

Ronald M. Winterton proposes the following substitute bill:

Financial and Conflict of Interest Disclosures by Candidates Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lisa Shepherd

Senate Sponsor: Ronald M. Winterton

LONG TITLE

General Description:

This bill amends provisions related to campaign finance and conflict of interest disclosures.

Highlighted Provisions:

This bill:

- requires a candidate for elective office in a county, municipality, or special district to file a conflict of interest disclosure statement at the time the candidate files a declaration of candidacy;

- requires a candidate seeking to fill a midterm vacancy in an office described above to file a financial report of contributions and expenditures;

- for a midterm vacancy in an office described above, or for a midterm vacancy in a statewide, state school board, or state legislative office, requires a candidate seeking to fill the vacancy to file a conflict of interest disclosure statement;

- requires an election officer who receives a conflict of interest disclosure statement to make the disclosure available for public inspection on the state's or political subdivision's website;

- if a midterm vacancy occurs in an office for which a registered political party is entitled to declare a nominee to fill the vacancy, requires the registered political party to notify the election officer of the date, time, and location of the meeting to select the nominee;

- requires a candidate seeking to fill a midterm vacancy on the state school board to file an interim financial report with the lieutenant governor;

- clarifies when a vacancy occurs in an elective office described above;

- for a midterm vacancy in certain county offices and in a municipal office, requires the county or municipal legislative body to notify, respectively, the county or municipal clerk;

- establishes deadlines related to the processes described above;

- 29 ▶ for state and legislative office candidates seeking appointment to fill a midterm vacancy,
 30 amends the deadline to file a campaign finance report with the lieutenant governor;
- 31 ▶ amends conflict of interest disclosure provisions to:
- 32 • eliminate a disclosure related to a candidate's or officeholder's spousal information;
- 33 • require the disclosure of certain household adult information only in certain
 34 circumstances; and
- 35 • permit the candidate or officeholder making the disclosure to request the redaction of
 36 certain personally identifiable information from the disclosure if the candidate,
 37 officeholder, or the candidate's or officeholder's spouse is an at-risk government
 38 employee;
- 39 ▶ includes a coordination clause to reflect changes made in Section 20A-1-504 in S.B. 300,
 40 Election Amendments, with cross-referencing changes made to Sections 20A-11-204,
 41 20A-11-303, and 20A-11-1303 in this bill, if both bills pass and become law; and
- 42 ▶ makes technical and conforming changes.

43 **Money Appropriated in this Bill:**

44 None

45 **Other Special Clauses:**

46 This bill provides a coordination clause.

47 **Utah Code Sections Affected:**

48 AMENDS:

49 **10-3-208**, as last amended by Laws of Utah 2024, Chapter 158

50 **10-3-301**, as last amended by Laws of Utah 2023, Chapter 435

51 **17-16-6.5**, as last amended by Laws of Utah 2024, Chapter 158

52 **20A-1-503**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4

53 **20A-1-504**, as last amended by Laws of Utah 2020, Chapter 352

54 **20A-1-508**, as last amended by Laws of Utah 2022, Chapters 13, 166 and 177

55 **20A-1-509.1**, as last amended by Laws of Utah 2022, Chapter 13

56 **20A-1-509.2**, as last amended by Laws of Utah 2019, Chapter 255

57 **20A-1-510**, as last amended by Laws of Utah 2024, Chapters 438, 450

58 **20A-1-511**, as last amended by Laws of Utah 2020, Chapter 271

59 **20A-8-101**, as last amended by Laws of Utah 2023, Chapter 68

60 **20A-11-103**, as last amended by Laws of Utah 2024, Chapter 443

61 **20A-11-204**, as last amended by Laws of Utah 2021, Chapter 20

62 **20A-11-303**, as last amended by Laws of Utah 2021, Chapter 20

63 **20A-11-1303**, as last amended by Laws of Utah 2021, Chapter 20
 64 **20A-11-1604**, as last amended by Laws of Utah 2022, Chapter 170
 65 **36-11-102**, as last amended by Laws of Utah 2024, Chapters 425, 438

66 ENACTS:

67 **10-3-301.5**, Utah Code Annotated 1953
 68 **17-16-1.5**, Utah Code Annotated 1953
 69 **17B-1-306.1**, Utah Code Annotated 1953
 70 **20A-8-402.6**, Utah Code Annotated 1953

71 **Utah Code Sections affected by Coordination Clause:**

72 **20A-1-504**, as last amended by Laws of Utah 2020, Chapter 352

73

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

75 Section 1. Section **10-3-208** is amended to read:

76 **10-3-208 . Campaign finance disclosure in municipal election.**

77 (1) Unless a municipality adopts by ordinance more stringent definitions, the following are
 78 defined terms for purposes of this section:

79 (a) "Agent of a candidate" means:

- 80 (i) a person acting on behalf of a candidate at the direction of the reporting entity;
- 81 (ii) a person employed by a candidate in the candidate's capacity as a candidate;
- 82 (iii) the personal campaign committee of a candidate;
- 83 (iv) a member of the personal campaign committee of a candidate in the member's
- 84 capacity as a member of the personal campaign committee of the candidate; or
- 85 (v) a political consultant of a candidate.

86 (b) "Anonymous contribution limit" means for each calendar year:

- 87 (i) \$50; or
- 88 (ii) an amount less than \$50 that is specified in an ordinance of the municipality.

89 (c)(i) "Candidate" means a person who:

- 90 (A) files a declaration of candidacy for municipal office; or
- 91 (B) receives contributions, makes expenditures, or gives consent for any other
- 92 person to receive contributions or make expenditures to bring about the
- 93 person's nomination or election to a municipal office.

94 (ii) "Candidate" does not mean a person who files for the office of judge.

95 (d)(i) "Contribution" means any of the following when done for political purposes:

- 96 (A) a gift, subscription, donation, loan, advance, or deposit of money or anything

- 97 of value given to a candidate;
- 98 (B) an express, legally enforceable contract, promise, or agreement to make a gift,
99 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
100 money or anything of value to the candidate;
- 101 (C) any transfer of funds from another reporting entity to the candidate;
- 102 (D) compensation paid by any person or reporting entity other than the candidate
103 for personal services provided without charge to the candidate;
- 104 (E) a loan made by a candidate deposited to the candidate's own campaign; and
105 (F) an in-kind contribution.
- 106 (ii) "Contribution" does not include:
- 107 (A) services provided by an individual volunteering a portion or all of the
108 individual's time on behalf of the candidate if the services are provided without
109 compensation by the candidate or any other person;
- 110 (B) money lent to the candidate by a financial institution in the ordinary course of
111 business; or
- 112 (C) goods or services provided for the benefit of a candidate at less than fair
113 market value that are not authorized by or coordinated with the candidate.
- 114 (e) "Coordinated with" means that goods or services provided for the benefit of a
115 candidate are provided:
- 116 (i) with the candidate's prior knowledge, if the candidate does not object;
117 (ii) by agreement with the candidate;
118 (iii) in coordination with the candidate; or
119 (iv) using official logos, slogans, and similar elements belonging to a candidate.
- 120 (f)(i) "Expenditure" means any of the following made by a candidate or an agent of
121 the candidate on behalf of the candidate:
- 122 (A) any disbursement from contributions, receipts, or from an account described
123 in Subsection (3)(a);
- 124 (B) a purchase, payment, donation, distribution, loan, advance, deposit, gift of
125 money, or anything of value made for political purposes;
- 126 (C) an express, legally enforceable contract, promise, or agreement to make any
127 purchase, payment, donation, distribution, loan, advance, deposit, gift of
128 money, or anything of value for a political purpose;
- 129 (D) compensation paid by a candidate for personal services rendered by a person
130 without charge to a reporting entity;

- 131 (E) a transfer of funds between the candidate and a candidate's personal campaign
132 committee as defined in Section 20A-11-101; or
- 133 (F) goods or services provided by a reporting entity to or for the benefit of the
134 candidate for political purposes at less than fair market value.
- 135 (ii) "Expenditure" does not include:
- 136 (A) services provided without compensation by an individual volunteering a
137 portion or all of the individual's time on behalf of a candidate; or
- 138 (B) money lent to a candidate by a financial institution in the ordinary course of
139 business.
- 140 (g) "In-kind contribution" means anything of value other than money, that is accepted by
141 or coordinated with a candidate.
- 142 (h)(i) "Political consultant" means a person who is paid by a candidate, or paid by
143 another person on behalf of and with the knowledge of the candidate, to provide
144 political advice to the candidate.
- 145 (ii) "Political consultant" includes a circumstance described in Subsection (1)(h)(i),
146 where the person:
- 147 (A) has already been paid, with money or other consideration;
- 148 (B) expects to be paid in the future, with money or other consideration; or
- 149 (C) understands that the person may, in the discretion of the candidate or another
150 person on behalf of and with the knowledge of the candidate, be paid in the
151 future, with money or other consideration.
- 152 (i) "Political purposes" means an act done with the intent or in a way to influence or tend
153 to influence, directly or indirectly, any person to refrain from voting or to vote for or
154 against any candidate or a person seeking a municipal office at any caucus, political
155 convention, or election.
- 156 (j) "Reporting entity" means:
- 157 (i) a candidate;
- 158 (ii) a committee appointed by a candidate to act for the candidate;
- 159 (iii) a person who holds an elected municipal office;
- 160 (iv) a party committee as defined in Section 20A-11-101;
- 161 (v) a political action committee as defined in Section 20A-11-101;
- 162 (vi) a political issues committee as defined in Section 20A-11-101;
- 163 (vii) a corporation as defined in Section 20A-11-101; or
- 164 (viii) a labor organization as defined in Section 20A-11-1501.

- 165 (2)(a) A municipality may adopt an ordinance establishing campaign finance disclosure
166 requirements for a candidate that are more stringent than the requirements provided
167 in Subsections (3) through [~~(7)~~] (8).
- 168 (b) The municipality may adopt definitions that are more stringent than those provided
169 in Subsection (1).
- 170 (c) If a municipality fails to adopt a campaign finance disclosure ordinance described in
171 Subsection (2)(a), a candidate shall comply with financial reporting requirements
172 contained in Subsections (3) through [~~(7)~~] (8).
- 173 (3) Each candidate:
- 174 (a) shall deposit a contribution in a separate campaign account in a financial institution;
175 and
- 176 (b) may not deposit or mingle any campaign contributions received into a personal or
177 business account.
- 178 (4)(a) In a year in which a municipal primary is held, each candidate who will
179 participate in the municipal primary shall file a campaign finance statement with the
180 municipal clerk or recorder no later than seven days before the day described in
181 Subsection 20A-1-201.5(2).
- 182 (b) Each candidate who is not eliminated at a municipal primary election shall file a
183 campaign finance statement with the municipal clerk or recorder no later than:
184 (i) 28 days before the day on which the municipal general election is held;
185 (ii) seven days before the day on which the municipal general election is held; and
186 (iii) 30 days after the day on which the municipal general election is held.
- 187 (c) Each candidate for municipal office who is eliminated at a municipal primary
188 election shall file with the municipal clerk or recorder a campaign finance statement
189 within 30 days after the day on which the municipal primary election is held.
- 190 (5) If a municipality does not conduct a primary election for a race, each candidate who will
191 participate in that race shall file a campaign finance statement with the municipal clerk
192 or recorder no later than:
- 193 (a) 28 days before the day on which the municipal general election is held;
194 (b) seven days before the day on which the municipal general election is held; and
195 (c) 30 days after the day on which the municipal general election is held.
- 196 (6)(a) If a candidate seeks appointment to fill a midterm vacancy in a municipal office
197 the candidate shall, no later than three business days before the day on which the
198 municipal legislative body meets to interview the candidate in accordance with

199 Section 20A-1-510, file a campaign finance statement with the municipal clerk or
 200 recorder.

201 (b) Upon receipt of the campaign finance statement described in Subsection (6)(a), the
 202 municipal clerk or recorder shall immediately submit a copy of the statement to the
 203 municipal legislative body.

204 [~~(6)~~] (7) Each campaign finance statement described in Subsection [~~(4) or (5)~~] (4), (5), or (6)
 205 shall:

206 (a) except as provided in Subsection [~~(6)(b)~~] (7)(b):

207 (i) report all of the candidate's itemized and total:

208 (A) contributions, including in-kind and other nonmonetary contributions,
 209 received up to and including five days before the campaign finance statement
 210 is due, excluding a contribution previously reported; and

211 (B) expenditures made up to and including five days before the campaign finance
 212 statement is due, excluding an expenditure previously reported; and

213 (ii) identify:

214 (A) for each contribution, the amount of the contribution and the name of the
 215 donor, if known; and

216 (B) for each expenditure, the amount of the expenditure and the name of the
 217 recipient of the expenditure; or

218 (b) report the total amount of all contributions and expenditures if the candidate receives
 219 \$500 or less in contributions and spends \$500 or less on the candidate's campaign.

220 [~~(7)~~] (8) Within 30 days after receiving a contribution that is cash or a negotiable
 221 instrument, exceeds the anonymous contribution limit, and is from a donor whose name
 222 is unknown, a candidate shall disburse the amount of the contribution to:

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

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

227 [~~(8)~~] (9)(a) A municipality may, by ordinance:

228 (i) provide an anonymous contribution limit less than \$50;

229 (ii) require greater disclosure of contributions or expenditures than is required in this
 230 section; and

231 (iii) impose additional penalties on candidates who fail to comply with the applicable
 232 requirements beyond those imposed by this section.

- 233 (b) A candidate is subject to the provisions of this section and not the provisions of an
234 ordinance adopted by the municipality under Subsection [~~(8)(a)~~] (9)(a) if:
- 235 (i) the municipal ordinance establishes requirements or penalties that differ from
236 those established in this section; and
- 237 (ii) the municipal clerk or recorder fails to notify the candidate of the provisions of
238 the ordinance as required in Subsection [~~(9)~~] (10).
- 239 [~~(9)~~] (10) Each municipal clerk or recorder shall, at the time the candidate for municipal
240 office files a declaration of candidacy, and again 35 days before each municipal general
241 election, notify the candidate in writing of:
- 242 (a) the provisions of statute or municipal ordinance governing the disclosure of
243 contributions and expenditures;
- 244 (b) the dates when the candidate's campaign finance statement is required to be filed; and
- 245 (c) the penalties that apply for failure to file a timely campaign finance statement,
246 including the statutory provision that requires removal of the candidate's name from
247 the ballot for failure to file the required campaign finance statement when required.
- 248 [~~(10)~~] (11) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
249 Access and Management Act, the municipal clerk or recorder shall:
- 250 (a) make each campaign finance statement filed by a candidate available for public
251 inspection and copying no later than one business day after the statement is filed; and
- 252 (b) make the campaign finance statement filed by a candidate available for public
253 inspection by:
- 254 (i) posting an electronic copy or the contents of the statement on the municipality's
255 website no later than seven business days after the day on which the statement is
256 filed; and
- 257 (ii) in order to comply with the requirements of Subsection 20A-11-103(4)(b)(ii),
258 providing the lieutenant governor with a link to the electronic posting described in
259 Subsection [~~(10)(b)(i)~~] (11)(b)(i) no later than two business days after the day on
260 which the statement is filed.
- 261 [~~(11)~~] (12)(a) If a candidate fails to timely file a campaign finance statement required
262 under Subsection (4) or (5), the municipal clerk or recorder:
- 263 (i) may send an electronic notice to the candidate that states:
- 264 (A) that the candidate failed to timely file the campaign finance statement; and
- 265 (B) that, if the candidate fails to file the report within 24 hours after the deadline
266 for filing the report, the candidate will be disqualified; and

- 267 (ii) may impose a fine of \$50 on the candidate.
- 268 (b) The municipal clerk or recorder shall disqualify a candidate and inform the
269 appropriate election official that the candidate is disqualified if the candidate fails to
270 file a campaign finance statement described in Subsection (4) or (5) within 24 hours
271 after the deadline for filing the report.
- 272 (c) If a candidate is disqualified under Subsection [~~(11)~~(b)] (12)(b), the election official:
273 (i) shall:
- 274 (A) notify every opposing candidate for the municipal office that the candidate is
275 disqualified;
- 276 (B) send an email notification to each voter who is eligible to vote in the
277 municipal election office race for whom the election official has an email
278 address informing the voter that the candidate is disqualified and that votes cast
279 for the candidate will not be counted;
- 280 (C) post notice of the disqualification on a public website; and
281 (D) if practicable, remove the candidate's name from the ballot by blacking out the
282 candidate's name before the ballots are delivered to voters; and
- 283 (ii) may not count any votes for that candidate.
- 284 [~~(12)~~] (13) An election official may fulfill the requirements described in Subsection [
285 ~~(11)(e)(i)~~] (12)(c)(i) in relation to a mailed ballot, including a military overseas ballot, by
286 including with the ballot a written notice:
- 287 (a) informing the voter that the candidate is disqualified; or
288 (b) directing the voter to a public website to inform the voter whether a candidate on the
289 ballot is disqualified.
- 290 [~~(13)~~] (14) Notwithstanding Subsection [~~(11)~~(b)] (12)(b), a candidate who timely files each
291 campaign finance statement required under Subsection (4) or (5) is not disqualified if:
- 292 (a) the statement details accurately and completely the information required under
293 Subsection [~~(6)~~] (7), except for inadvertent omissions or insignificant errors or
294 inaccuracies; and
295 (b) the omissions, errors, or inaccuracies are corrected in an amended report or in the
296 next scheduled report.
- 297 [~~(14)~~] (15) A candidate for municipal office who is disqualified under Subsection [~~(11)~~(b)]
298 (12)(b) shall file with the municipal clerk or recorder a complete and accurate campaign
299 finance statement within 30 days after the day on which the candidate is disqualified.
- 300 [~~(15)~~] (16) A campaign finance statement required under this section is considered filed if it

301 is received in the municipal clerk or recorder's office by 5 p.m. on the date that it is due.
302 [~~(16)~~] (17)(a) A private party in interest may bring a civil action in a court with
303 jurisdiction under Title 78A, Judiciary and Judicial Administration, to enforce the
304 provisions of this section or an ordinance adopted under this section.

305 (b) In a civil action under Subsection [~~(16)~~](a) (17)(a), the court may award costs and
306 attorney fees to the prevailing party.

