) Upon investigation by the local attorney, the county clerk or municipal clerk shall
486 impose a \$500 fine against a person who violates this section, other than Subsection (5),
487 if the violation relates to:
- 488 (a) for a county clerk:
- 489 (i) a candidate for county office, local school board office, or special district office;
- 490 (ii) a countywide local ballot proposition; or
- 491 (iii) a judicial retention election; or
- 492 (b) for a municipal clerk:
- 493 (i) a candidate for municipal office; or
- 494 (ii) a citywide or townwide local ballot proposition.
- 495 (10)(a) The lieutenant governor shall deposit a fine collected under Subsection (8) into
496 the state's General Fund.
- 497 (b) The county clerk or municipal clerk shall deposit a fine collected under Subsection
498 (9) into the political subdivision's general fund.
- 499 **Section 4. Effective Date.**
- 500 This bill takes effect on May 7, 2025.