

Election Fundraising Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Bridger Bolinder

LONG TITLE

General Description:

This bill amends provisions relating to prohibited campaign contributions.

Highlighted Provisions:

This bill:

- defines terms;
- exempts a campaign contribution for federal office, made by a person other than a lobbyist or principal, from the prohibition on campaign contributions during a legislative session or the time period when the governor may veto a bill;
- makes it a crime to make a federal contribution with the intent to influence the governor or a state official to take or not take an action or to reward the governor or a state official for taking or not taking an action; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

36-11-305, as last amended by Laws of Utah 2018, Chapter 139

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

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

**36-11-305 . Campaign contribution during session or veto period prohibited --
Exceptions related to federal campaigns -- Federal contribution intended to influence**

governor or state official prohibited.**(1) As used in this section:**

(a) "Federal campaign contribution" means a contribution made for a campaign for federal office to:

(i) a state official who is a candidate for federal office; or

(ii) a governor who is a candidate for federal office.

(b)(i) "State campaign contribution" means a contribution, as defined in Section 20A-11-101.

(ii) "State campaign contribution" does not include a federal campaign contribution.

(c) "State official" means:

(i) a member of the Utah Senate or the Utah House of Representatives;

(ii) the lieutenant governor;

(iii) the attorney general;

(iv) the state auditor; or

(v) the state treasurer.

[~~(1)~~] (2) It is unlawful for a person, lobbyist, principal, or political committee to make a state campaign contribution to, or to contract, promise, or agree to make a state campaign contribution[;] to, any of the following during the time the Legislature is convened in annual general session, veto override session, or special session:

~~[(a)(i) a legislator;]~~

~~[(ii) the lieutenant governor;]~~

~~[(iii) the attorney general;]~~

~~[(iv) the state auditor; or]~~

~~[(v) the state treasurer;]~~

(a) a state official;

(b) the personal campaign committee of [an individual described in Subsection (1)(a)] a state official; or

(c) a political action committee controlled by a [person described in Subsection (1)(a)] state official.

(3) It is unlawful for a lobbyist or principal to make a federal campaign contribution to, or to contract, promise, or agree to make a federal campaign contribution to, any of the following during the time the Legislature is convened in annual general session, veto override session, or special session:

(a) a state official who is running for federal office;

(b) a federal campaign committee of a person described in Subsection (3)(a); or
(c) a political committee, as defined in 52 U.S.C. Sec. 30101, that is controlled by a
person described in Subsection (3)(a).

(4) It is unlawful for a person to make a federal campaign contribution to, or to contract,
promise, or agree to make a federal campaign contribution to, a person described in
Subsection (3)(a), (b), or (c), if the person makes the federal campaign contribution,
contract, promise, or agreement with the intent to:

(a) influence a state official to take or fail to take an action in the state official's capacity
as a state official; or

(b) reward a state official for taking or failing to take an action in the state official's
capacity as a state official.

~~[(2)]~~ (5) It is unlawful for a person, lobbyist, principal, or political committee to make a
state campaign contribution to, or to contract, promise, or agree to make a state
campaign contribution~~[, to the governor, the governor's personal campaign committee,~~
~~or a political action committee controlled by the governor]~~ to, any of the following
during the time the Legislature is convened in annual general session, veto override
session, or special session, or during the time period established by the Utah
Constitution, Article VII, Section 8, for the governor to approve or veto bills passed by
the Legislature in the annual general session[:] :

(a) the governor;

(b) the governor's personal campaign committee; or

(c) a political action committee controlled by the governor.

(6) It is unlawful for a lobbyist or principal to make a federal campaign contribution to, or
to contract, promise, or agree to make a federal campaign contribution to, any of the
following during the time the Legislature is convened in annual general session, veto
override session, or special session, or during the time period established by the Utah
Constitution, Article VII, Section 8, for the governor to approve or veto bills passed by
the Legislature in the annual general session:

(a) a governor who is running for federal office;

(b) the governor's federal campaign committee; or

(c) a political committee, as defined in 52 U.S.C. Sec. 30101, that is controlled by the
governor.

(7) It is unlawful for a person to make a federal campaign contribution to, or to contract,
promise, or agree to make a federal campaign contribution to, a person described in

96 Subsection (6)(a), (b), or (c), if the person makes the federal campaign contribution,
97 contract, promise, or agreement with the intent to:

98 (a) influence the governor to take or fail to take an action in the governor's capacity as
99 governor; or

100 (b) reward the governor for taking or failing to take an action in the governor's capacity
101 as governor.

102 [(3)] (8) ~~[Any person who violates]~~ A violation of this section is[-guilty of] a class A
103 misdemeanor.

104 Section 2. **Effective date.**

105 This bill takes effect on May 7, 2025.