

SB0153S01 compared with SB0153

{Omitted text} shows text that was in SB0153 but was omitted in SB0153S01

inserted text shows text that was not in SB0153 but was inserted into SB0153S01

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Public Utility Expenditures Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nate Blouin

House Sponsor:

LONG TITLE

General Description:

This bill prohibits a qualified utility from recovering in rates expenses related to advertising, lobbying, and political activities.

Highlighted Provisions:

This bill:

- defines terms;
- prohibits a qualified utility from recovering in rates certain advertising, lobbying, and political influence expenses;
- requires a qualified utility to file an annual report detailing prior year expenses related to advertising, lobbying, and political activities;
- specifies information that must be included in the annual report; and
- establishes penalties for a qualified utility that improperly recovers prohibited expenses.

Money Appropriated in this Bill:

None
None

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21 ENACTS:

22 **54-4-43** , Utah Code Annotated 1953 , Utah Code Annotated 1953

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

25 Section 1. Section **1** is enacted to read:

26 **54-4-43. Cost recovery prohibitions.**

27 (1) As used in this section:

28 (a) "Advertising" means publishing, disseminating, soliciting, or circulating information in written,
29 online, video, or audio form with the intent to:

30 (i) induce a person to purchase or use a product, service, or business;

31 (ii) promote a business's brand; or

32 (iii) influence public opinion on legislative, administrative, electoral, or other governmental matter.

34 (b) "Advertising" does not include:

35 (i) advertising required by law, regulation, or rule;

36 (ii) advertising directly related to a program regarding income-based rates, energy conservation, energy
37 efficiency, or renewable energy offerings available to customers;

39 (iii) messaging regarding service interruptions, safety measures, or emergency conditions; or

41 (iv) advertising regarding employment opportunities with the qualified utility.

42 (c) "Expenses" means any payment made in the form of compensation that a qualified utility pays to an
43 external firm, a corporate affiliate, or an employee of the qualified utility.

45 (d) "Lobbying" means directly, or through solicitation of others, communicating with an individual
46 who is in a position to make a policy decision, in order to influence the outcome of a local, state, or
47 federal legislation, regulation, or administrative rule.

48 (e) "Political activities" means activities that attempt to influence public opinion or sway the outcome of
49 legislation, regulation, administrative rule, ballot initiative, referendum, or other electoral matter.

51 (f) "Qualified utility" means a large-scale electric utility or a large-scale natural gas utility.

51 (2) A qualified utility may not recover in rates:

52 (a) advertising and public relations expenses that do not relate to a program or purpose authorized by
53 statute or commission rule;

54 (b) expenses for:

55 (i) promoting or improving the qualified utility's brand;

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- 56 (ii) influencing public opinion about the qualified utility; or
57 (iii) lobbying or political activities;
58 (c) expenses for organizational or membership dues, or other contributions, to an organization,
association, institution, corporation, or other entity that:
60 (i) engages in lobbying or political activities; or
61 (ii) engages in an activity with a similar purpose to lobbying and political activities; or
62 (d) contributions to:
63 (i) a political candidate;
64 (ii) a campaign committee; or
65 (iii) another similar political expense.
66 (3) A qualified utility shall file an annual report with the commission, by March 1 of each year,
detailing the prior calendar year's expenses related to advertising, lobbying, and political activities.
69 (4) The report described in Subsection (3) shall include:
70 (a) an itemization of all expenses that the qualified utility incurred related to advertising, lobbying,
and political activities, including expenditures made directly by the qualified utility or through an
affiliate organization, that would have been charged to ratepayers but for the prohibitions in this
section;
74 (b) the total number of employees of the qualified utility that are engaged in advertising, lobbying,
political activities, or otherwise attempting to influence public opinion about the qualified utility;
77 (c) for each employee described in Subsection (4)(b):
78 (i) the employee's job title and responsibilities;
79 (ii) the business unit in which the employee works; and
80 (iii) the percentage of the employee's salary charged to ratepayers; and
81 (d) any other disclosures deemed relevant by the commission regarding advertising, lobbying, or
political expenses.
83 (5) If the commission determines that a qualified utility violates this section by recovering expenses
prohibited in {~~Subection~~} Subsection (2), the commission shall:
85 (a) require the qualified utility to reimburse ratepayers for the amount of expenses improperly
recovered, plus interest; and
87 (b) assess a non-recoverable penalty to the qualified utility in an amount that is not less than the total
amount of the cost that the qualified utility improperly recovered.

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91 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

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