

HB0393S01 compared with HB0393

~~{Omitted text}~~ shows text that was in HB0393 but was omitted in HB0393S01

inserted text shows text that was not in HB0393 but was inserted into HB0393S01

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1 **Banning Foreign Funding in Ballot Propositions and Elections**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor:



2

3 **LONG TITLE**

4 **General Description:**

5 This bill establishes provisions related to foreign financial influence in ballot propositions
6 and elections.

7 **Highlighted Provisions:**

8 This bill:

9 ▶ defines terms;

10 ▶ prohibits a foreign national from making or attempting to make a contribution~~{, an expenditure~~
~~for certain purposes,~~ } or an independent expenditurefor a political purpose;

12 ▶ ~~{for an individual}~~ prohibits a candidate, officeholder, or entity subject to campaign finance
reporting requirements~~{, prohibits the individual or entity}~~ from knowingly soliciting, accepting, or
receiving a contribution from a foreign national;

15 ▶ requires a candidate, officeholder, or entity that receives contributions to annually certify
to the lieutenant governor that the candidate, officeholder, or entity did not knowingly accept a
contribution from a foreign national;

18 ▶

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requires each corporation or labor organization subject to campaign finance reporting requirements to certify that the corporation or labor organization is not a foreign national;

- 15 ▶ requires ~~{an individual}~~ a candidate, officeholder, or entity ~~{described above}~~ that receives a contribution from a foreign national to:
- 17 • immediately notify the lieutenant governor; ~~{and}~~
- 23 • return the contribution to the foreign national; and
- 18 • if the foreign national refuses to accept the return of the contribution, disperse the value of the contribution into the state's General Fund~~{;}~~
- 19 ▶ prohibits any person from aiding or facilitating a violation of the ~~{prohibition}~~ prohibitions described above;
- 21 ▶ establishes a criminal penalty for a person who violates the provisions described above; ~~{and}~~
- 23 ▶ requires the lieutenant governor to impose a civil penalty against a foreign national that makes a contribution~~{, expenditure,}~~ or independent expenditure~~{;}~~ ; and
- 31 ▶ makes technical and conforming changes.

32 Money Appropriated in this Bill:

33 None

34 Other Special Clauses:

35 None

37 AMENDS:

38 20A-11-203 , as last amended by Laws of Utah 2019, Chapter 74 , as last amended by Laws of Utah 2019, Chapter 74

39 20A-11-302 , as last amended by Laws of Utah 2019, Chapter 74 , as last amended by Laws of Utah 2019, Chapter 74

40 20A-11-401 , as last amended by Laws of Utah 2018, Chapter 83 , as last amended by Laws of Utah 2018, Chapter 83

41 20A-11-506 , as last amended by Laws of Utah 2019, Chapter 74 , as last amended by Laws of Utah 2019, Chapter 74

42 20A-11-510 , as last amended by Laws of Utah 2019, Chapter 74 , as last amended by Laws of Utah 2019, Chapter 74

43 20A-11-602 , as last amended by Laws of Utah 2019, Chapters 74, 116 , as last amended by Laws of Utah 2019, Chapters 74, 116

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44 **20A-11-702 , as last amended by Laws of Utah 2017, Chapter 276 , as last amended by Laws**
of Utah 2017, Chapter 276

45 **20A-11-802 , as last amended by Laws of Utah 2023, Chapter 116 , as last amended by Laws**
of Utah 2023, Chapter 116

46 **20A-11-1302 , as last amended by Laws of Utah 2019, Chapter 74 , as last amended by Laws**
of Utah 2019, Chapter 74

47 **20A-11-1502 , as last amended by Laws of Utah 2018, Chapter 83 , as last amended by Laws**
of Utah 2018, Chapter 83

48 ENACTS:

49 **20A-11-1801** , Utah Code Annotated 1953 , Utah Code Annotated 1953

50 **20A-11-1802** , Utah Code Annotated 1953 , Utah Code Annotated 1953

51

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

53 **Section 1. Section 20A-11-203 is amended to read:**

54 **20A-11-203. State office candidate -- Financial reporting requirements -- Year-end summary**
report.

56 (1)

(a) Each state office candidate shall file a summary report by January 10 of the year after the regular general election year.

58 (b) In addition to the requirements of Subsection (1)(a), a former state office candidate that has not filed the statement of dissolution and final summary report required under Section 20A-11-205 shall continue to file a summary report on January 10 of each year.