307 Section 2. Section **10-3-301** is amended to read:

308 **10-3-301 . Notice -- Eligibility and residency requirements for elected municipal**
309 **office -- Mayor and recorder limitations.**

310 (1) As used in this section:

311 (a) "Absent" means that an elected municipal officer fails to perform official duties,
312 including the officer's failure to attend each regularly scheduled meeting that the
313 officer is required to attend.

314 (b) "Principal place of residence" means the same as that term is defined in Section
315 20A-2-105.

316 (c) "Secondary residence" means a place where an individual resides other than the
317 individual's principal place of residence.

318 (2)(a) On or before May 1 in a year in which there is a municipal general election, the
319 municipal clerk shall publish a notice that identifies:

320 (i) the municipal offices to be voted on in the municipal general election; and
321 (ii) the dates for filing a declaration of candidacy for the offices identified under
322 Subsection (2)(a)(i).

323 (b) The municipal clerk shall publish the notice described in Subsection (2)(a) for the
324 municipality, as a class A notice under Section 63G-30-102, for at least seven days.

325 (3)(a) An individual who files a declaration of candidacy for a municipal office shall:

326 (i) comply with the requirements described in Section 20A-9-203[-] ; and
327 (ii) file the conflict of interest disclosure statement described in Section 10-3-301.5.

328 (b)(i) Except as provided in Subsection (3)(b)(ii), the city recorder or town clerk of
329 each municipality shall maintain office hours 8 a.m. to 5 p.m. on the dates
330 described in Subsections 20A-9-203(3)(a)(i) and (c)(i) unless the date occurs on a:

331 (A) Saturday or Sunday; or

332 (B) state holiday as listed in Section 63G-1-301.

333 (ii) If on a regular basis a city recorder or town clerk maintains an office schedule
334 that is less than 40 hours per week, the city recorder or town clerk may comply

- 335 with Subsection (3)(b)(i) without maintaining office hours by:
- 336 (A) posting the recorder's or clerk's contact information, including a phone
337 number and email address, on the recorder's or clerk's office door, the main
338 door to the municipal offices, and, if available, on the municipal website; and
- 339 (B) being available from 8 a.m. to 5 p.m. on the dates described in Subsection
340 (3)(b)(i), via the contact information described in Subsection (3)(b)(ii)(A).
- 341 (4) An individual elected to municipal office shall be a registered voter in the municipality
342 in which the individual is elected.
- 343 (5)(a) Each elected officer of a municipality shall maintain a principal place of residence
344 within the municipality, and within the district that the elected officer represents,
345 during the officer's term of office.
- 346 (b) Except as provided in Subsection (6), an elected municipal office is automatically
347 vacant if the officer elected to the municipal office, during the officer's term of office:
- 348 (i) establishes a principal place of residence outside the district that the elected officer
349 represents;
- 350 (ii) resides at a secondary residence outside the district that the elected officer
351 represents for a continuous period of more than 60 days while still maintaining a
352 principal place of residence within the district;
- 353 (iii) is absent from the district that the elected officer represents for a continuous
354 period of more than 60 days; or
- 355 (iv) fails to respond to a request, within 30 days after the day on which the elected
356 officer receives the request, from the county clerk or the lieutenant governor
357 seeking information to determine the officer's residency.
- 358 (6)(a) Notwithstanding Subsection (5), if an elected municipal officer obtains the
359 consent of the municipal legislative body in accordance with Subsection (6)(b) before
360 the expiration of the 60-day period described in Subsection (5)(b)(ii) or (iii), the
361 officer may:
- 362 (i) reside at a secondary residence outside the district that the elected officer
363 represents while still maintaining a principal place of residence within the district
364 for a continuous period of up to one year during the officer's term of office; or
- 365 (ii) be absent from the district that the elected officer represents for a continuous
366 period of up to one year during the officer's term of office.
- 367 (b) At a public meeting, the municipal legislative body may give the consent described
368 in Subsection (6)(a) by majority vote after taking public comment regarding:

- 369 (i) whether the legislative body should give the consent; and
 370 (ii) the length of time to which the legislative body should consent.
- 371 (7)(a) The mayor of a municipality may not also serve as the municipal recorder or
 372 treasurer.
- 373 (b) The recorder of a municipality may not also serve as the municipal treasurer.
- 374 (c) An individual who holds a county elected office may not, at the same time, hold a
 375 municipal elected office.
- 376 (d) The restriction described in Subsection (7)(c) applies regardless of whether the
 377 individual is elected to the office or appointed to fill a vacancy in the office.

378 Section 3. Section **10-3-301.5** is enacted to read:

379 **10-3-301.5 . Conflict of interest disclosure statement for municipal office --**

380 **Required when filing for candidacy -- Public availability -- Enforcement.**

- 381 (1)(a) A city recorder or town clerk shall, for each person seeking to become a candidate
 382 for a municipal office that is to be filled at the next general election, create, print, and
 383 provide the person with a copy of the conflict of interest disclosure statement
 384 described in Subsection (1)(b).
- 385 (b) A conflict of interest disclosure statement shall:
- 386 (i) be divided into sections representing each item of information described in
 387 Subsections 20A-11-1604(6)(a) through (p); and
- 388 (ii) immediately beneath each section, include a space for the candidate to provide a
 389 written response.
- 390 (2) Except as provided in Subsection (3), a candidate for an office described in Subsection
 391 (1)(a) shall complete the conflict of interest disclosure statement and submit the
 392 statement to the city recorder or town clerk at the time the candidate files a declaration
 393 of candidacy.
- 394 (3) A candidate is not required to comply with Subsection (2) if the candidate:
- 395 (a) currently holds the office for which the candidate seeks reelection;
- 396 (b) already, that same year, filed a conflict of interest disclosure statement for the office
 397 described in Subsection (3)(a), in accordance with Section 10-3-1313; and
- 398 (c) at the time the candidate files a declaration of candidacy, indicates, in writing, that
 399 the conflict of interest disclosure statement described in Subsection (3)(b) is updated
 400 and accurate as of the date of filing the declaration of candidacy.
- 401 (4) Except as provided in Subsection (3), a city recorder or town clerk:
- 402 (a) may not accept a declaration of candidacy from a candidate for an office described in

- 403 Subsection (1)(a) until the city recorder or town clerk receives a complete conflict of
404 interest disclosure statement from the candidate; and
- 405 (b) shall make a candidate's conflict of interest disclosure statement available for public
406 inspection by posting an electronic copy of the statement:
- 407 (i) on the municipality's website; or
408 (ii) if the municipality does not have a website, on the website of the county where
409 the municipality is located.
- 410 (5) A city recorder or town clerk shall ensure that a candidate's conflict of interest
411 disclosure statement remains posted on the website described in Subsection (4)(b) until:
- 412 (a) the candidate resigns or is disqualified as a candidate; or
413 (b) the day after the day of the official canvass for the general election.
- 414 (6)(a) A private party in interest may bring a civil action in a court with jurisdiction
415 under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of
416 this section.
- 417 (b) In a civil action under Subsection (6)(a), the court may award costs and attorney fees
418 to the prevailing party.
- 419 Section 4. Section **17-16-1.5** is enacted to read:
- 420 **17-16-1.5 . Conflict of interest disclosure statement for county and local school**
421 **board office -- Required when filing for candidacy -- Public availability -- Enforcement.**
- 422 (1)(a) A county clerk shall, for each person seeking to become a candidate for a county
423 office or local school board office that is to be filled at the next general election,
424 create, print, and provide the person with a copy of the conflict of interest disclosure
425 statement described in Subsection (1)(b).
- 426 (b) A conflict of interest disclosure statement shall:
- 427 (i) be divided into sections representing each item of information described in
428 Subsections 20A-11-1604(6)(a) through (p); and
- 429 (ii) immediately beneath each section, include a space for the candidate to provide a
430 written response.
- 431 (2) Except as provided in Subsection (3), a candidate for an office described in Subsection
432 (1)(a) shall complete the conflict of interest disclosure statement and submit the
433 statement to the county clerk at the time the candidate files a declaration of candidacy.
- 434 (3) A candidate is not required to comply with Subsection (2) if the candidate:
- 435 (a) currently holds the office for which the candidate seeks reelection;
436 (b) already, that same year, filed a conflict of interest disclosure statement for the office

- 437 described in Subsection (3)(a), in accordance with:
 438 (i) for a county office, Section 17-16a-13; or
 439 (ii) for a local school board office, Section 67-16-16; and
 440 (c) at the time the candidate files a declaration of candidacy, indicates, in writing, that
 441 the conflict of interest disclosure statement described in Subsection (3)(b) is updated
 442 and accurate as of the date of filing the declaration of candidacy.
- 443 (4) Except as provided in Subsection (3), a county clerk:
 444 (a) may not accept a declaration of candidacy from a candidate for an office described in
 445 Subsection (1)(a) until the county clerk receives a complete conflict of interest
 446 disclosure statement from the candidate; and
 447 (b) shall make a candidate's conflict of interest disclosure statement available for public
 448 inspection by posting an electronic copy of the statement on the county's website.
- 449 (5) A county clerk shall ensure that a candidate's conflict of interest disclosure statement
 450 remains posted on the website described in Subsection (4)(b) until:
 451 (a) the candidate resigns or is disqualified as a candidate; or
 452 (b) the day after the day of the official canvass for the general election.
- 453 (6)(a) A private party in interest may bring a civil action in a court with jurisdiction
 454 under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of
 455 this section.
 456 (b) In a civil action under Subsection (6)(a), the court may award costs and attorney fees
 457 to the prevailing party.

458 Section 5. Section **17-16-6.5** is amended to read:

459 **17-16-6.5 . Campaign financial disclosure in county elections.**

- 460 (1)~~(a)~~ A county shall adopt an ordinance establishing campaign finance disclosure
 461 requirements for:
 462 ~~(i)~~ (a) candidates for county office; and
 463 ~~(ii)~~ (b) candidates for local school board office who reside in that county.
- 464 ~~(b)~~ (2) The ordinance required by Subsection ~~[(1)(a)]~~ (1) shall include:
 465 ~~(i)~~ (a) a requirement that each candidate for county office or local school board office
 466 report the candidate's itemized and total campaign contributions and expenditures at
 467 least once within the two weeks before the election and at least once within two
 468 months after the election;
 469 ~~(ii)~~ (b) a definition of "contribution" and "expenditure" that requires reporting of
 470 nonmonetary contributions such as in-kind contributions and contributions of

- 471 tangible things;
- 472 [~~(iii)~~] (c) a requirement that the financial reports identify:
- 473 [~~(A)~~] (i) for each contribution, the name of the donor of the contribution, if known,
- 474 and the amount of the contribution; and
- 475 [~~(B)~~] (ii) for each expenditure, the name of the recipient and the amount of the
- 476 expenditure;
- 477 [~~(iv)~~] (d) a requirement that a candidate for county office or local school board office
- 478 deposit a contribution in a separate campaign account into a financial institution;
- 479 [~~(v)~~] (e) a prohibition against a candidate for county office or local school board office
- 480 depositing or mingling any contributions received into a personal or business account;[
- 481 and]
- 482 [~~(vi)~~] (f) a requirement that a candidate for county office who receives a contribution that
- 483 is cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is
- 484 unknown, shall, within 30 days after receiving the contribution, disburse the amount
- 485 of the contribution to:
- 486 [~~(A)~~] (i) the treasurer of the state or a political subdivision for deposit into the state's
- 487 or political subdivision's general fund; or
- 488 [~~(B)~~] (ii) an organization that is exempt from federal income taxation under Section
- 489 501(c)(3), Internal Revenue Code[-] ;
- 490 (g) a requirement that a candidate seeking appointment to fill a midterm vacancy in a
- 491 county office or local school board office file the financial report described in
- 492 Subsection (2)(c) with the county clerk:
- 493 (i) for a county office vacancy described in Subsection 20A-1-508(3) or (7), no later
- 494 than three business days before the day on which the political party of the prior
- 495 officeholder submits the candidate's name to the county legislative body as the
- 496 individual the political party selects to fill the vacancy;
- 497 (ii) for a county or district attorney office vacancy described in Subsection
- 498 20A-1-509.1(5)(a), no later than three business days before the day on which the
- 499 political party of the prior officeholder submits the candidate's name to the county
- 500 legislative body as one of the three individuals the party nominates to fill the
- 501 vacancy;
- 502 (iii) for a county or district attorney office vacancy described in Section 20A-1-509.2:
- 503 (A) no later than the deadline for the candidate to submit an application to fill the
- 504 vacancy under Subsection 20A-1-509.2(2)(c); and

505 (B) if, under Subsection 20A-1-509.2(3), more than three attorneys submit an
 506 application to fill the vacancy, no later than three business days before the day
 507 on which the political party of the prior officeholder submits the candidate's
 508 name to the county legislative body as one of the three individuals the party
 509 nominates to fill the vacancy; or

510 (iv) for a local school board office vacancy, no later than three business days before
 511 the day on which the local school board meets to interview each candidate
 512 interested in filling the vacancy in accordance with Section 20A-1-511; and

513 (h) a requirement that, upon receipt of the financial report described in Subsection (2)(g),
 514 the county clerk immediately submit a copy of the report to the county legislative
 515 body.

516 ~~[(e)]~~ ~~(3)~~~~[(i)]~~ (a) As used in this Subsection ~~[(1)(e)]~~ ~~(3)~~, "account" means an account in a
 517 financial institution:

518 ~~[(A)]~~ (i) that is not described in Subsection ~~[(1)(b)(iv)]~~ ~~(2)(d)~~; and

519 ~~[(B)]~~ (ii) into which or from which a person who, as a candidate for an office, other
 520 than a county office for which the person files a declaration of candidacy or
 521 federal office, or as a holder of an office, other than a county office for which the
 522 person files a declaration of candidacy or federal office, deposits a contribution or
 523 makes an expenditure.

524 ~~[(ii)]~~ (b) The ordinance required by Subsection ~~[(1)(a)]~~ ~~(1)~~ shall include a requirement
 525 that a candidate for county office or local school board office include on a financial
 526 report filed in accordance with the ordinance a contribution deposited in or an
 527 expenditure made from an account:

528 ~~[(A)]~~ (i) since the last financial report was filed; or

529 ~~[(B)]~~ (ii) that has not been reported under a statute or ordinance that governs the
 530 account.

531 ~~[(2)]~~ ~~(4)~~ If any county fails to adopt a campaign finance disclosure ordinance described in
 532 Subsection (1), candidates for county office, other than community council office, and
 533 candidates for local school board office shall comply with the financial reporting
 534 requirements contained in Subsections ~~[(3)]~~ ~~(5)~~ through ~~[(8)]~~ ~~(10)~~.

535 ~~[(3)]~~ ~~(5)~~ A candidate for elective office in a county or local school board office:

536 (a) shall deposit a contribution into a separate campaign account in a financial
 537 institution; and

538 (b) may not deposit or mingle any contributions received into a personal or business

539 account.

540 [~~(4)~~] (6) Each candidate for elective office in any county who is not required to submit a
541 campaign financial statement to the lieutenant governor, and each candidate for local
542 school board office, shall file a signed campaign financial statement with the county
543 clerk:

544 (a) seven days before the date of the regular general election, reporting each contribution
545 and each expenditure as of 10 days before the date of the regular general election; and

546 (b) no later than 30 days after the date of the regular general election.

547 [~~(5)~~] (7)(a) The statement filed seven days before the regular general election shall
548 include:

549 (i) a list of each contribution received by the candidate, and the name of the donor, if
550 known; and

551 (ii) a list of each expenditure for political purposes made during the campaign period,
552 and the recipient of each expenditure.

553 (b) The statement filed 30 days after the regular general election shall include:

554 (i) a list of each contribution received after the cutoff date for the statement filed
555 seven days before the election, and the name of the donor; and

556 (ii) a list of all expenditures for political purposes made by the candidate after the
557 cutoff date for the statement filed seven days before the election, and the recipient
558 of each expenditure.

559 [~~(6)~~] (8)(a) As used in this Subsection [~~(6)~~] (8), "account" means an account in a financial
560 institution:

561 (i) that is not described in Subsection [~~(3)~~](a) (5)(a); and

562 (ii) into which or from which a person who, as a candidate for an office, other than a
563 county office for which the person filed a declaration of candidacy or federal
564 office, or as a holder of an office, other than a county office for which the person
565 filed a declaration of candidacy or federal office, deposits a contribution or makes
566 an expenditure.

