

Sahara Hayes proposes the following substitute bill:

Political Advertising Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sahara Hayes

Senate Sponsor: Ronald M. Winterton

LONG TITLE

General Description:

This bill amends provisions related to political advertising.

Highlighted Provisions:

This bill:

- defines terms;
- specifies that an electioneering communication or a political advertisement includes a communication or advertisement disseminated on a social media platform;
- authorizes an election officer to impose a monetary fine against a person who violates certain provisions related to political advertising and reporting requirements;
- limits a fine described above to one per political advertisement for disclosure violations and one per act or omission for other violations; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-11-101, as last amended by Laws of Utah 2025, Chapter 448

20A-11-901, as last amended by Laws of Utah 2022, Chapter 18

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

Section 1. Section **20A-11-101** is amended to read:

20A-11-101 . Definitions.

As used in this chapter:

- 29 (1)(a) "Address" means the number and street where an individual resides or where a
30 reporting entity has its principal office.
- 31 (b) "Address" does not include a post office box.
- 32 (2)(a) "Advertisement" means a paid communication disseminated through:
- 33 (i) the internet, a social media platform, newspaper, magazine, outdoor advertising
34 facility, direct mailing, or a broadcast, cable, or satellite provider; or
- 35 (ii) any other medium used for communicating with the general public.
- 36 (b) "Advertisement" includes a marketing campaign disseminated on a medium
37 described in Subsection (2)(a)(i).
- 38 [~~2~~] (3) "Agent of a reporting entity" means:
- 39 (a) a person acting on behalf of a reporting entity at the direction of the reporting entity;
- 40 (b) a person employed by a reporting entity in the reporting entity's capacity as a
41 reporting entity;
- 42 (c) the personal campaign committee of a candidate or officeholder;
- 43 (d) a member of the personal campaign committee of a candidate or officeholder in the
44 member's capacity as a member of the personal campaign committee of the candidate
45 or officeholder; or
- 46 (e) a political consultant of a reporting entity.
- 47 [~~3~~] (4) "Ballot proposition" includes initiatives, referenda, proposed constitutional
48 amendments, and any other ballot propositions submitted to the voters that are
49 authorized by the Utah Code Annotated 1953.
- 50 [~~4~~] (5) "Candidate" means any person who:
- 51 (a) files a declaration of candidacy for a public office; or
- 52 (b) receives contributions, makes expenditures, or gives consent for any other person to
53 receive contributions or make expenditures to bring about the person's nomination or
54 election to a public office.
- 55 [~~5~~] (6) "Chief election officer" means:
- 56 (a) the lieutenant governor for state office candidates, legislative office candidates,
57 officeholders, political parties, political action committees, corporations, political
58 issues committees, state school board candidates, judges, and labor organizations, as
59 defined in Section 20A-11-1501; and
- 60 (b) the county clerk for local school board candidates.
- 61 [~~6~~] (7)(a) "Contribution" means any of the following when done for political purposes:
- 62 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of

- 63 value given to the filing entity;
- 64 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
65 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
66 money or anything of value to the filing entity;
- 67 (iii) any transfer of funds from another reporting entity to the filing entity;
- 68 (iv) compensation paid by any person or reporting entity other than the filing entity
69 for personal services provided without charge to the filing entity;
- 70 (v) remuneration from:
- 71 (A) any organization or its directly affiliated organization that has a registered
72 lobbyist; or
- 73 (B) any agency or subdivision of the state, including school districts;
- 74 (vi) a loan made by a candidate deposited to the candidate's own campaign; and
- 75 (vii) in-kind contributions.
- 76 (b) "Contribution" does not include:
- 77 (i) services provided by individuals volunteering a portion or all of their time on
78 behalf of the filing entity if the services are provided without compensation by the
79 filing entity or any other person;
- 80 (ii) money lent to the filing entity by a financial institution in the ordinary course of
81 business;
- 82 (iii) goods or services provided for the benefit of a political entity at less than fair
83 market value that are not authorized by or coordinated with the political entity; or
- 84 (iv) data or information described in Subsection [~~(24)~~(b)] (25)(b).
- 85 [(7)] (8) "Coordinated with" means that goods or services provided for the benefit of a
86 political entity are provided:
- 87 (a) with the political entity's prior knowledge, if the political entity does not object;
- 88 (b) by agreement with the political entity;
- 89 (c) in coordination with the political entity; or
- 90 (d) using official logos, slogans, and similar elements belonging to a political entity.
- 91 [(8)] (9)(a) "Corporation" means a domestic or foreign, profit or nonprofit, business
92 organization that is registered as a corporation or is authorized to do business in a
93 state and makes any expenditure from corporate funds for:
- 94 (i) the purpose of expressly advocating for political purposes; or
- 95 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
96 proposition.