62 (2)

(a) Each summary report shall include the following information as of December 31 of the previous year:

64 (i) the net balance of the last financial statement, if any;

65 (ii) a single figure equal to the total amount of receipts reported on all interim reports, if any;

67 (iii) a single figure equal to the total amount of expenditures reported on all interim reports, if any,
filed during the previous year;

69 (iv) a detailed listing of each contribution received since the last summary report that has not been reported in detail on an interim report;

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- 71 (v) for each nonmonetary contribution:
- 72 (A) the fair market value of the contribution with that information provided by the contributor; and
- 74 (B) a specific description of the contribution;
- 75 (vi) a detailed listing of each expenditure made since the last summary report that has not been
reported in detail on an interim report;
- 77 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;
- 78 (viii) a net balance for the year consisting of the net balance from the last summary report, if any,
plus all receipts minus all expenditures; and
- 80 (ix) the name of a political action committee for which the state office candidate is designated as an
officer who has primary decision-making authority under Section 20A-11-601.
- 83 (b) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the
previous year.
- 85 (c) A check or negotiable instrument received by a state office candidate or a state office candidate's
personal campaign committee on or before December 31 of the previous year shall be included in
the summary report.
- 88 (3) An authorized member of the state office candidate's personal campaign committee or the state
office candidate shall certify in the summary report that, to the best of the person's knowledge[;] :
- 91 (a) all receipts and all expenditures have been reported as of December 31 of the previous year; [and]
- 93 (b) [~~that~~]there are no bills or obligations outstanding and unpaid except as set forth in [~~that~~] the
report[.]; and
- 95 (c) the state office candidate did not not knowingly accept a campaign contribution from a foreign
national, as those terms are defined in Section 20A-11-1801.

97 Section 2. Section 20A-11-302 is amended to read:

98 **20A-11-302. Legislative office candidate -- Financial reporting requirements -- Year-end
summary report.**

- 100 (1)
- (a) Each legislative office candidate shall file a summary report by January 10 of the year after the
regular general election year.
- 102 (b) In addition to the requirements of Subsection (1)(a), a former legislative office candidate that has
not filed the statement of dissolution and final summary report required under Section 20A-11-304
shall continue to file a summary report on January 10 of each year.

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- 106 (2)
- (a) Each summary report shall include the following information as of December 31 of the previous year:
- 108 (i) the net balance of the last financial statement, if any;
- 109 (ii) a single figure equal to the total amount of receipts reported on all interim reports, if any, during the calendar year in which the summary report is due;
- 111 (iii) a single figure equal to the total amount of expenditures reported on all interim reports, if any, filed during the previous year;
- 113 (iv) a detailed listing of each contribution received since the last summary report that has not been reported in detail on an interim report;
- 115 (v) for each nonmonetary contribution:
- 116 (A) the fair market value of the contribution with that information provided by the contributor; and
- 118 (B) a specific description of the contribution;
- 119 (vi) a detailed listing of each expenditure made since the last summary report that has not been reported in detail on an interim report;
- 121 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;
- 122 (viii) a net balance for the year consisting of the net balance from the last summary report, if any, plus all receipts minus all expenditures; and
- 124 (ix) the name of a political action committee for which the legislative office candidate is designated as an officer who has primary decision-making authority under Section 20A-11-601.
- 127 (b) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the previous year.
- 129 (c) A check or negotiable instrument received by a legislative office candidate on or before December 31 of the previous year shall be included in the summary report.
- 131 (3) The legislative office candidate shall certify in the summary report that to the best of the legislative office candidate's knowledge[-] :
- 133 (a) all receipts and all expenditures have been reported as of December 31 of the previous year; [~~and~~]
- 135 (b) [~~that~~]there are no bills or obligations outstanding and unpaid except as set forth in [~~that~~] the report[-] ; and
- 137 (c) the legislative office candidate did not knowingly accept a campaign contribution from a foreign national, as those terms are defined in Section 20A-11-1801.

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139 Section 3. Section 20A-11-401 is amended to read:

140 **20A-11-401. Officeholder financial reporting requirements -- Year-end summary report --**
Officeholder as a political action committee officer -- Anonymous contribution or public service
assistance.

143 (1)

(a) Each officeholder shall file a summary report by January 10 of each year.