567 (b) A county office candidate and a local school board office candidate shall include on
568 any campaign financial statement filed in accordance with Subsection [~~(4)~~] (6) or [~~(5)~~]
569 (7):

570 (i) a contribution deposited into an account:

571 (A) since the last campaign finance statement was filed; or

572 (B) that has not been reported under a statute or ordinance that governs the

- 573 account; or
- 574 (ii) an expenditure made from an account:
- 575 (A) since the last campaign finance statement was filed; or
- 576 (B) that has not been reported under a statute or ordinance that governs the
- 577 account.
- 578 ~~[(7)]~~ (9) Within 30 days after receiving a contribution that is cash or a negotiable
- 579 instrument, exceeds \$50, and is from a donor whose name is unknown, a county office
- 580 candidate shall disburse the amount of the contribution to:
- 581 (a) the treasurer of the state or a political subdivision for deposit into the state's or
- 582 political subdivision's general fund; or
- 583 (b) an organization that is exempt from federal income taxation under Section 501(c)(3),
- 584 Internal Revenue Code.
- 585 ~~[(8)]~~ (10) Candidates for elective office in any county, and candidates for local school board
- 586 office, who are eliminated at a primary election shall file a signed campaign financial
- 587 statement containing the information required by this section not later than 30 days after
- 588 the primary election.
- 589 (11)(a) A candidate seeking appointment to fill a midterm vacancy in a county office or
- 590 local school board office shall:
- 591 (i) comply with Subsections (5) and (9); and
- 592 (ii) file a signed campaign financial statement with the county clerk no later than the
- 593 deadline described in Subsection (2)(g).
- 594 (b) Upon receipt of the campaign financial statement described in Subsection (11)(a)(ii),
- 595 the county clerk shall immediately submit a copy of the statement to the county
- 596 legislative body.
- 597 ~~[(9)]~~ (12) Any person who fails to comply with this section is guilty of an infraction.
- 598 ~~[(10)]~~ (13)(a) Counties may, by ordinance, enact requirements that:
- 599 (i) require greater disclosure of campaign contributions and expenditures; and
- 600 (ii) impose additional penalties.
- 601 (b) The requirements described in Subsection ~~[(10)(a)]~~ (13)(a) apply to a local school
- 602 board office candidate who resides in that county.
- 603 ~~[(11)]~~ (14) If a candidate fails to file an interim report due before the election, the county
- 604 clerk:
- 605 (a) may send an electronic notice to the candidate and the political party of which the
- 606 candidate is a member, if any, that states:

- 607 (i) that the candidate failed to timely file the report; and
- 608 (ii) that, if the candidate fails to file the report within 24 hours after the deadline for
- 609 filing the report, the candidate will be disqualified and the political party will not
- 610 be permitted to replace the candidate; and
- 611 (b) impose a fine of \$100 on the candidate.
- 612 ~~[(12)]~~ (15)(a) The county clerk shall disqualify a candidate and inform the appropriate
- 613 election officials that the candidate is disqualified if the candidate fails to file an
- 614 interim report described in Subsection ~~[(11)]~~ (14) within 24 hours after the deadline
- 615 for filing the report.
- 616 (b) The political party of a candidate who is disqualified under Subsection ~~[(12)(a)]~~
- 617 (15)(a) may not replace the candidate.
- 618 (c) A candidate who is disqualified under Subsection ~~[(12)(a)]~~ (15)(a) shall file with the
- 619 county clerk a complete and accurate campaign finance statement within 30 days
- 620 after the day on which the candidate is disqualified.
- 621 ~~[(13)]~~ (16) If a candidate is disqualified under Subsection ~~[(12)(a)]~~ (15)(a), the election
- 622 official:
- 623 (a) shall:
- 624 (i) notify every opposing candidate for the county office that the candidate is
- 625 disqualified;
- 626 (ii) send an email notification to each voter who is eligible to vote in the county
- 627 election office race for whom the election official has an email address informing
- 628 the voter that the candidate is disqualified and that votes cast for the candidate will
- 629 not be counted;
- 630 (iii) post notice of the disqualification on the county's website; and
- 631 (iv) if practicable, remove the candidate's name from the ballot by blacking out the
- 632 candidate's name before the ballots are delivered to voters; and
- 633 (b) may not count any votes for that candidate.
- 634 ~~[(14)]~~ (17) An election official may fulfill the requirement described in Subsection ~~[(13)(a)]~~
- 635 (16)(a) in relation to a mailed ballot, including a military or overseas ballot, by including
- 636 with the ballot a written notice directing the voter to the county's website to inform the
- 637 voter whether a candidate on the ballot is disqualified.
- 638 ~~[(15)]~~ (18) A candidate is not disqualified if:
- 639 (a) the candidate files the interim reports described in Subsection ~~[(11)]~~ (14) no later than
- 640 24 hours after the applicable deadlines for filing the reports;

641 (b) the reports are completed, detailing accurately and completely the information
 642 required by this section except for inadvertent omissions or insignificant errors or
 643 inaccuracies; and

644 (c) the omissions, errors, or inaccuracies are corrected in an amended report or in the
 645 next scheduled report.

646 ~~[(16)]~~ (19)(a) A report is considered timely filed if:

647 (i) the report is received in the county clerk's office no later than midnight, Mountain
 648 Time, at the end of the day on which the report is due;

649 (ii) the report is received in the county clerk's office with a United States Postal
 650 Service postmark three days or more before the date that the report was due; or

651 (iii) the candidate has proof that the report was mailed, with appropriate postage and
 652 addressing, three days before the report was due.

653 (b) For a county clerk's office that is not open until midnight at the end of the day on
 654 which a report is due, the county clerk shall permit a candidate to file the report via
 655 email or another electronic means designated by the county clerk.

656 ~~[(17)]~~ (20)(a) Any private party in interest may bring an action in a court with
 657 jurisdiction under Title 78A, Judiciary and Judicial Administration, to enforce the
 658 provisions of this section or any ordinance adopted under this section.

659 (b) In a civil action filed under Subsection ~~[(17)(a)]~~ (20)(a), the court shall award costs
 660 and attorney fees to the prevailing party.

661 ~~[(18)]~~ (21) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
 662 Access and Management Act, the county clerk shall:

663 (a) make each campaign finance statement filed by a candidate available for public
 664 inspection and copying no later than one business day after the statement is filed; and

665 (b) make the campaign finance statement filed by a candidate available for public
 666 inspection by:

667 (i) posting an electronic copy or the contents of the statement on the county's website
 668 no later than seven business days after the day on which the statement is filed; and

669 (ii) in order to meet the requirements of Subsection 20A-11-103(4)(b)(ii), providing
 670 the lieutenant governor with a link to the electronic posting described in
 671 Subsection ~~[(18)(b)(i)]~~ (21)(b)(i) no later than two business days after the day the
 672 statement is filed.

673 Section 6. Section **17B-1-306.1** is enacted to read:

674 **17B-1-306.1 . Conflict of interest disclosure statement for special district office --**

675 **Required when filing for candidacy -- Public availability -- Enforcement.**

676 (1) As used in this section, "filing officer" means the official designated by a special district
677 board under Subsection 17B-1-306(5)(a) to receive a declaration of candidacy.

678 (2)(a) A filing officer shall, for each person seeking to become a candidate for an
679 elective special district board that is to be filled at the next general election, create,
680 print, and provide the person with a copy of the conflict of interest disclosure
681 statement described in Subsection (2)(b).

682 (b) A conflict of interest disclosure statement shall:

683 (i) be divided into sections representing each item of information described in
684 Subsections 20A-11-1604(6)(a) through (p); and

685 (ii) immediately beneath each section, include a space for the candidate to provide a
686 written response.

687 (3) Except as provided in Subsection (4), a candidate for an office described in Subsection
688 (2)(a) shall complete the conflict of interest disclosure statement and submit the
689 statement to the filing officer at the time the candidate files a declaration of candidacy.

690 (4) A candidate is not required to comply with Subsection (3) if the candidate:

691 (a) currently holds the office for which the candidate seeks reelection;

692 (b) already, that same year, filed a conflict of interest disclosure statement for the office
693 described in Subsection (4)(a), in accordance with Section 67-16-16; and

694 (c) at the time the candidate files a declaration of candidacy, indicates, in writing, that
695 the conflict of interest disclosure statement described in Subsection (4)(b) is updated
696 and accurate as of the date of filing the declaration of candidacy.

697 (5) Except as provided in Subsection (4), a filing officer:

698 (a) may not accept a declaration of candidacy from a candidate for an office described in
699 Subsection (2)(a) until the filing officer receives a complete conflict of interest
700 disclosure statement from the candidate; and

701 (b) shall make a candidate's conflict of interest disclosure statement available for public
702 inspection by posting an electronic copy of the statement on:

703 (i) the special district's website; or

704 (ii) if the special district does not have a website, the website of each county in which
705 the special district is located.

706 (6) A filing officer shall ensure that a candidate's conflict of interest disclosure statement
707 remains posted on the website described in Subsection (5)(b) until:

708 (a) the candidate resigns or is disqualified as a candidate; or

709 (b) the day after the day of the official canvass for the general election.

710 (7)(a) A private party in interest may bring a civil action in a court with jurisdiction
711 under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of
712 this section.

713 (b) In a civil action under Subsection (7)(a), the court may award costs and attorney fees
714 to the prevailing party.

715 Section 7. Section **20A-1-503** is amended to read:

716 **20A-1-503 . Midterm vacancies in the Legislature.**

717 (1) As used in this section:

718 (a) "Filing deadline" means the final date for filing:

719 (i) a declaration of candidacy as provided in Section 20A-9-202; and

720 (ii) a certificate of nomination as provided in Section 20A-9-503.

721 (b) "Party liaison" means the political party officer designated to serve as a liaison with
722 the lieutenant governor on all matters relating to the political party's relationship with
723 the state as required by Section 20A-8-401.

724 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
725 the governor shall fill the vacancy by immediately appointing the person whose name
726 was submitted by the party liaison of the same political party as the prior representative.

727 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
728 the office of senator in the Legislature, it shall be filled for the unexpired term at the
729 next regular general election.

730 (b) The governor shall fill the vacancy until the next regular general election by
731 immediately appointing the person whose name was submitted by the party liaison of
732 the same political party as the prior senator.

733 (4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but
734 before August 31 of an even-numbered year in which the term of office does not
735 expire, the lieutenant governor shall:

736 (i) establish a date and time, which is before the date for a candidate to be certified
737 for the ballot under Section 20A-9-701 and no later than 21 days after the day on
738 which the vacancy occurred, by which a person intending to obtain a position on
739 the ballot for the vacant office shall file:

740 (A) a declaration of candidacy; or

741 (B) a certificate of nomination; and

742 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):

- 743 (A) on the lieutenant governor's website; and
744 (B) to each registered political party.
- 745 (b) A person intending to obtain a position on the ballot for the vacant office shall:
746 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of
747 candidacy or certificate of nomination according to the procedures and
748 requirements of Chapter 9, Candidate Qualifications and Nominating Procedures;
749 and
750 (ii) run in the regular general election if:
751 (A) nominated as a party candidate; or
752 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate
753 Qualifications and Nominating Procedures.
- 754 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in
755 Subsection 20A-9-202(1)(b) and before August 31, of an even-numbered year in
756 which the term of office does not expire, a party liaison from each registered political
757 party may submit a name of a person described in Subsection (4)(b) to the lieutenant
758 governor before 5 p.m. no later than August 30 for placement on the regular general
759 election ballot.
- 760 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an
761 even-numbered year in which a term does not expire, the governor shall fill the vacancy
762 for the unexpired term by immediately appointing the person whose name was submitted
763 by the party liaison of the same political party as the prior senator.
- 764 (6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill
765 a vacancy described in this section shall, no later than the deadline for the individual
766 to file an interim report under Subsection 20A-11-303(3)(a), make a complete
767 conflict of interest disclosure on the website described in Section 20A-11-1602.5.
- 768 (b) An individual described in Subsection (6)(a) is not required to comply with
769 Subsection (6)(a) if the individual:
770 (i)(A) currently holds the office of senator and is seeking appointment as a
771 representative; or
772 (B) currently holds the office of representative and is seeking appointment as a
773 senator;
774 (ii) already, that same year, filed a conflict of interest disclosure for the office
775 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and
776 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written

777 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)
 778 is updated and accurate as of the date of the written statement.

779 (7) The lieutenant governor shall make each conflict of interest disclosure made by an
 780 individual described in Subsection (6)(a) available for public inspection in accordance
 781 with Subsection 20A-11-1603(4).

782 (8) A vacancy in the office of senator or representative of the Legislature does not occur
 783 unless the senator or representative:

784 (a) has left the office; or

785 (b) submits an irrevocable letter of resignation to:

786 (i) for a senator, the president of the Senate; or

787 (ii) for a representative, the speaker of the House of Representatives.

788 *The following section is affected by a coordination clause at the end of this bill.*

789 Section 8. Section **20A-1-504** is amended to read:

790 **20A-1-504 . Midterm vacancies in the offices of attorney general, state treasurer,**
 791 **state auditor, State Board of Education member, and lieutenant governor.**

792 (1)(a) When a vacancy occurs for any reason in the office of attorney general, state
 793 treasurer, state auditor, or State Board of Education member, the vacancy shall be
 794 filled for the unexpired term at the next regular general election.

795 (b) The governor shall fill the vacancy until the next regular general election by:

796 (i) appointing a person who meets the qualifications for the office from three persons
 797 nominated by the state central committee of the same political party as the prior
 798 officeholder; or

799 (ii) for a State Board of Education vacancy, if the individual who is being replaced:

800 (A) was elected at a nonpartisan State Board of Education election, by appointing,
 801 with the advice and consent of the Senate, an individual who meets the
 802 qualifications and residency requirements for filling the vacancy described in
 803 Section 20A-14-103;

804 (B) was elected at a partisan State Board of Education election, but is not a
 805 member of a political party, by appointing, with the advice and consent of the
 806 Senate, an individual who meets the qualifications and residency requirements
 807 for filling the vacancy described in Section 20A-14-103; or

808 (C) was elected at a partisan State Board of Education election, and is a member
 809 of a political party, by appointing an individual who meets the qualifications
 810 for the office from three persons nominated by the state central committee of

- 811 the same political party as the prior officeholder.
- 812 (2) If a vacancy occurs in the office of lieutenant governor, the governor shall, with the
813 advice and consent of the Senate, appoint a person to hold the office until the next
814 regular general election at which the governor stands for election.
- 815 (3)(a) Except as provided in Subsection (3)(b), an individual seeking appointment to fill
816 a vacancy described in this section shall make a complete conflict of interest
817 disclosure on the website described in Section 20A-11-1602.5:
- 818 (i) for a vacancy in the office of lieutenant governor, attorney general, state treasurer,
819 or state auditor, no later than the deadline for the individual to file an interim
820 report under Subsection 20A-11-204(3)(a); or
- 821 (ii) for a vacancy in the office of State Board of Education member, no later than the
822 deadline for the individual to file an interim report under Subsection
823 20A-11-1303(2)(a).
- 824 (b) An individual described in Subsection (3)(a) is not required to comply with
825 Subsection (3)(a) if the individual:
- 826 (i) currently holds an office described in Subsection (1)(a) or (2);
827 (ii) already, that same year, filed a conflict of interest disclosure for the office
828 described in Subsection (3)(b)(i), in accordance with Section 20A-11-1604; and
829 (iii) no later than the deadline described in Subsection (3)(a), indicates, in a written
830 statement, that the conflict of interest disclosure described in Subsection (3)(b)(ii)
831 is updated and accurate as of the date of the written statement.
- 832 (4) The lieutenant governor shall make each conflict of interest disclosure made by an
833 individual described in Subsection (3)(a) available for public inspection in accordance
834 with Subsection 20A-11-1603(4).
- 835 (5) A vacancy in an office described in Subsection (1)(a) or (2) does not occur unless the
836 individual occupying the office:
- 837 (a) has left the office; or
- 838 (b) submits an irrevocable letter of resignation to the governor.

839 Section 9. Section **20A-1-508** is amended to read:

840 **20A-1-508 . Midterm vacancies in county elected offices -- Temporary manager**
841 **-- Interim replacement.**

842 (1) As used in this section:

- 843 (a)(i) "County offices" includes the county executive, members of the county
844 legislative body, the county treasurer, the county sheriff, the county clerk, the

- 845 county auditor, the county recorder, the county surveyor, and the county assessor.
- 846 (ii) "County offices" does not include the office of county attorney, district attorney,
847 or judge.
- 848 (b) "Party liaison" means the political party officer designated to serve as a liaison with
849 each county legislative body on all matters relating to the political party's relationship
850 with a county as required by Section 20A-8-401.
- 851 (2)(a) Except as provided in Subsection (2)(d), until a county legislative body appoints
852 an interim replacement to fill a vacant county office under Subsection (3), the
853 following shall temporarily discharge the duties of the county office as a temporary
854 manager:
- 855 (i) for a county office with one chief deputy, the chief deputy;
- 856 (ii) for a county office with more than one chief deputy:
- 857 (A) the chief deputy with the most cumulative time served as a chief deputy for
858 the county office; or
- 859 (B) notwithstanding Subsection (2)(a)(ii)(A), if, before the vacating county officer
860 vacates the office, the county officer files with the county clerk a written
861 statement designating one of the county officer's chief deputies to discharge the
862 duties of the county office in the event the county officer vacates the office, the
863 designated chief deputy; or
- 864 (iii) for a county office without a chief deputy:
- 865 (A) if one management-level employee serving under the county office has a
866 higher-seniority management level than any other employee serving under the
867 county office, that management-level employee;
- 868 (B) if two or more management-level employees serving under the county office
869 have the same and highest-seniority management level, the highest-seniority
870 management-level employee with the most cumulative time served in the
871 employee's current position; or
- 872 (C) notwithstanding Subsection (2)(a)(iii)(A) or (B), if, before the vacating county
873 officer vacates the office, the county officer files with the county clerk a
874 written statement designating one of the county officer's employees to
875 discharge the county officer's duties in the event the county officer vacates the
876 office, the designated employee.
- 877 (b) Except as provided in Subsection (2)(c), a temporary manager described in
878 Subsection (2)(a) who temporarily discharges the duties of a county office holds the

- 879 powers and duties of the county office until the county legislative body appoints an
880 interim replacement under Subsection (3).
- 881 (c) The temporary manager described in Subsection (2)(a) who temporarily discharges
882 the duties of a county office:
- 883 (i) may not take an oath of office for the county office as a temporary manager;
- 884 (ii) shall comply with Title 17, Chapter 36, Uniform Fiscal Procedures Act for
885 Counties, and the county's budget ordinances and policies;
- 886 (iii) unless approved by the county legislative body, may not change the
887 compensation of an employee;
- 888 (iv) unless approved by the county legislative body, may not promote or demote an
889 employee or change an employee's job title;
- 890 (v) may terminate an employee only if the termination is conducted in accordance
891 with:
- 892 (A) personnel rules described in Subsection 17-33-5(4) that are approved by the
893 county legislative body; and
- 894 (B) applicable law;
- 895 (vi) unless approved by the county legislative body, may not exceed by more than 5%
896 an expenditure that was planned before the county office for which the temporary
897 manager discharges duties was vacated;
- 898 (vii) except as provided in Subsection (2)(c)(viii), may not receive a change in title or
899 compensation; and
- 900 (viii) if approved by the county legislative body, may receive a performance award
901 after:
- 902 (A) the county legislative body appoints an interim replacement under Subsection
903 (3); and
- 904 (B) the interim replacement is sworn into office.
- 905 (d) This Subsection (2) does not apply to a vacancy in the office of county legislative
906 body member.
- 907 (3)(a) Until a replacement is selected as provided in this section and has qualified, the
908 county legislative body shall appoint an interim replacement to fill the vacant office
909 by following the procedures and requirements of this Subsection (3).
- 910 (b)(i) To appoint an interim replacement, the county legislative body shall, within 10
911 days after the day on which the vacancy occurs, give notice of the vacancy to:
- 912 (A) the county clerk; and

