

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

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Candice B. Pierucci**

Senate Sponsor:

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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 a contribution, an expenditure for certain  
11 purposes, or an independent expenditure;
- 12 ▶ for an individual or entity subject to campaign finance reporting requirements, prohibits  
13 the individual or entity from knowingly soliciting, accepting, or receiving a contribution  
14 from a foreign national;
- 15 ▶ requires an individual or entity described above that receives a contribution from a  
16 foreign national to:
  - 17 • notify the lieutenant governor; and
  - 18 • 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 described  
20 above;
- 21 ▶ establishes a criminal penalty for a person who violates the provisions described above;  
22 and
- 23 ▶ requires the lieutenant governor to impose a civil penalty against a foreign national that  
24 makes a contribution, expenditure, or independent expenditure.

25 **Money Appropriated in this Bill:**

26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 ENACTS:

31 **20A-11-1801**, Utah Code Annotated 1953

32 **20A-11-1802**, Utah Code Annotated 1953

33

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

35 Section 1. Section **20A-11-1801** is enacted to read:

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**Part 18. Foreign Nationals**

37 **20A-11-1801 . Definitions.**

38 As used in this part:

39 (1) "Campaign contribution" means the same as that term is defined in Section 20A-11-1202.

40 (2) "Expenditure" means:

41 (a) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or  
42 anything of value;

43 (b) an express, legally enforceable contract, promise, or agreement to make any  
44 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or  
45 anything of value;

46 (c) a transfer of funds between a foreign national and a candidate's personal campaign  
47 committee;

48 (d) a transfer of funds between a foreign national and a political issues committee; or

49 (e) goods or services provided to or for the benefit of a candidate, a candidate's personal  
50 campaign committee, or a political issues committee for a political purpose at less  
51 than fair market value.

52 (3) "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) "Foreign government-owned entity" means:

58 (a) a corporation or other business organization in which a foreign government owns,  
59 holds, or controls 50% or more of the corporation's or business organization's equity,  
60 voting shares, membership units, or other applicable ownership interest; or

61 (b) a restricted foreign entity.

62 (5) "Foreign national" means:

63 (a) and individual who is not:

64 (i) a United States citizen; or

65           (ii) a United States national under the Immigration and Nationality Act, 8 U.S.C. Sec.  
66           1101 et seq.;

67           (b) a foreign government;

68           (c) a foreign government-owned entity; or

69           (d) a restricted foreign entity.

70 (6) "Independent expenditure" means the same as that term is defined in Section  
71           20A-11-1702.

72 (7) "Political purpose" means an act done with the intent or in a way to influence or intend  
73           to influence, directly or indirectly, any person to refrain from voting or to vote for or  
74           against:

75           (a) a candidate for public office at any caucus, political convention, primary, or election;  
76           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  
79           20A-7-202 or 20A-7-502.

80 (9) "Proposed referendum" means a referendum proposed in an application filed under  
81           Section 20A-7-302 or 20A-7-602.

82 (10) "Restricted foreign entity" means the same as that term is defined in Subsection  
83           63G-6a-121(1)(c).

84           Section 2. Section **20A-11-1802** is enacted to read:

85           **20A-11-1802 . Campaign financing by foreign national prohibited -- Penalties.**

86 (1) A foreign national may not make, directly or indirectly, any of the following:

87           (a) a campaign contribution;

88           (b) a political issues contribution;

89           (c) an expenditure for a political purpose, to influence a ballot proposition, or to  
90           influence a proposed initiative or proposed referendum; or

91           (d) an independent expenditure.

92 (2)(a) A filing entity may not knowingly solicit, accept, or receive a campaign  
93           contribution or political issues contribution from a foreign national.

94           (b) A person may not knowingly aid or facilitate a violation of Subsection (1).

95 (3) A filing entity that believes or has reason to believe that the filing entity received a  
96           campaign contribution or political issues contribution from a foreign national shall:

97           (a) immediately notify the lieutenant governor; and

98           (b) disperse the amount of the campaign contribution or political issues contribution, or,

99           for an in-kind contribution, the reasonable value of the campaign contribution or  
100           political issues contribution, in dollars, to the treasurer of the state for deposit into the  
101           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  
104       general.

105 (5)(a) In addition to the criminal penalty described in Subsection (4)(a), the lieutenant  
106       governor shall impose a civil fine against a foreign national that violates Subsection  
107       (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,  
111           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,  
115           expenditure, or independent expenditure that constitutes the violation.

116       (b) The lieutenant governor shall deposit a fine collected under Subsection (5)(a) into  
117       the General Fund.

118       Section 3. **Effective Date.**

119       This bill takes effect on May 7, 2025.