144 (b) An officeholder that is required to file a summary report both as an officeholder and as a candidate
for office under the requirements of this chapter may file a single summary report as a candidate and
an officeholder, provided that the combined report meets the requirements of:

148 (i) this section; and

149 (ii) the section that provides the requirements for the summary report filed by the officeholder in the
officeholder's capacity of a candidate for office.

151 (2)

(a) Each summary report shall include the following information as of December 31 of the previous
year:

153 (i) the net balance of the last summary report, if any;

154 (ii) a single figure equal to the total amount of receipts received since the last summary report, if
any;

156 (iii) a single figure equal to the total amount of expenditures made since the last summary report, if
any;

158 (iv) a detailed listing of each contribution and public service assistance received since the last
summary report;

160 (v) for each nonmonetary contribution:

161 (A) the fair market value of the contribution with that information provided by the contributor; and

163 (B) a specific description of the contribution;

164 (vi) a detailed listing of each expenditure made since the last summary report;

165 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

166 (viii) a net balance for the year consisting of the net balance from the last summary report plus all
receipts minus all expenditures; and

168 (ix) the name of a political action committee for which the officeholder is designated as an officer
who has primary decision-making authority under Section 20A-11-601.

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- 171 (b) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the
previous year.
- 173 (3) The summary report shall contain a paragraph signed by the officeholder certifying that, to the best
of the officeholder's knowledge[-] :
- 175 (a) all receipts and all expenditures have been reported as of December 31 of the last calendar year;
[and]
- 177 (b) [~~that~~]there are no bills or obligations outstanding and unpaid except as set forth in [~~that~~] the
report[-] ; and
- 179 (c) the officeholder did not knowingly accept a campaign contribution from a foreign national, as those
terms are defined in Section 20-11-1801.
- 181 (4) An officeholder may:
- 182 (a) receive public service assistance from a political action committee registered under Section
20A-11-601; and
- 184 (b) be designated by a political action committee as an officer who has primary decision-making
authority as described in Section 20A-11-601.
- 186 (5) Within 31 days after receiving a contribution or public service assistance that is cash or a negotiable
instrument, exceeds \$50, and is from an unknown source, an officeholder shall disburse the amount
of the contribution or public service assistance to:
- 189 (a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's
general fund; or
- 191 (b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal
Revenue Code.

193 Section 4. Section 20A-11-506 is amended to read:

194 **20A-11-506. Political party financial reporting requirements -- Year-end summary report.**

- 196 (1) The party committee of each registered political party shall file a summary report by January 10 of
each year.
- 198 (2)
- (a) Each summary report shall include the following information as of December 31 of the previous
year:
- 200 (i) the net balance of the last summary report, if any;
- 201

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- (ii) a single figure equal to the total amount of receipts reported on all interim reports, if any, during the previous year;
- 203 (iii) a single figure equal to the total amount of expenditures reported on all interim reports, if any, filed during the previous year;
- 205 (iv) a detailed listing of each contribution received since the last summary report that has not been reported in detail on an interim report;
- 207 (v) for each nonmonetary contribution, the fair market value of the contribution;
- 208 (vi) a detailed listing of each expenditure made since the last summary report that has not been reported in detail on an interim report;
- 210 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
- 211 (viii) a net balance for the year consisting of the net balance from the last summary report, if any, plus all receipts minus all expenditures.
- 213 (b)
- (i) For all individual contributions of \$50 or less, a single aggregate figure may be reported without separate detailed listings.
- 215 (ii) Two or more contributions from the same source that have an aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 218 (c) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the previous year.
- 220 (3) The summary report shall contain a paragraph signed by the treasurer of the party committee certifying that, to the best of the treasurer's knowledge[;] :
- 222 (a) all receipts and all expenditures have been reported as of December 31 of the previous year; [and]
- 224 (b) [that]there are no bills or obligations outstanding and unpaid except as set forth in [that] the report[-] ; and
- 226 (c) the party committee did not knowingly accept a campaign contribution from a foreign national, as those terms are defined in Section 20-11-1801.