- 913 (B) the party liaison of the same political party of the prior office holder~~[-and]~~ .
- 914 (ii) ~~[invite that party liaison]~~ The county legislative body shall invite the party liaison
- 915 described in Subsection (3)(b)(i)(B) to submit the name of an individual to fill the
- 916 vacancy.
- 917 ~~[(ii)]~~ (iii) ~~[That party liaison]~~ The party liaison shall, before 5 p.m. within 30 days after
- 918 the day on which the party liaison receives the notice described in Subsection
- 919 (3)(b)(i)(B), or if the party liaison does not receive the notice, before 5 p.m. within
- 920 40 days after the day on which the vacancy occurs, submit to the county
- 921 legislative body the name of an individual the party selects in accordance with the
- 922 party's constitution or bylaws to serve as the interim replacement.
- 923 ~~[(iii)]~~ (iv) The county legislative body shall, no later than five days after the day on
- 924 which a party liaison submits the name of the individual to serve as the interim
- 925 replacement, appoint the individual to serve out the unexpired term.
- 926 (c)(i) If the county legislative body fails to appoint an interim replacement to fill the
- 927 vacancy in accordance with Subsection ~~[(3)(b)(iii)]~~ (3)(b)(iv), the county clerk
- 928 shall, no later than five days after the day of the deadline described in Subsection
- 929 (3)(b)(iii), send to the governor a letter that:
- 930 (A) informs the governor that the county legislative body has failed to appoint a
- 931 replacement within the statutory time period; and
- 932 (B) contains the name of the individual submitted by the party liaison to fill the
- 933 vacancy.
- 934 (ii) The governor shall, within 10 days after the day on which the governor receives
- 935 the letter described in Subsection (3)(c)(i), appoint the individual named by the
- 936 party liaison as an interim replacement to fill the vacancy.
- 937 (d) An individual appointed as interim replacement under this Subsection (3) shall hold
- 938 office until a successor is elected and has qualified.
- 939 (4)(a) The requirements of this Subsection (4) apply to all county offices that become
- 940 vacant if:
- 941 (i) the vacant office has an unexpired term of two years or more; and
- 942 (ii) the vacancy occurs after the election at which the officeholder was elected, but
- 943 before the first day of the declaration of candidacy filing period described in
- 944 Section 20A-9-201.5.
- 945 (b)(i) When the conditions described in Subsection (4)(a) are met, the county clerk
- 946 shall as soon as practicable, but no later than 180 days before the next regular

- 947 general election, notify the public and each registered political party that the
948 vacancy exists.
- 949 (ii) An individual intending to become a party candidate for the vacant office shall
950 file a declaration of candidacy in accordance with:
- 951 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
952 and
953 (B) for a county commission office, Subsection 17-52a-201(6) or 17-52a-202(6),
954 if applicable.
- 955 (iii) An individual who is nominated as a party candidate, who qualifies as an
956 unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not
957 Affiliated with a Party, or who qualifies as a write-in candidate for the vacant
958 office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
959 general election.
- 960 (5)(a) The requirements of this Subsection (5) apply to all county offices that become
961 vacant if:
- 962 (i) the vacant office has an unexpired term of two years or more; and
963 (ii) the vacancy occurs on or after the first day of the declaration of candidacy filing
964 period described in Section 20A-9-201.5, but more than 75 days before the regular
965 primary election.
- 966 (b) When the conditions described in Subsection (5)(a) are met, the county clerk shall as
967 soon as practicable, but no later than 70 days before the next regular primary
968 election, notify the public and each registered political party:
- 969 (i) that the vacancy exists; and
970 (ii) of the deadlines described in Subsection (5)(c)(i) and the deadlines established
971 under Subsection (5)(d)(ii).
- 972 (c)(i) An individual intending to become a party candidate for a vacant office shall,
973 within five days after the day on which the notice is given, ending at the close of
974 normal office hours on the fifth day, file a declaration of candidacy for the vacant
975 office in accordance with:
- 976 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
977 and
978 (B) for a county commission office, Subsection 17-52a-201(6) or 17-52a-202(6),
979 if applicable.
- 980 (ii) The county central committee of each party shall:

- 981 (A) select a candidate or candidates from among those qualified candidates who
982 have filed declarations of candidacy; and
- 983 (B) certify the name of the candidate or candidates to the county clerk as soon as
984 practicable, but before 5 p.m. no later than 60 days before the day of the
985 regular primary election.
- 986 (d)(i) Except as provided in Subsection (5)(d)(ii), an individual intending to become a
987 candidate for a vacant office who does not wish to affiliate with a registered
988 political party shall file a verified certificate of nomination described in Section
989 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5, Candidates
990 not Affiliated with a Party.
- 991 (ii)(A) The county clerk shall establish, in the clerk's reasonable discretion, a
992 deadline that is before 5 p.m. no later than 65 days before the day of the next
993 regular general election by which an individual who is not affiliated with a
994 registered political party is required to submit a certificate of nomination under
995 Subsection (5)(d)(i).
- 996 (B) The county clerk shall establish the deadline described in Subsection
997 (5)(d)(ii)(A) in a manner that gives an unaffiliated candidate an equal
998 opportunity to access the regular general election ballot.
- 999 (e) An individual who is nominated as a party candidate for the vacant office, who
1000 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,
1001 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the
1002 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
1003 general election.
- 1004 (6)(a) The requirements of this Subsection (6) apply to all county offices that become
1005 vacant:
- 1006 (i) if the vacant office has an unexpired term of two years or more; and
1007 (ii) when 75 days or less remain before the day of the regular primary election but
1008 more than 65 days remain before the day of the regular general election.
- 1009 (b) When the conditions described in Subsection (6)(a) are met, the county clerk shall, as
1010 soon as practicable, notify the public and each registered political party:
- 1011 (i) that the vacancy exists; and
1012 (ii) of the deadlines established under Subsection (6)(d).
- 1013 (c)(i) Before the deadline that the county clerk establishes under Subsection
1014 (6)(d)(i)(A), the county central committee of each registered political party that

- 1015 wishes to submit a candidate for the office shall certify the name of one candidate
1016 to the county clerk for placement on the regular general election ballot.
- 1017 (ii) Before the deadline that the county clerk establishes under Subsection (6)(d)(i)(B),
1018 a candidate who does not wish to affiliate with a registered political party shall file
1019 a verified certificate of nomination described in Section 20A-9-502 with the
1020 county clerk in accordance with Chapter 9, Part 5, Candidates not Affiliated with
1021 a Party.
- 1022 (iii) Before the deadline that the county clerk establishes under Subsection
1023 (6)(d)(i)(C), a write-in candidate shall submit to the county clerk a declaration of
1024 candidacy described in Section 20A-9-601.
- 1025 (d)(i) The county clerk shall establish, in the clerk's reasonable discretion, deadlines
1026 that are before 5 p.m. no later than 65 days before the day of the next regular
1027 general election by which:
- 1028 (A) a registered political party is required to certify a name under Subsection
1029 (6)(c)(i);
- 1030 (B) an individual who does not wish to affiliate with a registered political party is
1031 required to submit a certificate of nomination under Subsection (6)(c)(ii); and
1032 (C) a write-in candidate is required to submit a declaration of candidacy under
1033 Subsection (6)(c)(iii).
- 1034 (ii) The county clerk shall establish deadlines under Subsection (6)(d)(i) in a manner
1035 that gives an unaffiliated candidate or a write-in candidate an equal opportunity to
1036 access the regular general election ballot.
- 1037 (e) An individual who is certified as a party candidate for the vacant office, who
1038 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,
1039 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the
1040 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
1041 general election.
- 1042 (7)(a) The requirements of this Subsection (7) apply to all county offices that become
1043 vacant:
- 1044 (i) if the vacant office has an unexpired term of less than two years; or
1045 (ii) if the vacant office has an unexpired term of two years or more but 65 days or
1046 less remain before the day of the next regular general election.
- 1047 (b)(i) When the conditions described in Subsection (7)(a) are met, the county
1048 legislative body shall as soon as practicable, but no later than 10 days after the day

- 1049 on which the vacancy occurs, give notice of the vacancy to:
- 1050 (A) the county clerk; and
- 1051 (B) the party liaison of the same political party as the prior office holder ~~and~~ .
- 1052 (ii) [invite that party liaison] The county legislative body shall invite the party liaison
- 1053 described in Subsection (7)(b)(i)(B) to submit the name of an individual to fill the
- 1054 vacancy.
- 1055 ~~[(ii)]~~ (iii) [That party liaison] The party liaison shall, before 5 p.m. within 30 days after
- 1056 the day on which the party liaison receives the notice described in Subsection
- 1057 (7)(b)(i)(B), or if the party liaison does not receive the notice, before 5 p.m. no
- 1058 later than 40 days after the day on which the vacancy occurs, submit to the county
- 1059 legislative body the name of an individual to fill the vacancy.
- 1060 ~~[(iii)]~~ (iv) The county legislative body shall, no later than five days after the day on
- 1061 which a party liaison submits the name of the individual to fill the vacancy,
- 1062 appoint the individual to serve out the unexpired term.
- 1063 (c)(i) If the county legislative body fails to appoint an individual to fill the vacancy in
- 1064 accordance with Subsection ~~[(7)(b)(iii)]~~ (7)(b)(iv), the county clerk shall send to
- 1065 the governor a letter that:
- 1066 (A) informs the governor that the county legislative body has failed to appoint an
- 1067 individual to fill the vacancy within the statutory time period; and
- 1068 (B) contains the name of the individual submitted by the party liaison to fill the
- 1069 vacancy.
- 1070 (ii) The governor shall, within 10 days after the day on which the governor receives
- 1071 the letter described in Subsection (7)(c)(i), appoint the individual named by the
- 1072 party liaison to fill the vacancy.
- 1073 (d) An individual appointed to fill the vacancy under this Subsection (7) shall hold office
- 1074 until a successor is elected and has qualified.
- 1075 (8) Except as otherwise provided by law, the county legislative body may appoint
- 1076 replacements to fill all vacancies that occur in those offices filled by appointment of the
- 1077 county legislative body.
- 1078 (9) Nothing in this section prohibits a candidate that does not wish to affiliate with a
- 1079 political party from filing a certificate of nomination for a vacant office within the same
- 1080 time limits as a candidate that is affiliated with a political party.
- 1081 (10)(a) Each individual elected under Subsection (4), (5), or (6) to fill a vacancy in a
- 1082 county office shall serve for the remainder of the unexpired term of the individual

- 1083 who created the vacancy and until a successor is elected and qualified.
- 1084 (b) Nothing in this section may be construed to contradict or alter the provisions of
1085 Section 17-16-6.
- 1086 (11)(a) Except as provided in Subsection (11)(b), for an individual seeking appointment
1087 to fill a vacancy described in Subsection (3) or (7) the individual shall, no later than
1088 the deadline for the individual to file a financial report under Section 17-16-6.5:
- 1089 (i) complete a conflict of interest disclosure statement in accordance with Section
1090 17-16-1.5; and
- 1091 (ii) submit the conflict of interest disclosure statement to the county legislative body
1092 and the county clerk.
- 1093 (b) An individual described in Subsection (11)(a) is not required to comply with
1094 Subsection (11)(a) if the individual:
- 1095 (i) currently holds an office described in Subsection (1)(a)(i);
- 1096 (ii) already, that same year, filed a conflict of interest disclosure statement for the
1097 office described in Subsection (11)(b)(i), in accordance with Section 17-16a-13;
1098 and
- 1099 (iii) no later than the deadline described in Subsection (11)(a), indicates, in a written
1100 notice submitted to the county clerk, that the conflict of interest disclosure
1101 statement described in Subsection (11)(b)(ii) is updated and accurate as of the date
1102 of the written notice.
- 1103 (12)(a) The county clerk shall make each conflict of interest disclosure statement made
1104 by an individual described in Subsection (11)(a) available for public inspection by
1105 posting an electronic copy of the statement on the county's website for at least 10
1106 calendar days after the day on which the county legislative body:
- 1107 (i) appoints an interim replacement under Subsection (3); or
- 1108 (ii) appoints an individual to fill a vacancy under Subsection (7).
- 1109 (b) The county clerk shall post the electronic statement described in Subsection (12)(a)
1110 no later than two business days after the day on which the county clerk receives the
1111 statement.
- 1112 (13) A vacancy in a county office does not occur unless the individual occupying the office:
- 1113 (a) has left the office; or
- 1114 (b) submits an irrevocable letter of resignation to the county legislative body.
- 1115 Section 10. Section **20A-1-509.1** is amended to read:
- 1116 **20A-1-509.1 . Procedure for filling midterm vacancy in county or district with 15**

1117 **or more attorneys.**

1118 (1) When a vacancy occurs in the office of county or district attorney in a county or district
1119 having 15 or more attorneys who are licensed active members in good standing with the
1120 Utah State Bar and registered voters, the vacancy shall be filled as provided in this
1121 section.

1122 (2)(a) The requirements of this Subsection (2) apply when the office of county attorney
1123 or district attorney becomes vacant and:

1124 (i) the vacant office has an unexpired term of two years or more; and

1125 (ii) the vacancy occurs before the first day of the declaration of candidacy filing
1126 period described in Section 20A-9-201.5.

1127 (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall
1128 notify the public and each registered political party that the vacancy exists.

1129 (c) All persons intending to become candidates for the vacant office shall:

1130 (i) file a declaration of candidacy according to the procedures and requirements of
1131 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;

1132 (ii) if nominated as a party candidate or qualified as an independent or write-in
1133 candidate under Chapter 9, Candidate Qualifications and Nominating Procedures,
1134 run in the regular general election; and

1135 (iii) if elected, complete the unexpired term of the person who created the vacancy.

1136 (d) If the vacancy occurs during the declaration of candidacy filing period described in
1137 Section 20A-9-201.5:

1138 (i) the time for filing a declaration of candidacy under Section 20A-9-202 shall be
1139 extended until 5 p.m. seven days after the last day of the filing period described in
1140 Section 20A-9-201.5; and

1141 (ii) the county clerk shall notify the public and each registered political party that the
1142 vacancy exists.

1143 (3)(a) The requirements of this Subsection (3) apply when the office of county attorney
1144 or district attorney becomes vacant and:

1145 (i) the vacant office has an unexpired term of two years or more; and

1146 (ii) the vacancy occurs after the third Thursday in March of the even-numbered year
1147 but more than 75 days before the regular primary election.

1148 (b) When the conditions established in Subsection (3)(a) are met, the county clerk shall:

1149 (i) notify the public and each registered political party that the vacancy exists; and

1150 (ii) identify the date and time by which a person interested in becoming a candidate

- 1151 shall file a declaration of candidacy.
- 1152 (c) All persons intending to become candidates for the vacant office shall:
- 1153 (i) before 5 p.m. within five days after the day on which the county clerk gives the
- 1154 notice described in Subsection (3)(b)(i), file a declaration of candidacy for the
- 1155 vacant office as required by Chapter 9, Part 2, Candidate Qualifications and
- 1156 Declarations of Candidacy; and
- 1157 (ii) if elected, complete the unexpired term of the person who created the vacancy.
- 1158 (d) The county central committee of each party shall:
- 1159 (i) select a candidate or candidates from among those qualified candidates who have
- 1160 filed declarations of candidacy; and
- 1161 (ii) certify the name of the candidate or candidates to the county clerk:
- 1162 (A) before 5 p.m. no later than 60 days before the day of the regular primary
- 1163 election; or
- 1164 (B) electronically, before midnight no later than 60 days before the day of the
- 1165 regular primary election.
- 1166 (4)(a) The requirements of this Subsection (4) apply when the office of county attorney
- 1167 or district attorney becomes vacant and:
- 1168 (i) the vacant office has an unexpired term of two years or more; and
- 1169 (ii) 75 days or less remain before the regular primary election but more than 65 days
- 1170 remain before the regular general election.
- 1171 (b) When the conditions established in Subsection (4)(a) are met, the county central
- 1172 committees of each registered political party that [~~wish~~] wishes to submit a candidate
- 1173 for the office shall, not later than five days after the day on which the vacancy occurs,
- 1174 certify the name of one candidate to the county clerk for placement on the regular
- 1175 general election ballot.
- 1176 (c) The candidate elected shall complete the unexpired term of the person who created
- 1177 the vacancy.
- 1178 (5)(a) The requirements of this Subsection (5) apply when the office of county attorney
- 1179 or district attorney becomes vacant and:
- 1180 (i) the vacant office has an unexpired term of less than two years; or
- 1181 (ii) the vacant office has an unexpired term of two years or more but 65 days or less
- 1182 remain before the next regular general election.
- 1183 (b) When the conditions established in Subsection (5)(a) are met, the county legislative
- 1184 body shall give notice of the vacancy to:

- 1185 (i) the county clerk; and
- 1186 (ii) the county central committee of the same political party of the prior officeholder[
- 1187 and] .
- 1188 (c) [~~invite that committee~~] The county legislative body shall invite the committee
- 1189 described in Subsection (5)(b)(ii) to submit the names of three nominees to fill the
- 1190 vacancy.
- 1191 [~~(e)~~] (d) [~~That~~] The county central committee shall, within 30 days after the day on which
- 1192 the county legislative body gives the notice described in Subsection (5)(b)(ii), submit
- 1193 to the county legislative body the names of three nominees to fill the vacancy.
- 1194 [~~(d)~~] (e) The county legislative body shall, within 45 days after the vacancy occurs,
- 1195 appoint one of those nominees to serve out the unexpired term.
- 1196 [~~(e)~~] (f) If the county legislative body fails to appoint a person to fill the vacancy within
- 1197 45 days, the county clerk shall send to the governor a letter that:
- 1198 (i) informs the governor that the county legislative body has failed to appoint a
- 1199 person to fill the vacancy within the statutory time period; and
- 1200 (ii) contains the list of nominees submitted by the party central committee.
- 1201 [~~(f)~~] (g) The governor shall appoint a person to fill the vacancy from that list of nominees
- 1202 within 30 days after receipt of the letter.
- 1203 [~~(g)~~] (h) A person appointed to fill the vacancy under this Subsection (5) shall complete
- 1204 the unexpired term of the person who created the vacancy.
- 1205 (6) A person seeking appointment to fill a vacancy described in Subsection (5)(a) shall, no
- 1206 later than the deadline for the person to file a financial report under Section 17-16-6.5:
- 1207 (a) complete a conflict of interest disclosure statement in accordance with Section
- 1208 17-16-1.5; and
- 1209 (b) submit the conflict of interest disclosure statement to the county legislative body and
- 1210 the county clerk.
- 1211 (7)(a) The county clerk shall make each conflict of interest disclosure statement made by
- 1212 a person described in Subsection (6) available for public inspection by posting an
- 1213 electronic copy of the statement on the county's website for at least 10 calendar days
- 1214 after the day on which the county legislative body appoints a person to fill the
- 1215 vacancy.
- 1216 (b) The county clerk shall post the electronic statement described in Subsection (7)(a) no
- 1217 later than two business days after the day on which the county clerk receives the
- 1218 statement.

1219 (8) A vacancy in the office described in Subsection (1) does not occur unless the person
 1220 occupying the office:

1221 (a) has left the office; or

1222 (b) submits an irrevocable letter of resignation to the county legislative body.

1223 [~~6~~] (9) Nothing in this section prevents or prohibits independent candidates from filing a
 1224 declaration of candidacy for the office within the required time limits.

1225 Section 11. Section **20A-1-509.2** is amended to read:

1226 **20A-1-509.2 . Procedure for filling vacancy in county or district with fewer than**
 1227 **15 attorneys.**

1228 (1) When a vacancy occurs in the office of county or district attorney, including a vacancy
 1229 created by the failure of a person to file as a candidate for the office of county or district
 1230 attorney in an election, in a county or district having fewer than 15 attorneys who are
 1231 licensed, active members in good standing with the Utah State Bar and registered voters,
 1232 the vacancy shall be filled as provided in this section.

1233 (2) The county clerk shall send a letter to each attorney residing in the county or district
 1234 who is a licensed, active member in good standing with the Utah State Bar and a
 1235 registered voter that:

1236 (a) informs the attorney of the vacancy;

1237 (b) invites the attorney to apply for the vacancy; and

1238 (c) informs the attorney that if the attorney has not responded before 5 p.m. within 10
 1239 calendar days after the day on which the county clerk sends the letter, the attorney's
 1240 candidacy to fill the vacancy will not be considered.

1241 (3)(a)(i) If, before the deadline described in Subsection (2)(c), more than three
 1242 attorneys who are licensed, active members in good standing with the Utah State
 1243 Bar and registered voters in the county or district have applied for the vacancy, the
 1244 county clerk shall, except as provided in Subsection (3)(a)(ii), submit the
 1245 applications to the county central committee of the same political party of the
 1246 prior officeholder.

1247 (ii) In multicounty prosecution districts, the clerk shall submit the applications to the
 1248 county central committee of each county within the prosecution district.

1249 (b) The central committee shall nominate three of the applicants and forward the
 1250 applicants' names to the county legislative body before 5 p.m. within 20 days after
 1251 the day on which the county clerk submits the applicants' names under Subsection
 1252 (3)(a).

- 1253 (c) The county legislative body shall appoint one of the nominees to fill the vacant
1254 position.
- 1255 (d) If the central committee of the political party fails to submit at least three names to
1256 the county legislative body before the deadline described in Subsection (3)(b), the
1257 county legislative body shall appoint one of the applicants to fill the vacant position.
- 1258 (e) If the county legislative body fails to appoint a person to fill the vacancy within 120
1259 days after the day on which the vacancy occurs, the county clerk shall mail to the
1260 governor:
- 1261 (i) a letter informing the governor that the county legislative body has failed to
1262 appoint a person to fill the vacancy; and
- 1263 (ii)(A) the list of nominees, if any, submitted by the central committee of the
1264 political party; or
- 1265 (B) if the party central committee has not submitted a list of at least three
1266 nominees within the required time, the names of the persons who submitted
1267 applications for the vacant position to the county clerk.
- 1268 (f) The governor shall appoint, within 30 days after the day on which the governor
1269 receives the letter, a person from the list to fill the vacancy.
- 1270 (4)(a) If, before the deadline described in Subsection (2)(c), three or fewer attorneys who
1271 are licensed, active members in good standing with the Utah State Bar and registered
1272 voters in the county or district have applied for the vacancy, the county legislative
1273 body may:
- 1274 (i) appoint one of them to be county or district attorney; or
- 1275 (ii) solicit additional applicants and appoint a county or district attorney as provided
1276 in Subsection (4)(b).
- 1277 (b)(i) If three or fewer attorneys who are licensed members in good standing of the
1278 Utah State Bar and registered voters in the county or district submit applications,
1279 the county legislative body may publicly solicit and accept additional applications
1280 for the position from licensed, active members in good standing of the Utah State
1281 Bar who are not residents of the county or prosecution district.
- 1282 (ii) The county legislative body shall consider the applications submitted by the
1283 attorneys who are residents of and registered voters in the county or prosecution
1284 district and the applications submitted by the attorneys who are not residents of
1285 the county or prosecution district and shall appoint one of the applicants to be
1286 county attorney or district attorney.

- 1287 (c) If the legislative body fails to appoint a person to fill the vacancy within 120 days
1288 after the day on which the vacancy occurs, the county clerk shall:
- 1289 (i) notify the governor that the legislative body has failed to fill the vacancy within
1290 the required time period; and
- 1291 (ii) provide the governor with a list of all the applicants.
- 1292 (d) The governor shall appoint a person to fill the vacancy within 30 days after the day
1293 on which the governor receives the notification.
- 1294 (5) The person appointed to fill the vacancy shall serve for the unexpired term of the person
1295 who created the vacancy.
- 1296 (6) A person seeking appointment to fill a vacancy under this section shall, no later than the
1297 deadline for the person to file a financial report under Section 17-16-6.5:
- 1298 (a) complete a conflict of interest disclosure statement in accordance with Section
1299 17-16-1.5; and
- 1300 (b) submit the conflict of interest disclosure statement to the county legislative body and
1301 the county clerk.
- 1302 (7)(a) The county clerk shall make each conflict of interest disclosure statement made by
1303 a person described in Subsection (6) available for public inspection by posting an
1304 electronic copy of the statement on the county's website for at least 10 calendar days
1305 after the day on which the county legislative body appoints a person to fill the
1306 vacancy.
- 1307 (b) The county clerk shall post the electronic statement described in Subsection (7)(a) no
1308 later than two business days after the day on which the county clerk receives the
1309 statement.
- 1310 (8) A vacancy in the office described in Subsection (1) does not occur until the person
1311 occupying the office:
- 1312 (a) has left the office; or
- 1313 (b) submits an irrevocable letter of resignation to the county legislative body.
- 1314 Section 12. Section **20A-1-510** is amended to read:
- 1315 **20A-1-510 . Midterm vacancies in municipal offices.**
- 1316 (1)(a) As used in this section:
- 1317 (i) "Vacancy," subject to Subsection (1)(a)(ii), means the same as that term is defined
1318 in Section 20A-1-102.
- 1319 (ii) "Vacancy," if due to resignation, occurs[~~on the effective date of the resignation.~~] :
- 1320 (A) for a municipal executive, on the effective date of an irrevocable letter of

1321 resignation submitted by the municipal executive to the municipal legislative
1322 body; or

1323 (B) for a member of a municipal legislative body, on the effective date of an
1324 irrevocable letter of resignation submitted by the member to the municipal
1325 legislative body.

1326 (b) Except as otherwise provided in this section, if any vacancy occurs in the office of
1327 municipal executive or member of a municipal legislative body, the municipal
1328 legislative body shall, within 30 calendar days after the day on which the vacancy
1329 occurs, appoint a registered voter in the municipality who meets the qualifications for
1330 office described in Section 10-3-301 to fill the unexpired term of the vacated office.

1331 (c) Before acting to fill the vacancy, the municipal legislative body shall:

1332 (i) immediately notify the municipal recorder or clerk;

1333 (ii) give public notice of the vacancy at least 14 calendar days before the day on
1334 which the municipal legislative body meets to fill the vacancy;

1335 ~~[(ii)]~~ (iii) identify, in the notice:

1336 (A) the date, time, and place of the meeting where the vacancy will be filled;

1337 (B) the person to whom an individual interested in being appointed to fill the
1338 vacancy may submit the interested individual's name for consideration; and

1339 (C) the deadline for submitting an interested individual's name; and

1340 ~~[(iii)]~~ (iv) in an open meeting, interview each individual whose name is submitted for
1341 consideration, and who meets the qualifications for office, regarding the
1342 individual's qualifications.

1343 (d)(i) The municipal legislative body shall take an initial vote to fill the vacancy from
1344 among the names of the candidates interviewed under Subsection ~~[(1)(e)(iii)]~~
1345 (1)(c)(iv).

1346 (ii)(A) If no candidate receives a majority vote of the municipal legislative body
1347 in the initial vote described in Subsection (1)(d)(i), the two candidates that
1348 received the most votes in the initial vote, as determined by the tie-breaking
1349 procedures described in Subsections (1)(d)(ii)(B) through (D) if necessary,
1350 shall be placed before the municipal legislative body for a second vote to fill
1351 the vacancy.

1352 (B) If the initial vote results in a tie for second place, the candidates tied for
1353 second place shall be reduced to one by a coin toss conducted in accordance
1354 with Subsection (1)(d)(ii)(D), and the second vote described in Subsection

- 1355 (1)(d)(ii)(A) shall be between the candidate that received the most votes in the
1356 initial vote and the candidate that wins the coin toss described in this
1357 Subsection (1)(d)(ii)(B).
- 1358 (C) If the initial vote results in a tie among three or more candidates for first place,
1359 the candidates tied for first place shall be reduced to two by a coin toss
1360 conducted in accordance with Subsection (1)(d)(ii)(D), and the second vote
1361 described in Subsection (1)(d)(ii)(A) shall be between the two candidates that
1362 remain after the coin toss described in this Subsection (1)(d)(ii)(C).
- 1363 (D) A coin toss required under this Subsection (1)(d) shall be conducted by the
1364 municipal clerk or recorder in the presence of the municipal legislative body.
- 1365 (iii) If, in the second vote described in Subsection (1)(d)(ii)(A), neither candidate
1366 receives a majority vote of the municipal legislative body, the vacancy shall be
1367 determined by a coin toss between the two candidates in accordance with
1368 Subsection (1)(d)(ii)(D).
- 1369 (e) If the municipal legislative body does not timely comply with Subsections (1)(b)
1370 through (d), the municipal clerk or recorder shall immediately notify the lieutenant
1371 governor.
- 1372 (f) After receiving notice that a municipal legislative body has failed to timely comply
1373 with Subsections (1)(b) through (d), the lieutenant governor shall:
- 1374 (i) notify the municipal legislative body of the violation; and
1375 (ii) direct the municipal legislative body to, within 30 calendar days after the day on
1376 which the lieutenant governor provides the notice described in this Subsection
1377 (1)(f), appoint an eligible individual to fill the vacancy in accordance with
1378 Subsections (1)(c) and (d).
- 1379 (g) If the municipality fails to timely comply with a directive described in Subsection
1380 (1)(f):
- 1381 (i) the lieutenant governor shall notify the governor of the municipality's failure to fill
1382 the vacancy; and
1383 (ii) the governor shall, within 45 days after the day on which the governor receives
1384 the notice described in Subsection (1)(g)(i), provide public notice soliciting
1385 candidates to fill the vacancy in accordance with Subsection (1)(c) and appoint an
1386 individual to fill the vacancy.
- 1387 (2)(a) A vacancy in the office of municipal executive or member of a municipal
1388 legislative body shall be filled by an interim appointment, followed by an election to

- 1389 fill a two-year term, if:
- 1390 (i) the vacancy occurs, or a letter of resignation is received, by the municipal
1391 executive at least 14 days before the deadline for filing for election in an
1392 odd-numbered year; and
- 1393 (ii) two years of the vacated term will remain after the first Monday of January
1394 following the next municipal election.
- 1395 (b) In appointing an interim replacement, the municipal legislative body shall:
- 1396 (i) comply with the notice requirements of this section; and
- 1397 (ii) in an open meeting, interview each individual whose name is submitted for
1398 consideration, and who meets the qualifications for office, regarding the
1399 individual's qualifications.
- 1400 (3)(a) In a municipality operating under the council-mayor form of government, as
1401 defined in Section 10-3b-102:
- 1402 (i) the council may appoint an individual to fill a vacancy in the office of mayor
1403 before the effective date of the mayor's resignation by making the effective date of
1404 the appointment the same as the effective date of the mayor's resignation; and
- 1405 (ii) if a vacancy in the office of mayor occurs before the effective date of an
1406 appointment under Subsection (1) or (2) to fill the vacancy, the remaining council
1407 members, by majority vote, shall appoint a council member to serve as acting
1408 mayor during the time between the creation of the vacancy and the effective date
1409 of the appointment to fill the vacancy.
- 1410 (b) A council member serving as acting mayor under Subsection (3)(a)(ii) continues to:
- 1411 (i) act as a council member; and
- 1412 (ii) vote at council meetings.
- 1413 (4)(a)(i) For a vacancy of a member of a municipal legislative body as described in
1414 this section, the municipal legislative body member whose resignation creates the
1415 vacancy on the municipal legislative body may:
- 1416 (A) interview an individual whose name is submitted for consideration under
1417 Subsection [~~(1)(e)(iii)~~] (1)(c)(iv) or (2)(b)(ii); and
- 1418 (B) vote on the appointment of an individual to fill the vacancy.
- 1419 (ii) Notwithstanding Subsection (4)(a)(i), a member of a legislative body who is
1420 removed from office in accordance with state law may not cast a vote under
1421 Subsection (4)(a)(i).
- 1422 (b) A member of a municipal legislative body who submits his or her resignation to the

- 1423 municipal legislative body may not rescind the resignation.
- 1424 (c) A member of a municipal legislative body may not vote on an appointment under
1425 this section for himself or herself to fill a vacancy in the municipal legislative body.
- 1426 (5) In a municipality operating under the council-mayor form of government, the mayor
1427 may not:
- 1428 (a) participate in the vote to fill a vacancy;
- 1429 (b) veto a decision of the council to fill a vacancy; or
- 1430 (c) vote in the case of a tie.
- 1431 (6) A mayor whose resignation from the municipal legislative body is due to election or
1432 appointment as mayor may, in the case of a tie, participate in the vote under this section.
- 1433 (7) A municipal legislative body may, consistent with the provisions of state law, adopt
1434 procedures governing the appointment, interview, and voting process for filling
1435 vacancies in municipal offices.
- 1436 (8)(a) Except as provided in Subsection (8)(b), an individual seeking appointment to fill
1437 a vacancy under this section shall, no later than the deadline for the individual to file
1438 a campaign finance statement under Section 10-3-208:
- 1439 (i) complete a conflict of interest disclosure statement in accordance with Section
1440 10-3-301.5; and
- 1441 (ii) submit the conflict of interest disclosure statement to the municipal legislative
1442 body and the municipal clerk or recorder.
- 1443 (b) An individual described in Subsection (8)(a) is not required to comply with
1444 Subsection (8)(a) if the individual:
- 1445 (i) currently holds an office described in Subsection (1)(b);
- 1446 (ii) already, that same year, filed a conflict of interest disclosure statement for the
1447 office described in Subsection (8)(b)(i), in accordance with Section 10-3-1313; and
- 1448 (iii) no later than the deadline described in Subsection (8)(a), indicates, in a written
1449 notice submitted to the municipal clerk or recorder, that the conflict of interest
1450 disclosure statement described in Subsection (8)(b)(ii) is updated and accurate as
1451 of the date of the written notice.
- 1452 (9)(a) The municipal clerk or recorder shall make each conflict of interest disclosure
1453 statement made by an individual described in Subsection (8)(a) available for public
1454 inspection by posting an electronic copy of the statement on:
- 1455 (i) the municipality's website; or
- 1456 (ii) if the municipality does not have a website, on the website of the county in which

1457 the municipality is located.

1458 (b) The municipal clerk or recorder shall:

1459 (i) post the electronic statement described in Subsection (9)(a) no later than two
1460 business days after the day on which the municipal recorder or clerk receives the
1461 statement; and

1462 (ii) ensure that the electronic statement remains posted on the website described in
1463 Subsection (9)(a) for at least 10 calendar days after the day on which the
1464 municipal legislative body appoints an individual to fill the vacancy.

1465 Section 13. Section **20A-1-511** is amended to read:

1466 **20A-1-511 . Midterm vacancy on a local school board.**

1467 (1)(a) A local school board shall fill a vacancy on the local school board by
1468 appointment, except as otherwise provided in Subsections (1)(b) and (2).

1469 (b) The county legislative body, or municipal legislative body in a city district, shall fill
1470 a vacancy on a local school board by appointment if the local school board fails to
1471 make an appointment to fill the vacancy:

1472 (i) except as provided in Subsection (1)(b)(ii), within 30 days after a vacancy occurs
1473 on the local school board; or

1474 (ii) within 45 days after a vacancy occurs on the local school board due to the death
1475 of a local school board member.

1476 (c) A member appointed and qualified under this Subsection (1) shall serve until a
1477 successor is elected or appointed and qualified.

1478 (2)(a) A vacancy on the board shall be filled by an interim appointment, followed by an
1479 election to fill a two-year term if:

1480 (i) the vacancy on the board occurs, or a letter of resignation is received by the board,
1481 at least 14 days before the deadline for filing a declaration of candidacy; and

1482 (ii) two years of the vacated term will remain after the first Monday of January
1483 following the next school board election.

1484 (b) A member elected under this Subsection (2) shall serve for the remaining two years
1485 of the vacated term and until a successor is elected and qualified.