228 Section 5. Section 20A-11-510 is amended to read:

229 **20A-11-510. County political party financial reporting requirements -- Year-end summary**
231 **report.**

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- (1) A county political party officer of a county political party that has received contributions totaling at least \$750, or disbursed expenditures totaling at least \$750, during a calendar year shall file a summary report by January 10 of the following year.
- 234 (2)
- (a) Each summary report shall include the following information as of December 31 of the previous year:
- 236 (i) the net balance of the last summary report, if any;
- 237 (ii) a single figure equal to the total amount of receipts reported on all interim reports, if any, filed during the previous year;
- 239 (iii) a single figure equal to the total amount of expenditures reported on all interim reports, if any, filed during the previous year;
- 241 (iv) a detailed listing of each contribution received since the last summary report that has not been reported in detail on an interim report;
- 243 (v) for each nonmonetary contribution, the fair market value of the contribution;
- 244 (vi) a detailed listing of each expenditure made since the last summary report that has not been reported in detail on an interim report;
- 246 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
- 247 (viii) a net balance for the year consisting of the net balance from the last summary report, if any, plus all receipts minus all expenditures.
- 249 (b)
- (i) For all individual contributions of \$50 or less, a single aggregate figure may be reported without separate detailed listings.
- 251 (ii) Two or more contributions from the same source that have an aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 254 (c) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the previous year.
- 256 (3) The county political party officer shall certify in the summary report that, to the best of the officer's knowledge[³] :
- 258 (a) all receipts and all expenditures have been reported as of December 31 of the previous year; ~~and~~
- 260 (b) ~~that~~ there are no bills or obligations outstanding and unpaid except as set forth in that report[³] ;
and

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262 (c) the county political party did not knowingly accept a campaign contribution from a foreign national,
263 as those terms are defined in Section 20-11-1801.

264 Section 6. Section 20A-11-602 is amended to read:

265 **20A-11-602. Political action committees -- Financial reporting.**

266 (1)

(a) Each registered political action committee that has received contributions totaling at least \$750, or disbursed expenditures totaling at least \$750, during a calendar year shall file a verified financial statement with the lieutenant governor's office:

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

271 (ii) seven days before the state political convention of each major political party;

272 (iii) seven days before the county political convention of a political party, if the political action committee makes an expenditure on or before the day described in Subsection (1)(b)(ii) in relation to a candidate that the party may nominate at the convention;

276 (iv) seven days before the regular primary election date;

277 (v) on September 30; and

278 (vi) seven days before:

279 (A) the municipal general election; and

280 (B) the regular general election.

281 (b) The registered political action committee shall report:

282 (i) a detailed listing of all contributions received and expenditures made since the last statement; and

284 (ii) for a financial statement described in Subsections (1)(a)(ii) through (v), all contributions and expenditures as of five days before the required filing date of the financial statement.

287 (c) The registered political action committee need not file a statement under this section if it received no contributions and made no expenditures during the reporting period.

289 (2)

(a) The verified financial statement shall include:

290 (i) the name and address of any individual who makes a contribution to the reporting political action committee, if known, and the amount of the contribution;

292 (ii) the identification of any publicly identified class of individuals that makes a contribution to the reporting political action committee, if known, and the amount of the contribution;

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- (iii) the name and address of any political action committee, group, or entity, if known, that makes a contribution to the reporting political action committee, and the amount of the contribution;
- 298 (iv) for each nonmonetary contribution, the fair market value of the contribution;
- 299 (v) the name and address of each reporting entity that received an expenditure from the reporting political action committee, and the amount of each expenditure;
- 301 (vi) for each nonmonetary expenditure, the fair market value of the expenditure;
- 302 (vii) the total amount of contributions received and expenditures disbursed by the reporting political action committee;
- 304 (viii) a statement by the political action committee's treasurer or chief financial officer certifying that, to the best of the person's knowledge[⁷] :
- 306 (A) the financial report is accurate; and
- 307 (B) the political action committee did not knowingly accept a campaign contribution from a foreign national, as those terms are defined in Section 20-11-1801.
- 310 (ix) a summary page in the form required by the lieutenant governor that identifies:
- 311 (A) beginning balance;
- 312 (B) total contributions during the period since the last statement;
- 313 (C) total contributions to date;
- 314 (D) total expenditures during the period since the last statement; and
- 315 (E) total expenditures to date.
- 316 (b)
- (i) Contributions received by a political action committee that have a value of \$50 or less need not be reported individually, but shall be listed on the report as an aggregate total.
- 319 (ii) Two or more contributions from the same source that have an aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 322 (c) A political action committee is not required to report an independent expenditure under Part 17, Independent Expenditures, if, in the financial statement described in this section, the political action committee:
- 325 (i) includes the independent expenditure;
- 326 (ii) identifies the independent expenditure as an independent expenditure; and
- 327 (iii) provides the information, described in Section 20A-11-1704, in relation to the independent expenditure.