1486 (3) Before appointing an individual to fill a vacancy under this section, the local school
1487 board shall:

1488 (a) immediately notify the county clerk;

1489 [~~(a)~~] (b) give public notice of the vacancy at least two weeks before the local school
1490 board meets to fill the vacancy;

- 1491 ~~(b)~~ (c) identify, in the public notice:
- 1492 (i) the date, time, and place of the meeting where the vacancy will be filled; and
- 1493 (ii) the person to whom and the date and time before which an individual interested in
- 1494 being appointed to fill the vacancy may submit the individual's name for
- 1495 consideration; and
- 1496 ~~(e)~~ (d) in an open meeting, interview each individual whose name is submitted for
- 1497 consideration and who meets the qualifications for office, regarding the individual's
- 1498 qualifications.
- 1499 (4)(a) Subject to Subsection (4)(b), a local school board may appoint an individual to fill
- 1500 a vacancy described in Subsection (1) or (2) before the vacancy occurs if a member
- 1501 of the local school board submits a letter of resignation.
- 1502 (b) An individual appointed under Subsection (4)(a) may not take office until on or after
- 1503 the day on which the vacancy occurs for which the individual is appointed.
- 1504 (c) A member of a local school board who submits a letter of resignation under
- 1505 Subsection (4)(a) may not rescind the resignation after the local school board makes
- 1506 an appointment to fill the vacancy created by the resignation.
- 1507 (5) An individual seeking appointment to fill a vacancy on a local school board shall, no
- 1508 later than the deadline for the individual to file a financial report under Section 17-16-6.5:
- 1509 (a) complete a conflict of interest disclosure statement in accordance with Section
- 1510 17-16-1.5; and
- 1511 (b) submit the conflict of interest disclosure statement to the county legislative body and
- 1512 the county clerk.
- 1513 (6)(a) The county clerk shall make each conflict of interest disclosure statement made by
- 1514 an individual described in Subsection (5) available for public inspection by posting
- 1515 an electronic copy of the statement on the county's website for at least 10 calendar
- 1516 days after the day on which the county legislative body appoints an individual to fill
- 1517 the vacancy.
- 1518 (b) The county clerk shall post the electronic statement described in Subsection (6)(a) no
- 1519 later than two business days after the day on which the county clerk receives the
- 1520 statement.
- 1521 Section 14. Section **20A-8-101** is amended to read:
- 1522 **20A-8-101 . Definitions.**
- 1523 As used in this chapter:
- 1524 (1) "Continuing political party" means an organization of voters that:

1525 (a) participated in the last regular general election; and
 1526 (b) in at least one of the last two regular general elections, polled a total vote for any of
 1527 its candidates for any office equal to 2% or more of the total votes cast for all
 1528 candidates for the United States House of Representatives in the same regular general
 1529 election.

1530 (2) "County political party" means, for each registered political party, all of the persons
 1531 within a single county who, under definitions established by the county political party,
 1532 are members of the registered political party.

1533 (3) "Legislative office" means the office of state senator or state representative.

1534 [~~(3)~~] (4) "Newly registered political party" means a statewide organization of voters that has
 1535 complied with the petition and organizing procedures of this chapter to become a
 1536 registered political party.

1537 [~~(4)~~] (5) "Public institution of higher education" means the same as that term is defined in
 1538 Section 53B-16-301.

1539 [~~(5)~~] (6) "Registered political party" means an organization of voters that:

1540 (a)(i) participated in the last regular general election; and
 1541 (ii) in at least one of the last two regular general elections, polled a total vote for any
 1542 of its candidates for any office equal to 2% or more of the total votes cast for all
 1543 candidates for the United States House of Representatives in the same regular
 1544 general election; or
 1545 (b) has complied with the petition and organizing procedures of this chapter.

1546 (7) "State office" means the office of governor, lieutenant governor, attorney general, state
 1547 auditor, state treasurer, or state school board member.

1548 [~~(6)~~] (8) "State political party" means, for each registered political party, all of the persons in
 1549 Utah who, under definitions established by the state political party, are members of the
 1550 registered political party.

1551 Section 15. Section **20A-8-402.6** is enacted to read:

1552 **20A-8-402.6 . Notification of meeting to declare midterm vacancy nominee by**
 1553 **appointment.**

1554 (1) When there is a midterm vacancy in an office for which a registered political party is
 1555 entitled to declare a nominee to fill the vacancy by appointment, the registered political
 1556 party shall, no later than five business days before the day on which the registered
 1557 political party meets to declare a nominee:

1558 (a) notify the lieutenant governor of the date, time, and location of the meeting, if the

1559 vacated office is a state office or legislative office; or
 1560 (b) notify the county clerk, if the vacated office is a county office.
 1561 (2) If, after providing the notice described in Subsection (1), a registered political party
 1562 changes the date, time, or location of the meeting, the registered political party shall
 1563 notify the election officer of the change before 5 p.m. no later than one business day
 1564 after the day on which the registered political party makes the change described in this
 1565 Subsection (2).

1566 Section 16. Section **20A-11-103** is amended to read:

1567 **20A-11-103 . Notice of pending interim and summary reports -- Form of**
 1568 **submission -- Public availability -- Notice of reporting and filing requirements.**

1569 (1)(a) Except as provided under Subsection (1)(b), 10 days before an interim report or
 1570 summary report is due under this chapter or Chapter 12, Part 2, Judicial Retention
 1571 Elections, the chief election officer shall inform the filing entity by electronic mail
 1572 unless postal mail is requested:

1573 (i) that the financial statement is due;

1574 (ii) of the date that the financial statement is due; and

1575 (iii) of the penalty for failing to file the financial statement.

1576 (b) The chief election officer is not required to provide notice:

1577 (i) to a candidate or political party of the financial statement that is due before the
 1578 candidate's or political party's political convention;

1579 (ii) of a financial statement due in connection with a public hearing for an initiative
 1580 under the requirements of Section 20A-7-204.1; or

1581 (iii) to a corporation or labor organization, as defined in Section 20A-11-1501.

1582 (2) A filing entity shall electronically file a financial statement via electronic mail or the
 1583 Internet according to specifications established by the chief election officer.

1584 (3)(a) A financial statement is considered timely filed if the financial statement is
 1585 received by the chief election officer's office before midnight, Mountain Time, at the
 1586 end of the day on which the financial statement is due.

1587 (b) For a county clerk's office that is not open until midnight at the end of the day on
 1588 which a financial statement is due, the county clerk shall permit a candidate to file
 1589 the financial statement via email or another electronic means designated by the
 1590 county clerk.

1591 (c) A chief election officer may extend the time in which a filing entity is required to file
 1592 a financial statement if a filing entity notifies the chief election officer of the

- 1593 existence of an extenuating circumstance that is outside the control of the filing entity.
- 1594 (4) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access
1595 and Management Act, the lieutenant governor shall:
- 1596 (a) make each campaign finance statement filed by a candidate available for public
1597 inspection and copying no later than one business day after the statement is filed; and
- 1598 (b) post on a website established by the lieutenant governor:
- 1599 (i) an electronic copy or the contents of each summary report or interim report filed
1600 under the requirements of this chapter or Chapter 12, Part 2, Judicial Retention
1601 Elections, no later than three business days after the date on which the summary
1602 report or interim report is electronically filed; or
- 1603 (ii) for a campaign finance statement filed under the requirements of Section 10-3-208,
1604 for a municipality, or Section 17-16-6.5, for a county, a link to the municipal or
1605 county website that hosts the campaign finance statement, no later than seven
1606 business days after the date on which the lieutenant governor receives the link
1607 from:
- 1608 (A) the municipal clerk or recorder, in accordance with Subsection [~~10-3-208~~
1609 ~~(10)(b)(ii)] 10-3-208(11)(b)(ii); or~~
- 1610 (B) the county clerk, in accordance with Subsection [~~17-16-6.5(18)(b)(ii)]
1611 17-16-6.5(21)(b)(ii).~~
- 1612 (5) Between January 1 and January 15 of each year, the chief election officer shall provide
1613 notice, by postal mail or email, to each filing entity for which the chief election officer
1614 has a physical or email address, of the reporting and filing requirements described in this
1615 chapter.

1616 Section 17. Section **20A-11-204** is amended to read:

1617 **20A-11-204 . State office candidate and state officeholder -- Financial reporting**
1618 **requirements -- Interim reports.**

- 1619 (1) As used in this section:
- 1620 (a) "Campaign account" means a separate campaign account required under Subsection
1621 20A-11-201(1)(a) or (c).
- 1622 (b) "Received" means:
- 1623 (i) for a cash contribution, that the cash is given to a state office candidate or a
1624 member of the state office candidate's personal campaign committee;
- 1625 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
1626 instrument or check is negotiated;

- 1627 (iii) for a direct deposit made into a campaign account by a person not associated
 1628 with the campaign, the earlier of:
- 1629 (A) the day on which the state office candidate or a member of the state office
 1630 candidate's personal campaign committee becomes aware of the deposit and
 1631 the source of the deposit;
- 1632 (B) the day on which the state office candidate or a member of the state office
 1633 candidate's personal campaign committee receives notice of the deposit and the
 1634 source of the deposit by mail, email, text, or similar means; or
- 1635 (C) 31 days after the day on which the direct deposit occurs; or
- 1636 (iv) for any other type of contribution, that any portion of the contribution's benefit
 1637 inures to the state office candidate.
- 1638 (2) Except as provided in Subsection (3), each state office candidate shall file an interim
 1639 report at the following times in any year in which the candidate has filed a declaration of
 1640 candidacy for a public office:
- 1641 (a)(i) seven days before the candidate's political convention; or
 1642 (ii) for an unaffiliated candidate, the fourth Saturday in March;
- 1643 (b) seven days before the regular primary election date;
- 1644 (c) September 30; and
- 1645 (d) seven days before the regular general election date.
- 1646 (3) If a state office candidate is a state office candidate seeking appointment for a midterm
 1647 vacancy, the state office candidate:
- 1648 (a) shall file an interim report:
- 1649 (i) no later than three business days before the day on which the political party of the
 1650 party for which the state office candidate seeks nomination meets to declare a
 1651 nominee for the governor to appoint in accordance with Subsection 20A-1-504
 1652 (1)(a); or
- 1653 [~~(i)(A) no later than seven days before the day on which the political party of the~~
 1654 ~~party for which the state office candidate seeks nomination meets to declare a~~
 1655 ~~nominee for the governor to appoint in accordance with Section 20A-1-504;~~
 1656 ~~and]~~
- 1657 [~~(B) two days before the day on which the political party of the party for which~~
 1658 ~~the state office candidate seeks nomination meets to declare a nominee for the~~
 1659 ~~governor to appoint in accordance with Subsection 20A-1-504(1)(b)(i); or]~~
- 1660 [(ii) if a state office candidate decides to seek the appointment with less than seven

1661 ~~days before the party meets, or the political party schedules the meeting to declare~~
1662 ~~a nominee less than seven days before the day of the meeting, no later than 5 p.m.~~
1663 ~~on the last day of business before the day on which the party meets; and]~~

1664 (ii) if a state office candidate decides to seek the appointment with less than three
1665 business days before the day on which the political party meets, or the political
1666 party schedules the meeting to declare a nominee less than three business days
1667 before the day of the meeting, no later than 5 p.m. on the last day of business
1668 before the day on which the political party meets; and

1669 (b) is not required to file an interim report at the times described in Subsection ~~[(1)]~~ (2).

1670 (4) Each interim report shall include the following information:

1671 (a) the net balance of the last summary report, if any;

1672 (b) a single figure equal to the total amount of receipts reported on all prior interim
1673 reports, if any, during the calendar year in which the interim report is due;

1674 (c) a single figure equal to the total amount of expenditures reported on all prior interim
1675 reports, if any, filed during the calendar year in which the interim report is due;

1676 (d) a detailed listing of:

1677 (i) for a state office candidate, each contribution received since the last summary
1678 report that has not been reported in detail on a prior interim report; or

1679 (ii) for a state officeholder, each contribution and public service assistance received
1680 since the last summary report that has not been reported in detail on a prior
1681 interim report;

1682 (e) for each nonmonetary contribution:

1683 (i) the fair market value of the contribution with that information provided by the
1684 contributor; and

1685 (ii) a specific description of the contribution;

1686 (f) a detailed listing of each expenditure made since the last summary report that has not
1687 been reported in detail on a prior interim report;

1688 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

1689 (h) a net balance for the year consisting of the net balance from the last summary report,
1690 if any, plus all receipts since the last summary report minus all expenditures since the
1691 last summary report;

1692 (i) a summary page in the form required by the lieutenant governor that identifies:

1693 (i) beginning balance;

1694 (ii) total contributions and public service assistance received during the period since

- 1695 the last statement;
- 1696 (iii) total contributions and public service assistance received to date;
- 1697 (iv) total expenditures during the period since the last statement; and
- 1698 (v) total expenditures to date; and
- 1699 (j) the name of a political action committee for which the state office candidate or state
- 1700 officeholder is designated as an officer who has primary decision-making authority
- 1701 under Section 20A-11-601.

1702 (5)(a) In preparing each interim report, all receipts and expenditures shall be reported as

1703 of five days before the required filing date of the report.

1704 (b) Any negotiable instrument or check received by a state office candidate or state

1705 officeholder more than five days before the required filing date of a report required

1706 by this section shall be included in the interim report.

1707 Section 18. Section **20A-11-303** is amended to read:

1708 **20A-11-303 . Legislative office candidate and legislative officeholder -- Financial**

1709 **reporting requirements -- Interim reports.**

1710 (1) As used in this section:

1711 (a) "Campaign account" means a separate campaign account required under Subsection

1712 20A-11-301(1)(a)(i) or (c)(i).

1713 (b) "Received" means:

1714 (i) for a cash contribution, that the cash is given to a legislative office candidate or a

1715 member of the legislative office candidate's personal campaign committee;

1716 (ii) for a contribution that is a negotiable instrument or check, that the negotiable

1717 instrument or check is negotiated;

1718 (iii) for a direct deposit made into a campaign account by a person not associated

1719 with the campaign, the earlier of:

1720 (A) the day on which the legislative office candidate or a member of the

1721 legislative office candidate's personal campaign committee becomes aware of

1722 the deposit and the source of the deposit;

1723 (B) the day on which the legislative office candidate or a member of the

1724 legislative office candidate's personal campaign committee receives notice of

1725 the deposit and the source of the deposit by mail, email, text, or similar means;

1726 or

1727 (C) 31 days after the day on which the direct deposit occurs; or

1728 (iv) for any other type of contribution, that any portion of the contribution's benefit

- 1729 inures to the legislative office candidate.
- 1730 (2) Except as provided in Subsection (3), each legislative office candidate shall file an
 1731 interim report at the following times in any year in which the candidate has filed a
 1732 declaration of candidacy for a public office:
- 1733 (a)(i) seven days before the candidate's political convention; or
 1734 (ii) for an unaffiliated candidate, the fourth Saturday in March;
- 1735 (b) seven days before the regular primary election date;
 1736 (c) September 30; and
 1737 (d) seven days before the regular general election date.
- 1738 (3) If a legislative office candidate is a legislative office candidate seeking appointment for
 1739 a midterm vacancy, the legislative office candidate:
- 1740 (a) shall file an interim report:
- 1741 (i) no later than three business days before the day on which the political party of the
 1742 party for which the legislative office candidate seeks nomination meets to declare
 1743 a nominee for the governor to appoint in accordance with Section 20A-1-503; or
 1744 ~~[(i)(A) seven days before the day on which the political party of the party for~~
 1745 ~~which the legislative office candidate seeks nomination meets to declare a~~
 1746 ~~nominee for the governor to appoint in accordance with Section 20A-1-503;~~
 1747 ~~and]~~
- 1748 ~~[(B) two days before the day on which the political party of the party for which~~
 1749 ~~the legislative office candidate seeks nomination meets to declare a nominee~~
 1750 ~~for the governor to appoint in accordance with Section 20A-1-503; or]~~
- 1751 ~~[(ii) if the legislative office candidate decides to seek the appointment with less than~~
 1752 ~~seven days before the party meets, or the political party schedules the meeting to~~
 1753 ~~declare a nominee less than seven days before the day of the meeting, two days~~
 1754 ~~before the day on which the party meets; and]~~
- 1755 (ii) if the legislative office candidate decides to seek the appointment with less than
 1756 three business days before the day on which the political party meets, or the
 1757 political party schedules the meeting to declare a nominee less than three business
 1758 days before the day of the meeting, no later than 5 p.m. on the last day of business
 1759 before the day on which the political party meets; and
- 1760 (b) is not required to file an interim report at the times described in Subsection ~~[(2)(a)]~~ (2).
- 1761 (4) Each interim report shall include the following information:
- 1762 (a) the net balance of the last summary report, if any;

- 1763 (b) a single figure equal to the total amount of receipts reported on all prior interim
1764 reports, if any, during the calendar year in which the interim report is due;
- 1765 (c) a single figure equal to the total amount of expenditures reported on all prior interim
1766 reports, if any, filed during the calendar year in which the interim report is due;
- 1767 (d) a detailed listing of:
- 1768 (i) for a legislative office candidate, each contribution received since the last
1769 summary report that has not been reported in detail on a prior interim report; or
1770 (ii) for a legislative officeholder, each contribution and public service assistance
1771 received since the last summary report that has not been reported in detail on a
1772 prior interim report;
- 1773 (e) for each nonmonetary contribution:
- 1774 (i) the fair market value of the contribution with that information provided by the
1775 contributor; and
1776 (ii) a specific description of the contribution;
- 1777 (f) a detailed listing of each expenditure made since the last summary report that has not
1778 been reported in detail on a prior interim report;
- 1779 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 1780 (h) a net balance for the year consisting of the net balance from the last summary report,
1781 if any, plus all receipts since the last summary report minus all expenditures since the
1782 last summary report;
- 1783 (i) a summary page in the form required by the lieutenant governor that identifies:
- 1784 (i) beginning balance;
- 1785 (ii) total contributions and public service assistance received during the period since
1786 the last statement;
- 1787 (iii) total contributions and public service assistance received to date;
- 1788 (iv) total expenditures during the period since the last statement; and
1789 (v) total expenditures to date; and
- 1790 (j) the name of a political action committee for which the legislative office candidate or
1791 legislative officeholder is designated as an officer who has primary decision-making
1792 authority under Section 20A-11-601.
- 1793 (5)(a) In preparing each interim report, all receipts and expenditures shall be reported as
1794 of five days before the required filing date of the report.
- 1795 (b) Any negotiable instrument or check received by a legislative office candidate or
1796 legislative officeholder more than five days before the required filing date of a report

1797 required by this section shall be included in the interim report.

1798 Section 19. Section **20A-11-1303** is amended to read:

1799 **20A-11-1303 . School board office candidate and school board officeholder --**
 1800 **Financial reporting requirements -- Interim reports.**

1801 (1)(a) As used in this section, "received" means:

1802 (i) for a cash contribution, that the cash is given to a school board office candidate or
 1803 a member of the school board office candidate's personal campaign committee;

1804 (ii) for a contribution that is a check or other negotiable instrument, that the check or
 1805 other negotiable instrument is negotiated;

1806 (iii) for a direct deposit made into a campaign account by a person not associated
 1807 with the campaign, the earlier of:

1808 (A) the day on which the school board office candidate or a member of the school
 1809 board office candidate's personal campaign committee becomes aware of the
 1810 deposit and the source of the deposit;

1811 (B) the day on which the school board office candidate or a member of the school
 1812 board office candidate's personal campaign committee receives notice of the
 1813 deposit and the source of the deposit by mail, email, text, or similar means; or

1814 (C) 31 days after the day on which the direct deposit occurs; or

1815 (iv) for any other type of contribution, that any portion of the contribution's benefit
 1816 inures to the school board office candidate.