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- 329 (3) A group or entity may not divide or separate into units, sections, or smaller groups for the purpose
of avoiding the financial reporting requirements of this chapter, and substance shall prevail over
form in determining the scope or size of a political action committee.
- 333 (4)
- (a) As used in this Subsection (4), "received" means:
- 334 (i) for a cash contribution, that the cash is given to a political action committee;
- 335 (ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or
check is negotiated; and
- 337 (iii) for any other type of contribution, that any portion of the contribution's benefit inures to the
political action committee.
- 339 (b) A political action committee shall report each contribution to the lieutenant governor within 31 days
after the contribution is received.
- 341 (5) A political action committee may not expend a contribution for political purposes if the
contribution:
- 343 (a) is cash or a negotiable instrument;
- 344 (b) exceeds \$50; and
- 345 (c) is from an unknown source.
- 346 (6) Within 31 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50,
and is from an unknown source, a political action committee shall disburse the amount of the
contribution to:
- 349 (a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's
general fund; or
- 351 (b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal
Revenue Code.

353 Section 7. Section 20A-11-702 is amended to read:

354 **20A-11-702. Campaign financial reporting of political issues expenditures by corporations --
Financial reporting.**

- 356 (1)
- (a) Each corporation that has made political issues expenditures on current or proposed ballot issues that
total at least \$750 during a calendar year shall file a verified financial statement with the lieutenant
governor's office:

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- 359 (i) on January 10, reporting expenditures as of December 31 of the previous year;
360 (ii) seven days before the state political convention of each major political party;
361 (iii) seven days before the regular primary election date;
362 (iv) on September 30; and
363 (v) seven days before the regular general election date.
- 364 (b) The corporation shall report:
- 365 (i) a detailed listing of all expenditures made since the last financial statement; and
366 (ii) for a financial statement described in Subsections (1)(a)(ii) through (v), expenditures as of five days
before the required filing date of the financial statement.
- 369 (c) The corporation need not file a statement under this section if it made no expenditures during the
reporting period.
- 371 (2) That statement shall include:
- 372 (a) the name and address of each individual, entity, or group of individuals or entities that received a
political issues expenditure of more than \$50 from the corporation, and the amount of each political
issues expenditure;
- 375 (b) the total amount of political issues expenditures disbursed by the corporation; and
376 (c) a statement by the corporation's treasurer or chief financial officer certifying:
377 (i) the accuracy of the verified financial statement[-] ; and
378 (ii) that the corporation is not a foreign national, as that term is defined in Section 20A-11-1801.
- 380 Section 8. Section 20A-11-802 is amended to read:
381 **20A-11-802. Political issues committees -- Financial reporting.**
- 382 (1)
- (a) Each registered political issues committee that has received political issues contributions totaling at
least \$750, or disbursed political issues expenditures totaling at least \$750, during a calendar year,
shall file a verified financial statement with the lieutenant governor's office:
- 386 (i) on January 10, reporting contributions and expenditures as of December 31 of the previous year;
388 (ii) seven days before the state political convention of each major political party;
389 (iii) seven days before the regular primary election date;
390 (iv) seven days before the date of an incorporation election, if the political issues committee has
received or expended funds to affect an incorporation;
392 (v) at least three days before the first public hearing held as required by Section 20A-7-204.1;

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- 394 (vi) if the political issues committee has received or expended funds in relation to an initiative or
referendum, five days before the deadline for the initiative or referendum sponsors to submit:
- 397 (A) the verified and certified initiative packets under Section 20A-7-105; or
- 398 (B) the signed and verified referendum packets under Section 20A-7-105;
- 399 (vii) on September 30; and
- 400 (viii) seven days before:
- 401 (A) the municipal general election; and
- 402 (B) the regular general election.
- 403 (b) The political issues committee shall report:
- 404 (i) a detailed listing of all contributions received and expenditures made since the last statement; and
- 406 (ii) all contributions and expenditures as of five days before the required filing date of the financial
statement, except for a financial statement filed on January 10.
- 408 (c) The political issues committee need not file a statement under this section if it received no
contributions and made no expenditures during the reporting period.
- 410 (2)
- (a) That statement shall include:
- 411 (i) the name and address, if known, of any individual who makes a political issues contribution to
the reporting political issues committee, and the amount of the political issues contribution;
- 414 (ii) the identification of any publicly identified class of individuals that makes a political issues
contribution to the reporting political issues committee, and the amount of the political issues
contribution;
- 417 (iii) the name and address, if known, of any political issues committee, group, or entity that makes
a political issues contribution to the reporting political issues committee, and the amount of the
political issues contribution;
- 420 (iv) the name and address of each reporting entity that makes a political issues contribution to the
reporting political issues committee, and the amount of the political issues contribution;
- 423 (v) for each nonmonetary contribution, the fair market value of the contribution;
- 424 (vi) except as provided in Subsection (2)(c), the name and address of each individual, entity,
or group of individuals or entities that received a political issues expenditure of more than
\$50 from the reporting political issues committee, and the amount of each political issues
expenditure;