1817 (b) As used in this Subsection (1), "campaign account" means a separate campaign
 1818 account required under Subsection 20A-11-1301(1)(a)(i) or (c)(i).

1819 (c) ~~[Each]~~ Except as provided in Subsection (2), each school board office candidate shall
 1820 file an interim report at the following times in any year in which the candidate has
 1821 filed a declaration of candidacy for a public office:

1822 (i) May 15;

1823 (ii) seven days before the regular primary election date;

1824 (iii) September 30; and

1825 (iv) seven days before the regular general election date.

1826 (2) If a school board office candidate is a school board office candidate seeking
 1827 appointment for a midterm vacancy, the school board office candidate:

1828 (a) shall file an interim report:

1829 (i) for a vacancy described in Subsection 20A-1-504(1)(b)(ii)(A) or (B), no later than
 1830 three business days before the day on which the Senate meets to consider the

- 1831 school board office candidate's nomination; or
- 1832 (ii) for a vacancy described in Subsection 20A-1-504(1)(b)(ii)(C):
- 1833 (A) no later than three business days before the day on which the political party of
- 1834 the party for which the school board office candidate seeks nomination meets
- 1835 to declare a nominee for the governor to appoint; or
- 1836 (B) if the school board office candidate decides to seek the appointment with less
- 1837 than three business days before the day on which the political party meets, or
- 1838 the political party schedules the meeting to declare a nominee less than three
- 1839 business days before the day of the meeting, no later than 5 p.m. on the last day
- 1840 of business before the day on which the political party meets; and
- 1841 (b) is not required to file an interim report at the times described in Subsection (1)(c).
- 1842 [~~2~~] (3) Each interim report shall include the following information:
- 1843 (a) the net balance of the last summary report, if any;
- 1844 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 1845 reports, if any, during the calendar year in which the interim report is due;
- 1846 (c) a single figure equal to the total amount of expenditures reported on all prior interim
- 1847 reports, if any, filed during the calendar year in which the interim report is due;
- 1848 (d) a detailed listing of:
- 1849 (i) for a school board office candidate, each contribution received since the last
- 1850 summary report that has not been reported in detail on a prior interim report; or
- 1851 (ii) for a school board officeholder, each contribution and public service assistance
- 1852 received since the last summary report that has not been reported in detail on a
- 1853 prior interim report;
- 1854 (e) for each nonmonetary contribution:
- 1855 (i) the fair market value of the contribution with that information provided by the
- 1856 contributor; and
- 1857 (ii) a specific description of the contribution;
- 1858 (f) a detailed listing of each expenditure made since the last summary report that has not
- 1859 been reported in detail on a prior interim report;
- 1860 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 1861 (h) a net balance for the year consisting of the net balance from the last summary report,
- 1862 if any, plus all receipts since the last summary report minus all expenditures since the
- 1863 last summary report;
- 1864 (i) a summary page in the form required by the lieutenant governor that identifies:

- 1865 (i) beginning balance;
- 1866 (ii) total contributions during the period since the last statement;
- 1867 (iii) total contributions to date;
- 1868 (iv) total expenditures during the period since the last statement; and
- 1869 (v) total expenditures to date; and
- 1870 (j) the name of a political action committee for which the school board office candidate
- 1871 or school board officeholder is designated as an officer who has primary
- 1872 decision-making authority under Section 20A-11-601.

1873 [~~(3)~~] (4)(a) In preparing each interim report, all receipts and expenditures shall be

1874 reported as of five days before the required filing date of the report.

- 1875 (b) Any negotiable instrument or check received by a school board office candidate or
- 1876 school board officeholder more than five days before the required filing date of a
- 1877 report required by this section shall be included in the interim report.

1878 Section 20. Section **20A-11-1604** is amended to read:

1879 **20A-11-1604 . Failure to disclose conflict of interest -- Failure to comply with**

1880 **reporting requirements.**

1881 (1)(a) Before or during the execution of any order, settlement, declaration, contract, or

1882 any other official act of office in which a state constitutional officer has actual

1883 knowledge that the state constitutional officer has a conflict of interest that is not

1884 stated in the conflict of interest disclosure, the state constitutional officer shall

1885 publicly declare that the state constitutional officer may have a conflict of interest

1886 and what that conflict of interest is.

1887 (b) Before or during any vote on legislation or any legislative matter in which a

1888 legislator has actual knowledge that the legislator has a conflict of interest that is not

1889 stated in the conflict of interest disclosure, the legislator shall orally declare to the

1890 committee or body before which the matter is pending that the legislator may have a

1891 conflict of interest and what that conflict is.

1892 (c) Before or during any vote on any rule, resolution, order, or any other board matter in

1893 which a member of the State Board of Education has actual knowledge that the

1894 member has a conflict of interest that is not stated in the conflict of interest

1895 disclosure, the member shall orally declare to the board that the member may have a

1896 conflict of interest and what that conflict of interest is.

1897 (2) Any public declaration of a conflict of interest that is made under Subsection (1) shall

1898 be noted:

- 1899 (a) on the official record of the action taken, for a state constitutional officer;
- 1900 (b) in the minutes of the committee meeting or in the Senate or House Journal, as
- 1901 applicable, for a legislator; or
- 1902 (c) in the minutes of the meeting or on the official record of the action taken, for a
- 1903 member of the State Board of Education.
- 1904 (3) A state constitutional officer shall make a complete conflict of interest disclosure on the
- 1905 website:
- 1906 (a)(i) no sooner than January 1 each year, and before January 11 each year; or
- 1907 (ii) if the state constitutional officer takes office after January 10, within 10 days after
- 1908 the day on which the state constitutional officer takes office; and
- 1909 (b) each time the state constitutional officer changes employment.
- 1910 (4) A legislator shall make a complete conflict of interest disclosure on the website:
- 1911 (a)(i) no sooner than January 1 each year, and before January 11 each year; or
- 1912 (ii) if the legislator takes office after January 10, within 10 days after the day on
- 1913 which the legislator takes office; and
- 1914 (b) each time the legislator changes employment.
- 1915 (5) A member of the State Board of Education shall make a complete conflict of interest
- 1916 disclosure on the website:
- 1917 (a)(i) no sooner than January 1 each year, and before January 11 each year; or
- 1918 (ii) if the member takes office after January 10, within 10 days after the day on which
- 1919 the member takes office; and
- 1920 (b) each time the member changes employment.
- 1921 (6) A conflict of interest disclosure described in Subsection (3), (4), or (5) shall include:
- 1922 (a) the regulated officeholder's name;
- 1923 (b) subject to Subsection (7):
- 1924 (i) the name and address of each of the regulated officeholder's current employers and
- 1925 each of the regulated officeholder's employers during the preceding year; and
- 1926 ~~(e)~~ (ii) for each employer described in this Subsection (6)(b), a brief description of
- 1927 the employment, including the regulated officeholder's occupation and, as
- 1928 applicable, job title;
- 1929 ~~(d)~~ (c) for each entity in which the regulated officeholder is an owner or officer, or was
- 1930 an owner or officer during the preceding year:
- 1931 (i) the name of the entity;
- 1932 (ii) a brief description of the type of business or activity conducted by the entity; and

- 1933 (iii) the regulated officeholder's position in the entity;
- 1934 ~~[(e)]~~ (d) in accordance with Subsection ~~[(7)]~~ (8), for each individual from whom, or entity
- 1935 from which, the regulated officeholder has received \$5,000 or more in income during
- 1936 the preceding year:
- 1937 (i) the name of the individual or entity; and
- 1938 (ii) a brief description of the type of business or activity conducted by the individual
- 1939 or entity;
- 1940 ~~[(f)]~~ (e) for each entity in which the regulated officeholder holds any stocks or bonds
- 1941 having a fair market value of \$5,000 or more as of the date of the disclosure form or
- 1942 during the preceding year, but excluding funds that are managed by a third party,
- 1943 including blind trusts, managed investment accounts, and mutual funds:
- 1944 (i) the name of the entity; and
- 1945 (ii) a brief description of the type of business or activity conducted by the entity;
- 1946 ~~[(g)]~~ (f) for each entity not listed in Subsections ~~[(6)(d)]~~ (6)(c) through ~~[(f)]~~ (e) in which
- 1947 the regulated officeholder currently serves, or served in the preceding year, in a paid
- 1948 leadership capacity or in a paid or unpaid position on a board of directors:
- 1949 (i) the name of the entity or organization;
- 1950 (ii) a brief description of the type of business or activity conducted by the entity; and
- 1951 (iii) the type of position held by the regulated officeholder;
- 1952 ~~[(h)]~~ (g) at the option of the regulated officeholder, a description of any real property in
- 1953 which the regulated officeholder holds an ownership or other financial interest that
- 1954 the regulated officeholder believes may constitute a conflict of interest, including a
- 1955 description of the type of interest held by the regulated officeholder in the property;
- 1956 (h) subject to Subsection (7):
- 1957 (i) the name of the regulated officeholder's spouse; and
- 1958 (ii) the name of each of the regulated officeholder's spouse's current employers and
- 1959 each of the regulated officeholder's spouse's employers during the preceding year,
- 1960 if the regulated officeholder believes the employment may constitute a conflict of
- 1961 interest;
- 1962 (i) the name of any adult residing in the regulated officeholder's household who is not
- 1963 related to the officeholder by blood;
- 1964 ~~[(i)]~~ ~~the name of the regulated officeholder's spouse and any other adult residing in the~~
- 1965 ~~regulated officeholder's household who is not related by blood or marriage, as~~
- 1966 ~~applicable;]~~

- 1967 ~~[(j) for the regulated officeholder's spouse, the information that a regulated officeholder~~
 1968 ~~is required to provide under Subsection (6)(b);]~~
- 1969 ~~[(k) (j) [a brief description of the employment and occupation of each adult who:] for~~
 1970 ~~each adult described in Subsection (6)(i), a brief description of the adult's~~
 1971 ~~employment or occupation, if the regulated officeholder believes the adult's presence~~
 1972 ~~in the regulated officeholder's household may constitute a conflict of interest;~~
 1973 ~~[(i) resides in the regulated officeholder's household; and]~~
 1974 ~~[(ii) is not related to the regulated officeholder by blood or marriage;]~~
- 1975 ~~[(h) (k) at the option of the regulated officeholder, a description of any other matter or~~
 1976 ~~interest that the regulated officeholder believes may constitute a conflict of interest;~~
 1977 ~~[(m) (l) the date the form was completed;~~
 1978 ~~[(n) (m) a statement that the regulated officeholder believes that the form is true and~~
 1979 ~~accurate to the best of the regulated officeholder's knowledge; and~~
 1980 ~~[(o) (n) the signature of the regulated officeholder.~~
- 1981 (7)(a) In making the disclosure described in Subsection (6)(b) or (h), if a regulated
 1982 officeholder or regulated officeholder's spouse is an at-risk government employee, as
 1983 that term is defined in Subsection 63G-2-303(1)(a), the regulated officeholder may
 1984 request the filing officer to redact from the conflict of interest disclosure:
- 1985 (i) the regulated officeholder's employment information under Subsection (6)(b); and
 1986 (ii) the regulated officeholder's spouse's name and employment information under
 1987 Subsection (6)(h).
- 1988 (b) A filing officer who receives a redaction request under Subsection (7)(a) shall redact
 1989 the disclosures made under Subsection (6)(b) or (h) before the filing officer makes
 1990 the conflict of interest disclosure available for public inspection.
- 1991 ~~[(7) (8) In making the disclosure described in Subsection [(6)(e)] (6)(d), a regulated~~
 1992 ~~officeholder who provides goods or services to multiple customers or clients as part of a~~
 1993 ~~business or a licensed profession is only required to provide the information described in~~
 1994 ~~Subsection [(6)(e)] (6)(d) in relation to the entity or practice through which the regulated~~
 1995 ~~officeholder provides the goods or services and is not required to provide the~~
 1996 ~~information described in Subsection [(6)(e)] (6)(d) in relation to the regulated~~
 1997 ~~officeholder's individual customers or clients.~~
- 1998 ~~[(8) (9) The disclosure requirements described in this section do not prohibit a regulated~~
 1999 ~~officeholder from voting or acting on any matter.~~
- 2000 ~~[(9) (10) A regulated officeholder may amend a conflict of interest disclosure described in~~

2001 this part at any time.

2002 [~~(10)~~] (11) A regulated officeholder who violates the requirements of Subsection (1) is
2003 guilty of a class B misdemeanor.

2004 [~~(11)~~] (12)(a) A regulated officeholder who intentionally or knowingly violates a
2005 provision of this section, other than Subsection (1), is guilty of a class B
2006 misdemeanor.

2007 (b) In addition to the criminal penalty described in Subsection [~~(11)(a)~~] (12)(a), the
2008 lieutenant governor shall impose a civil penalty of \$100 against a regulated
2009 officeholder who violates a provision of this section, other than Subsection (1).
2010 Section 21. Section **36-11-102** is amended to read:

2011 **36-11-102 . Definitions.**

2012 As used in this chapter:

2013 (1) "Aggregate daily expenditures" means:

2014 (a) for a single lobbyist, principal, or government officer, the total of all expenditures
2015 made within a calendar day by the lobbyist, principal, or government officer for the
2016 benefit of an individual public official;

2017 (b) for an expenditure made by a member of a lobbyist group, the total of all
2018 expenditures made within a calendar day by every member of the lobbyist group for
2019 the benefit of an individual public official; or

2020 (c) for a multiclient lobbyist, the total of all expenditures made by the multiclient
2021 lobbyist within a calendar day for the benefit of an individual public official,
2022 regardless of whether the expenditures were attributed to different clients.

2023 (2) "Approved activity" means an event, a tour, or a meeting:

2024 (a)(i) to which a legislator or another nonexecutive branch public official is invited;
2025 and

2026 (ii) attendance at which is approved by:

2027 (A) the speaker of the House of Representatives, if the public official is a member
2028 of the House of Representatives or another nonexecutive branch public official;
2029 or

2030 (B) the president of the Senate, if the public official is a member of the Senate or
2031 another nonexecutive branch public official; or

2032 (b)(i) to which a public official who holds a position in the executive branch of state
2033 government is invited; and

2034 (ii) attendance at which is approved by the governor or the lieutenant governor.

- 2035 (3) "Board of education" means:
- 2036 (a) a local school board described in Title 53G, Chapter 4, School Districts;
- 2037 (b) the State Board of Education;
- 2038 (c) the State Charter School Board created under Section 53G-5-201; or
- 2039 (d) a charter school governing board described in Title 53G, Chapter 5, Charter Schools.
- 2040 (4) "Capitol hill complex" means capitol hill, as defined in Section 63O-1-101.
- 2041 (5)(a) "Compensation" means anything of economic value, however designated, that is
- 2042 paid, loaned, granted, given, donated, or transferred to an individual for the provision
- 2043 of services or ownership before any withholding required by federal or state law.
- 2044 (b) "Compensation" includes:
- 2045 (i) a salary or commission;
- 2046 (ii) a bonus;
- 2047 (iii) a benefit;
- 2048 (iv) a contribution to a retirement program or account;
- 2049 (v) a payment includable in gross income, as defined in Section 62, Internal Revenue
- 2050 Code, and subject to social security deductions, including a payment in excess of
- 2051 the maximum amount subject to deduction under social security law;
- 2052 (vi) an amount that the individual authorizes to be deducted or reduced for salary
- 2053 deferral or other benefits authorized by federal law; or
- 2054 (vii) income based on an individual's ownership interest.
- 2055 (6) "Compensation payor" means a person who pays compensation to a public official in
- 2056 the ordinary course of business:
- 2057 (a) because of the public official's ownership interest in the compensation payor; or
- 2058 (b) for services rendered by the public official on behalf of the compensation payor.
- 2059 (7) "Education action" means:
- 2060 (a) a resolution, policy, or other official action for consideration by a board of education;
- 2061 (b) a nomination or appointment by an education official or a board of education;
- 2062 (c) a vote on an administrative action taken by a vote of a board of education;
- 2063 (d) an adjudicative proceeding over which an education official has direct or indirect
- 2064 control;
- 2065 (e) a purchasing or contracting decision;
- 2066 (f) drafting or making a policy, resolution, or rule;
- 2067 (g) determining a rate or fee; or
- 2068 (h) making an adjudicative decision.