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- 428 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;
- 429 (viii) the total amount of political issues contributions received and political issues expenditures
disbursed by the reporting political issues committee;
- 431 (ix) a statement by the political issues committee's treasurer or chief financial officer certifying that,
to the best of the person's knowledge[;] :
- 433 (A) the financial statement is accurate; and
- 434 (B) the political issues committee did not knowingly accept a political issues contribution from a
foreign national, as that term is defined in Section 20-11-1801.
- 437 (x) a summary page in the form required by the lieutenant governor that identifies:
- 438 (A) beginning balance;
- 439 (B) total contributions during the period since the last statement;
- 440 (C) total contributions to date;
- 441 (D) total expenditures during the period since the last statement; and
- 442 (E) total expenditures to date.
- 443 (b)
- (i) Political issues contributions received by a political issues committee that have a value of \$50 or less
need not be reported individually, but shall be listed on the report as an aggregate total.
- 446 (ii) Two or more political issues contributions from the same source that have an aggregate total of
more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 449 (c) When reporting political issue expenditures made to circulators of initiative petitions, the political
issues committee:
- 451 (i) need only report the amount paid to each initiative petition circulator; and
- 452 (ii) need not report the name or address of the circulator.
- 453 (3)
- (a) As used in this Subsection (3), "received" means:
- 454 (i) for a cash contribution, that the cash is given to a political issues committee;
- 455 (ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or
check is negotiated; and
- 457 (iii) for any other type of contribution, that any portion of the contribution's benefit inures to the
political issues committee.

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(b) A political issues committee shall report each contribution to the lieutenant governor within 31 days after the contribution is received.

461 (4) A political issues committee may not expend a contribution for a political issues expenditure if the contribution:

463 (a) is cash or a negotiable instrument;

464 (b) exceeds \$50; and

465 (c) is from an unknown source.

466 (5) Within 31 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50, and is from an unknown source, a political issues committee shall disburse the amount of the contribution to:

469 (a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

471 (b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

473 Section 9. Section 20A-11-1302 is amended to read:

474 **20A-11-1302. School board office candidate -- Financial reporting requirements -- Year-end summary report.**

476 (1)

(a) Each school board office candidate shall file a summary report by January 10 of the year after the regular general election year.

478 (b) In addition to the requirements of Subsection (1)(a), a former school board office candidate that has not filed the statement of dissolution and final summary report required under Section 20A-11-1304 shall continue to file a summary report on January 10 of each year.

482 (2)

(a) Each summary report shall include the following information as of December 31 of the previous year:

484 (i) the net balance of the last financial statement, if any;

485 (ii) a single figure equal to the total amount of receipts reported on all interim reports, if any, during the previous year;

487 (iii) a single figure equal to the total amount of expenditures reported on all interim reports, if any, filed during the previous year;

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- 489 (iv) a detailed listing of each contribution received since the last summary report that has not been
reported in detail on an interim report;
- 491 (v) for each nonmonetary contribution:
- 492 (A) the fair market value of the contribution with that information provided by the contributor; and
- 494 (B) a specific description of the contribution;
- 495 (vi) a detailed listing of each expenditure made since the last summary report that has not been
reported in detail on an interim report;
- 497 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;
- 498 (viii) a net balance for the year consisting of the net balance from the last summary report, if any,
plus all receipts minus all expenditures; and
- 500 (ix) the name of a political action committee for which the school board office candidate is
designated as an officer who has primary decision-making authority under Section 20A-11-601.
- 503 (b) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the
previous year.
- 505 (c) A check or negotiable instrument received by a school board office candidate on or before
December 31 of the previous year shall be included in the summary report.
- 507 (3) The school board office candidate shall certify in the summary report that, to the best of the school
board office candidate's knowledge[;] :
- 509 (a) all receipts and all expenditures have been reported as of December 31 of the previous year; ~~and~~
- 511 (b) ~~[that]~~there are no bills or obligations outstanding and unpaid except as set forth in ~~[that report.]~~ the
report; and
- 513 (c) the school board office candidate did not knowingly accept a campaign contribution from a foreign
national, as those terms are defined in Section 20-11-1801.

515 Section 10. Section 20A-11-1502 is amended to read:

516 **20A-11-1502. Campaign financial reporting of expenditures -- Filing requirements --**
Statement contents.

- 518 (1)
- (a) Each labor organization that has made expenditures for political purposes or political issues
expenditures on current or proposed ballot issues that total at least \$750 during a calendar year shall
file a verified financial statement with the lieutenant governor's office:
- 522 (i) on January 10, reporting expenditures as of December 31 of the previous year;

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- 523 (ii) seven days before the regular primary election date;
524 (iii) on September 30; and
525 (iv) seven days before the regular general election date.
- 526 (b) The labor organization shall report:
- 527 (i) a detailed listing of all expenditures made since the last statement; and
528 (ii) for a financial statement described in Subsections (1)(a)(ii) through (iv), all expenditures as of five days before the required filing date of the financial statement.
- 531 (c) The labor organization is not required to file a financial statement under this section if the labor organization:
- 533 (i) made no expenditures during the reporting period; or
534 (ii) reports the labor organization's expenditures during the reporting period under another part of this chapter.
- 536 (2) The financial statement shall include:
- 537 (a) the name and address of each reporting entity that received an expenditure or political issues expenditure of more than \$50 from the labor organization, and the amount of each expenditure or political issues expenditure;
- 540 (b) the total amount of expenditures disbursed by the labor organization; and
541 (c) a statement by the labor organization's treasurer or chief financial officer certifying:
- 542 (i) the accuracy of the financial statement[-] ; and
543 (ii) that the labor organization is not a foreign national, as that term is defined in Section 20A-11-1801.
- 545 Section 11. Section 11 is enacted to read:

36

Part 18. Foreign NationalsFOREIGN NATIONALS

547 **20A-11-1801. Definitions.**

As used in this part:

- 39 (1) "Campaign contribution" means any of the ~~{ same as that term is defined in Section 20A-11-1202. }~~
following when done for a political purpose, to advocate for or against a ballot proposition, or to influence a proposed initiative or a proposed referendum:
- 40 ~~{(2) {"Expenditure" means:} }~~
- 41 (a) a ~~{ purchase }~~ gift, ~~{ payment }~~ subscription, donation, ~~{ distribution,- }~~ loan, advance, deposit~~{,- gift }~~
of money, or anything of valuegiven to a filing entity;

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- (b) an express, legally enforceable contract, promise, or agreement to make ~~{ any purchase }~~ a gift, ~~{ payment }~~ subscription, donation, ~~{ distribution }~~ unpaid or partially unpaid loan, advance, deposit~~{, gift }~~ of money, or anything of value to a filing entity;
- 46 ~~{(e) { a transfer of funds between a foreign national and a candidate's personal campaign committee; } }~~
- 48 ~~{(d) }~~ (c) { a- } any transfer of funds ~~{ between }~~ from a foreign national ~~{ and }~~ to a ~~{ political issues committee }~~ filing entity; ~~{ or }~~
- 558 (d) compensation paid by a foreign national for personal services provided without charge to the filing entity;
- 560 (e) remuneration from:
- 49 ~~{(e) }~~ (i) { goods or services provided to or the- } any organization or services provided to or the ~~{ benefit of a candidate }~~ organization's directly affiliated organization that has a ~~{ candidate's personal campaign committee }~~ registered lobbyist; or ~~{ a political issues committee for a political purpose at less than fair market value }~~
- 563 (ii) any agency or subdivision of the state, including a school district; or
- 564 (f) an in-kind contribution.
- 52 ~~{(3) }~~ (2) "Foreign government" means any government other than the government of:
- 53 (a) the United States;
- 54 (b) a state within the United States;
- 55 (c) a territory or possession of the United States; or
- 56 (d) a political subdivision of the United States.
- 57 ~~{(4) }~~ (3) "Foreign government-owned entity" means:
- 58 (a) a corporation or any other business organization in which a foreign government owns, holds, or controls 50% or more of the corporation's or business organization's equity, voting shares, membership units, or other applicable ownership interest; or
- 61 (b) a restricted foreign entity.
- 62 ~~{(5) }~~ (4) "Foreign national" means:
- 63 (a) and individual who is not:
- 64 (i) a citizen of the United States ~~{ citizen; or }~~ ;
- 65 (ii) a ~~{ United States }~~ national ~~{ under the Immigration and Nationality Act }~~ of the United States, as defined in 8 U.S.C. Sec. { 1101 et seq. } 1101(a)(22)(B); or
- 579 (iii) lawfully admitted for permanent residence, as defined in 8 U.S.C. Sec. 1101(a)(20);