- 2069 (8) "Education official" means:
- 2070 (a) a member of a board of education;
- 2071 (b) an individual appointed to or employed in a position under a board of education, if
- 2072 that individual:
- 2073 (i) occupies a policymaking position or makes purchasing or contracting decisions;
- 2074 (ii) drafts resolutions or policies or drafts or makes rules;
- 2075 (iii) determines rates or fees;
- 2076 (iv) makes decisions relating to an education budget or the expenditure of public
- 2077 money; or
- 2078 (v) makes adjudicative decisions; or
- 2079 (c) an immediate family member of an individual described in Subsection (8)(a) or (b).
- 2080 (9) "Event" means entertainment, a performance, a contest, or a recreational activity that an
- 2081 individual participates in or is a spectator at, including a sporting event, an artistic event,
- 2082 a play, a movie, dancing, or singing.
- 2083 (10) "Executive action" means:
- 2084 (a) a nomination or appointment by the governor;
- 2085 (b) the proposal, drafting, amendment, enactment, or defeat by a state agency of a rule
- 2086 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 2087 (c) agency ratemaking proceedings; or
- 2088 (d) an adjudicative proceeding of a state agency.
- 2089 (11)(a) "Expenditure" means any of the items listed in this Subsection (11)(a) when
- 2090 given to or for the benefit of a public official unless consideration of equal or greater
- 2091 value is received:
- 2092 (i) a purchase, payment, or distribution;
- 2093 (ii) a loan, gift, or advance;
- 2094 (iii) a deposit, subscription, or forbearance;
- 2095 (iv) services or goods;
- 2096 (v) money;
- 2097 (vi) real property;
- 2098 (vii) a ticket or admission to an event; or
- 2099 (viii) a contract, promise, or agreement, whether or not legally enforceable, to
- 2100 provide any item listed in Subsections (11)(a)(i) through (vii).
- 2101 (b) "Expenditure" does not mean:
- 2102 (i) a commercially reasonable loan made in the ordinary course of business;

- 2103 (ii) a campaign contribution:
- 2104 (A) reported in accordance with Title 20A, Chapter 11, Campaign and Financial
- 2105 Reporting Requirements, Section 10-3-208, Section 17-16-6.5, or any
- 2106 applicable ordinance adopted under Subsection [~~10-3-208(6)~~ 10-3-208(7) or
- 2107 17-16-6.5(1); or
- 2108 (B) lawfully given to a person that is not required to report the contribution under
- 2109 a law or ordinance described in Subsection (11)(b)(ii)(A);
- 2110 (iii) printed informational material that is related to the performance of the recipient's
- 2111 official duties;
- 2112 (iv) a devise or inheritance;
- 2113 (v) any item listed in Subsection (11)(a) if:
- 2114 (A) given by a relative;
- 2115 (B) given by a compensation payor for a purpose solely unrelated to the public
- 2116 official's position as a public official;
- 2117 (C) the item is food or beverage with a value that does not exceed the food
- 2118 reimbursement rate, and the aggregate daily expenditures for food and
- 2119 beverage do not exceed the food reimbursement rate; or
- 2120 (D) the item is not food or beverage, has a value of less than \$10, and the
- 2121 aggregate daily expenditures do not exceed \$10;
- 2122 (vi) food or beverage that is provided at an event, a tour, or a meeting to which the
- 2123 following are invited:
- 2124 (A) all members of the Legislature;
- 2125 (B) all members of a standing or interim committee;
- 2126 (C) all members of an official legislative task force;
- 2127 (D) all members of a party caucus; or
- 2128 (E) all members of a group described in Subsections (11)(b)(vi)(A) through (D)
- 2129 who are attending a meeting of a national organization whose primary purpose
- 2130 is addressing general legislative policy;
- 2131 (vii) food or beverage that is provided at an event, a tour, or a meeting to a public
- 2132 official who is:
- 2133 (A) giving a speech at the event, tour, or meeting;
- 2134 (B) participating in a panel discussion at the event, tour, or meeting; or
- 2135 (C) presenting or receiving an award at the event, tour, or meeting;
- 2136 (viii) a plaque, commendation, or award that:

- 2137 (A) is presented in public; and
- 2138 (B) has the name of the individual receiving the plaque, commendation, or award
- 2139 inscribed, etched, printed, or otherwise permanently marked on the plaque,
- 2140 commendation, or award;
- 2141 (ix) a gift that:
- 2142 (A) is an item that is not consumable and not perishable;
- 2143 (B) a public official, other than a local official or an education official, accepts on
- 2144 behalf of the state;
- 2145 (C) the public official promptly remits to the state;
- 2146 (D) a property administrator does not reject under Section 63G-23-103;
- 2147 (E) does not constitute a direct benefit to the public official before or after the
- 2148 public official remits the gift to the state; and
- 2149 (F) after being remitted to the state, is not transferred, divided, distributed, or used
- 2150 to distribute a gift or benefit to one or more public officials in a manner that
- 2151 would otherwise qualify the gift as an expenditure if the gift were given
- 2152 directly to a public official;
- 2153 (x) any of the following with a cash value not exceeding \$30:
- 2154 (A) a publication; or
- 2155 (B) a commemorative item;
- 2156 (xi) admission to or attendance at an event, a tour, or a meeting, the primary purpose
- 2157 of which is:
- 2158 (A) to solicit a contribution that is reportable under Title 20A, Chapter 11,
- 2159 Campaign and Financial Reporting Requirements, 2 U.S.C. Sec. 434, Section
- 2160 10-3-208, Section 17-16-6.5, or an applicable ordinance adopted under
- 2161 Subsection [~~10-3-208(6)~~] 10-3-208(7) or 17-16-6.5(1);
- 2162 (B) to solicit a campaign contribution that a person is not required to report under
- 2163 a law or ordinance described in Subsection (11)(b)(xi)(A); or
- 2164 (C) charitable solicitation, as defined in Section 13-22-2;
- 2165 (xii) travel to, lodging at, food or beverage served at, and admission to an approved
- 2166 activity;
- 2167 (xiii) sponsorship of an approved activity;
- 2168 (xiv) notwithstanding Subsection (11)(a)(vii), admission to, attendance at, or travel to
- 2169 or from an event, a tour, or a meeting:
- 2170 (A) that is sponsored by a governmental entity;

- 2171 (B) that is widely attended and related to a governmental duty of a public official;
2172 (C) for a local official, that is sponsored by an organization that represents only
2173 local governments, including the Utah Association of Counties, the Utah
2174 League of Cities and Towns, or the Utah Association of Special Districts; or
2175 (D) for an education official, that is sponsored by a public school, a charter
2176 school, or an organization that represents only public schools or charter
2177 schools, including the Utah Association of Public Charter Schools, the Utah
2178 School Boards Association, or the Utah School Superintendents Association; or
2179 (xv) travel to a widely attended tour or meeting related to a governmental duty of a
2180 public official if that travel results in a financial savings to:
2181 (A) for a public official who is not a local official or an education official, the
2182 state; or
2183 (B) for a public official who is a local official or an education official, the local
2184 government or board of education to which the public official belongs.
- 2185 (12) "Food reimbursement rate" means the total amount set by the director of the Division
2186 of Finance, by rule, under Section 63A-3-107, for in-state meal reimbursement, for an
2187 employee of the executive branch, for an entire day.
- 2188 (13)(a) "Foreign agent" means an individual who engages in lobbying under contract
2189 with a foreign government.
2190 (b) "Foreign agent" does not include an individual who is recognized by the United
2191 States Department of State as a duly accredited diplomatic or consular officer of a
2192 foreign government, including a duly accredited honorary consul.
- 2193 (14) "Foreign government" means a government other than the government of:
2194 (a) the United States;
2195 (b) a state within the United States;
2196 (c) a territory or possession of the United States; or
2197 (d) a political subdivision of the United States.
- 2198 (15)(a) "Government officer" means:
2199 (i) an individual elected to a position in state or local government, when acting in the
2200 capacity of the state or local government position;
2201 (ii) an individual elected to a board of education, when acting in the capacity of a
2202 member of a board of education;
2203 (iii) an individual appointed to fill a vacancy in a position described in Subsection
2204 (15)(a)(i) or (ii), when acting in the capacity of the position; or

- 2205 (iv) an individual appointed to or employed in a full-time position by state
2206 government, local government, or a board of education, when acting in the
2207 capacity of the individual's appointment or employment.
- 2208 (b) "Government officer" does not mean a member of the legislative branch of state
2209 government.
- 2210 (16) "Immediate family" means:
- 2211 (a) a spouse;
- 2212 (b) a child residing in the household; or
- 2213 (c) an individual claimed as a dependent for tax purposes.
- 2214 (17) "Legislative action" means:
- 2215 (a) a bill, resolution, amendment, nomination, veto override, or other matter pending or
2216 proposed in either house of the Legislature or its committees or requested by a
2217 legislator; and
- 2218 (b) the action of the governor in approving or vetoing legislation.
- 2219 (18) "Lobbying" means communicating with a public official for the purpose of influencing
2220 a legislative action, executive action, local action, or education action.
- 2221 (19)(a) "Lobbyist" means:
- 2222 (i) an individual who is employed by a principal; or
- 2223 (ii) an individual who contracts for economic consideration, other than
2224 reimbursement for reasonable travel expenses, with a principal to lobby a public
2225 official.
- 2226 (b) "Lobbyist" does not include:
- 2227 (i) a government officer;
- 2228 (ii) a member or employee of the legislative branch of state government;
- 2229 (iii) a person, including a principal, while appearing at, or providing written
2230 comments to, a hearing conducted in accordance with Title 63G, Chapter 3, Utah
2231 Administrative Rulemaking Act, or Title 63G, Chapter 4, Administrative
2232 Procedures Act;
- 2233 (iv) a person participating on or appearing before an advisory or study task force,
2234 commission, board, or committee, constituted by the Legislature, a local
2235 government, a board of education, or any agency or department of state
2236 government, except legislative standing, appropriation, or interim committees;
- 2237 (v) a representative of a political party;
- 2238 (vi) an individual representing a bona fide church solely for the purpose of protecting

- 2239 the right to practice the religious doctrines of the church, unless the individual or
2240 church makes an expenditure that confers a benefit on a public official;
- 2241 (vii) a newspaper, television station or network, radio station or network, periodical
2242 of general circulation, or book publisher for the purpose of publishing news items,
2243 editorials, other comments, or paid advertisements that directly or indirectly urge
2244 legislative action, executive action, local action, or education action;
- 2245 (viii) an individual who appears on the individual's own behalf before a committee of
2246 the Legislature, an agency of the executive branch of state government, a board of
2247 education, the governing body of a local government, a committee of a local
2248 government, or a committee of a board of education, solely for the purpose of
2249 testifying in support of or in opposition to legislative action, executive action,
2250 local action, or education action; or
- 2251 (ix) an individual representing a business, entity, or industry, who:
- 2252 (A) interacts with a public official, in the public official's capacity as a public
2253 official, while accompanied by a registered lobbyist who is lobbying in relation
2254 to the subject of the interaction or while presenting at a legislative committee
2255 meeting at the same time that the registered lobbyist is attending another
2256 legislative committee meeting; and
- 2257 (B) does not make an expenditure for, or on behalf of, a public official in relation
2258 to the interaction or during the period of interaction.
- 2259 (20) "Lobbyist group" means two or more lobbyists, principals, government officers, or any
2260 combination of lobbyists, principals, and government officers, who each contribute a
2261 portion of an expenditure made to benefit a public official or member of the public
2262 official's immediate family.
- 2263 (21) "Local action" means:
- 2264 (a) an ordinance or resolution for consideration by a local government;
- 2265 (b) a nomination or appointment by a local official or a local government;
- 2266 (c) a vote on an administrative action taken by a vote of a local government's legislative
2267 body;
- 2268 (d) an adjudicative proceeding over which a local official has direct or indirect control;
- 2269 (e) a purchasing or contracting decision;
- 2270 (f) drafting or making a policy, resolution, or rule;
- 2271 (g) determining a rate or fee; or
- 2272 (h) making an adjudicative decision.

- 2273 (22) "Local government" means:
- 2274 (a) a county, city, or town;
- 2275 (b) a special district governed by Title 17B, Limited Purpose Local Government Entities
- 2276 - Special Districts;
- 2277 (c) a special service district governed by Title 17D, Chapter 1, Special Service District
- 2278 Act;
- 2279 (d) a community reinvestment agency governed by Title 17C, Limited Purpose Local
- 2280 Government Entities - Community Reinvestment Agency Act;
- 2281 (e) a conservation district governed by Title 17D, Chapter 3, Conservation District Act;
- 2282 (f) a redevelopment agency; or
- 2283 (g) an interlocal entity or a joint cooperative undertaking governed by Title 11, Chapter
- 2284 13, Interlocal Cooperation Act.
- 2285 (23) "Local official" means:
- 2286 (a) an elected member of a local government;
- 2287 (b) an individual appointed to or employed in a position in a local government if that
- 2288 individual:
- 2289 (i) occupies a policymaking position or makes purchasing or contracting decisions;
- 2290 (ii) drafts ordinances or resolutions or drafts or makes rules;
- 2291 (iii) determines rates or fees; or
- 2292 (iv) makes adjudicative decisions; or
- 2293 (c) an immediate family member of an individual described in Subsection (23)(a) or (b).
- 2294 (24) "Meeting" means a gathering of people to discuss an issue, receive instruction, or make
- 2295 a decision, including a conference, seminar, or summit.
- 2296 (25) "Multiclient lobbyist" means a single lobbyist, principal, or government officer who
- 2297 represents two or more clients and divides the aggregate daily expenditure made to
- 2298 benefit a public official or member of the public official's immediate family between
- 2299 two or more of those clients.
- 2300 (26) "Principal" means a person that employs an individual to perform lobbying, either as
- 2301 an employee or as an independent contractor.
- 2302 (27) "Public official" means:
- 2303 (a)(i) a member of the Legislature;
- 2304 (ii) an individual elected to a position in the executive branch of state government; or
- 2305 (iii) an individual appointed to or employed in a position in the executive or
- 2306 legislative branch of state government if that individual:

- 2307 (A) occupies a policymaking position or makes purchasing or contracting
 2308 decisions;
- 2309 (B) drafts legislation or makes rules;
- 2310 (C) determines rates or fees; or
- 2311 (D) makes adjudicative decisions;
- 2312 (b) an immediate family member of a person described in Subsection (27)(a);
- 2313 (c) a local official; or
- 2314 (d) an education official.
- 2315 (28) "Public official type" means a notation to identify whether a public official is:
- 2316 (a)(i) a member of the Legislature;
- 2317 (ii) an individual elected to a position in the executive branch of state government;
- 2318 (iii) an individual appointed to or employed in a position in the legislative branch of
 2319 state government who meets the definition of public official under Subsection
 2320 (27)(a)(iii);
- 2321 (iv) an individual appointed to or employed in a position in the executive branch of
 2322 state government who meets the definition of public official under Subsection
 2323 (27)(a)(iii);
- 2324 (v) a local official, including a description of the type of local government for which
 2325 the individual is a local official; or
- 2326 (vi) an education official, including a description of the type of board of education for
 2327 which the individual is an education official; or
- 2328 (b) an immediate family member of an individual described in Subsection (27)(a), (c), or
 2329 (d).
- 2330 (29) "Quarterly reporting period" means the three-month period covered by each financial
 2331 report required under Subsection 36-11-201(2)(a).
- 2332 (30) "Related person" means a person, agent, or employee who knowingly and intentionally
 2333 assists a lobbyist, principal, or government officer in lobbying.
- 2334 (31) "Relative" means:
- 2335 (a) a spouse;
- 2336 (b) a child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law,
 2337 sister-in-law, nephew, niece, aunt, uncle, or first cousin; or
- 2338 (c) a spouse of an individual described in Subsection (31)(b).
- 2339 (32) "Tour" means visiting a location, for a purpose relating to the duties of a public
 2340 official, and not primarily for entertainment, including:

- 2341 (a) viewing a facility;
- 2342 (b) viewing the sight of a natural disaster; or
- 2343 (c) assessing a circumstance in relation to which a public official may need to take
- 2344 action within the scope of the public official's duties.

2345 Section 22. **Effective Date.**

2346 This bill takes effect on May 7, 2025.

2347 Section 23. **Coordinating H.B. 504 with S.B. 300.**

2348 If H.B. 504, Financial and Conflict of Interest Disclosures by Candidates

2349 Amendments, and S.B. 300, Election Amendments, both pass and become law, the Legislature

2350 intends that, on May 7, 2025:

2351 (1) Subsection 20A-11-204(3) in H.B. 504 be amended to read:

2352 "(3) If a state office candidate is a state office candidate seeking appointment for a

2353 midterm vacancy, the state office candidate:

2354 (a) shall file an interim report:

2355 (i) no later than three business days before the day on which the political party of

2356 the party for which the state office candidate seeks nomination meets to select the nominees

2357 from which the governor makes an appointment in accordance Subsection 20A-1-504(2); or

2358 [(i) (A) no later than seven days before the day on which the political party of the

2359 party for which the state office candidate seeks nomination meets to declare a nominee for the

2360 governor to appoint in accordance with Section 20A-1-504; and]

2361 [(B) two days before the day on which the political party of the party for which

2362 the state office candidate seeks nomination meets to declare a nominee for the governor to

2363 appoint in accordance with Subsection 20A-1-504(1)(b)(i); or]

2364 [(ii) if a state office candidate decides to seek the appointment with less than

2365 seven days before the party meets, or the political party schedules the meeting to declare a

2366 nominee less than seven days before the day of the meeting, no later than 5 p.m. on the last day

2367 of business before the day on which the party meets; and]

2368 (ii) if a state office candidate decides to seek the appointment with less than three

2369 business days before the day on which the political party meets, or the political party schedules

2370 the meeting to select the nominees less than three business days before the day of the meeting,

2371 no later than 5 p.m. on the last day of business before the day on which the political party

2372 meets; and

2373 (b) is not required to file an interim report at the times described in Subsection [(1)]

2374 (2).";

(2) Subsection 20A-11-303(3) in H.B. 504 be amended to read:

"(3) If a legislative office candidate is a legislative office candidate seeking appointment for a midterm vacancy, the legislative office candidate:

(a) shall file an interim report:

(i) no later than three business days before the day on which the political party of the party for which the legislative office candidate seeks nomination meets to select the nominees from which the governor makes an appointment in accordance with Section 20A-1-503; or

~~[(i) (A) seven days before the day on which the political party of the party for which the legislative office candidate seeks nomination meets to declare a nominee for the governor to appoint in accordance with Section 20A-1-503; and]~~

~~[(B) two days before the day on which the political party of the party for which the legislative office candidate seeks nomination meets to declare a nominee for the governor to appoint in accordance with Section 20A-1-503; or]~~

~~[(ii) if the legislative office candidate decides to seek the appointment with less than seven days before the party meets, or the political party schedules the meeting to declare a nominee less than seven days before the day of the meeting, two days before the day on which the party meets; and]~~

(ii) if the legislative office candidate decides to seek the appointment with less than three business days before the day on which the political party meets, or the political party schedules the meeting to select the nominees less than three business days before the day of the meeting, no later than 5 p.m. on the last day of business before the day on which the political party meets; and

(b) is not required to file an interim report at the times described in Subsection [(2)(a)] (2)."; and

(3) Subsection 20A-11-1303(2) enacted in H.B. 504 be amended to read:

"(2) If a school board office candidate is a school board office candidate seeking appointment for a midterm vacancy, the school board office candidate:

(a) shall file an interim report:

(i) for a vacancy described in Subsection 20A-1-504(2):

(A) no later than three business days before the day on which the political party of the party for which the school board office candidate seeks nomination meets to select the nominees from which the governor makes an appointment; or

(B) if the school board office candidate decides to seek the appointment with

_2409 less than three business days before the day on which the political party meets, or the political
_2410 party schedules the meeting to select the nominees less than three business days before the day
_2411 of the meeting, no later than 5 p.m. on the last day of business before the day on which the
_2412 political party meets; or
_2413 (ii) for a vacancy described in Subsection 20A-1-504(3), no later than three
_2414 business days before the day on which the Senate meets to consider the school board office
_2415 candidate's nomination; and
_2416 (b) is not required to file an interim report at the times described in Subsection
_2417 (1)(c)."