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- 67 (b) a foreign government;
- 68 (c) a foreign government-owned entity; or
- 69 (d) a restricted foreign entity.
- 70 ~~{(6)}~~ (5) "Independent expenditure" means the same as that term is defined in Section 20A-11-1702.
- 586 (6) "Indirectly" includes making a campaign contribution or political issues contribution intended for a filing entity through one or more other persons.
- 72 (7) "Political purpose" means an act done with the intent or in a way to influence or intend to influence, directly or indirectly, any person to refrain from voting or to vote for or against:
- 75 (a) a candidate for public office at any caucus, political convention, primary, or election; or
- 77 (b) a judge standing for retention at any election.
- 78 (8) "Proposed initiative" means an initiative proposed in an application filed under Section 20A-7-202 or 20A-7-502.
- 80 (9) "Proposed referendum" means a referendum proposed in an application filed under Section 20A-7-302 or 20A-7-602.
- 82 (10) "Restricted foreign entity" means the same as that term is defined in Subsection 63G-6a-121(1)(c).
- 600 Section 12. Section 12 is enacted to read:
- 601 **20A-11-1802. Campaign financing by foreign national prohibited -- Penalties.**
- 86 (1) A foreign national may not make or attempt to make, directly or indirectly, any of the following:
- 87 (a) a campaign contribution;
- 88 (b) a political issues contribution;or
- 89 ~~{(c) {an expenditure for a political purpose, to influence a ballot proposition, or to influence a proposed initiative or proposed referendum; or} - }~~
- 91 ~~{(d)}~~ (c) an independent expenditure.
- 92 (2)
- (a) A filing entity may not knowingly solicit, accept, or receive a campaign contribution or political issues contribution from a foreign national.
- 94 (b) A person may not knowingly aid or facilitate a violation of Subsection (1).
- 610 (3)
- 95 ~~{(3)}~~ (a) A filing entity that believes or has reason to believe that the filing entity received a campaign contribution or political issues contribution from a foreign national shall:
- 97 ~~{(a)}~~ (i) immediately notify the lieutenant governor; and

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- 98 ~~{(b)}~~ (ii) ~~{disperse the amount of}~~ return the campaign contribution or political issues contribution,
or, for an in-kind contribution, the reasonable value of the campaign contribution or political issues
contribution, in dollars, to the ~~{treasurer of the state for deposit into the General Fund}~~ foreign
national.
- 616 (b) If a foreign national refuses to accept the return of a campaign contribution or political issues
contribution under Subsection (3)(a)(ii), the filing entity shall disperse the campaign contribution or
political issues contribution into the General Fund.
- 102 (4)
- (a) A person who violates this section is guilty of a class B misdemeanor.
- 103 (b) The lieutenant governor shall report all violations of this section to the attorney general.
- 105 (5)
- (a) In addition to the criminal penalty described in Subsection (4)(a), the lieutenant governor shall
impose a civil fine against a foreign national that violates Subsection (1) in an amount that is the
greater of:
- 108 (i) for a foreign national that is an individual:
- 109 (A) \$500; or
- 110 (B) double the amount of the campaign contribution, political issues contribution, {expenditure,} or
independent expenditure that constitutes the violation; or
- 112 (ii) for a foreign national that is not an individual:
- 113 (A) \$1,000; or
- 114 (B) triple the amount of the campaign contribution, political issues contribution, {expenditure,} or
independent expenditure that constitutes the violation.
- 116 (b) The lieutenant governor shall deposit a fine collected under Subsection (5)(a) into the General Fund.

635 Section 13. **Effective date.**

This bill takes effect on May 7, 2025.

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