97 (b) "Corporation" does not mean:

98 (i) a business organization's political action committee or political issues committee;

99 or

100 (ii) a business entity organized as a partnership or a sole proprietorship.

101 ~~[(9)]~~ (10) "County political party" means, for each registered political party, all of the

102 persons within a single county who, under definitions established by the political party,

103 are members of the registered political party.

104 ~~[(10)]~~ (11) "County political party officer" means a person whose name is required to be

105 submitted by a county political party to the lieutenant governor in accordance with

106 Section 20A-8-402.

107 ~~[(11)]~~ (12) "Detailed listing" means:

108 (a) for each contribution or public service assistance:

109 (i) the name and address of the individual or source making the contribution or public

110 service assistance, except to the extent that the name or address of the individual

111 or source is unknown;

112 (ii) the amount or value of the contribution or public service assistance; and

113 (iii) the date the contribution or public service assistance was made; and

114 (b) for each expenditure:

115 (i) the amount of the expenditure;

116 (ii) the goods or services acquired by the expenditure; and

117 (iii) the date the expenditure was made.

118 ~~[(12)]~~ (13)(a) "Donor" means a person that gives money, including a fee, due, or

119 assessment for membership in the corporation, to a corporation without receiving full

120 and adequate consideration for the money.

121 (b) "Donor" does not include a person that signs a statement that the corporation may not

122 use the money for an expenditure or political issues expenditure.

123 ~~[(13)]~~ (14) "Election" means each:

124 (a) regular general election;

125 (b) regular primary election; and

126 (c) special election at which candidates are eliminated and selected.

127 ~~[(14)]~~ (15) "Electioneering communication" means a communication that:

128 (a) has at least a value of \$10,000;

129 (b) clearly identifies a candidate or judge; and

130 (c) is disseminated through the ~~[Internet]~~ internet, a social media platform, newspaper,

131 magazine, outdoor advertising facility, direct mailing, or a broadcast, cable, or
132 satellite provider, within 45 calendar days before the clearly identified candidate's or
133 judge's election date.

134 ~~[(15)]~~ (16)(a) "Expenditure" means any of the following made by a reporting entity or an
135 agent of a reporting entity on behalf of the reporting entity:

136 (i) any disbursement from contributions, receipts, or from the separate bank account
137 required by this chapter;

138 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
139 or anything of value made for political purposes;

140 (iii) an express, legally enforceable contract, promise, or agreement to make any
141 purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
142 or anything of value for political purposes;

143 (iv) compensation paid by a filing entity for personal services rendered by a person
144 without charge to a reporting entity;

145 (v) a transfer of funds between the filing entity and a candidate's personal campaign
146 committee;

147 (vi) goods or services provided by the filing entity to or for the benefit of another
148 reporting entity for political purposes at less than fair market value; or

149 (vii) an independent expenditure, as defined in Section 20A-11-1702.

150 (b) "Expenditure" does not include:

151 (i) services provided without compensation by individuals volunteering a portion or
152 all of their time on behalf of a reporting entity;

153 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
154 business; or

155 (iii) anything listed in Subsection ~~[(15)(a)]~~ (16)(a) that is given by a reporting entity to
156 candidates for office or officeholders in states other than Utah.

157 ~~[(16)]~~ (17) "Federal office" means the office of president of the United States, United States
158 Senator, or United States Representative.

159 ~~[(17)]~~ (18) "Filing entity" means the reporting entity that is required to file a financial
160 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

161 ~~[(18)]~~ (19) "Financial statement" includes any summary report, interim report, verified
162 financial statement, or other statement disclosing contributions, expenditures, receipts,
163 donations, or disbursements that is required by this chapter or Chapter 12, Part 2,
164 Judicial Retention Elections.

- 165 [~~(19)~~] (20) "Governing board" means the individual or group of individuals that determine
166 the candidates and committees that will receive expenditures from a political action
167 committee, political party, or corporation.
- 168 [~~(20)~~] (21) "Incorporation" means the process established by Title 10, Chapter 2a, Municipal
169 Incorporation, by which a geographical area becomes legally recognized as a city or
170 town.
- 171 [~~(21)~~] (22) "Incorporation election" means the election conducted under Section 10-2a-210.
- 172 [~~(22)~~] (23) "Incorporation petition" means a petition described in Section 10-2a-208.
- 173 [~~(23)~~] (24) "Individual" means a natural person.
- 174 [~~(24)~~] (25)(a) "In-kind contribution" means anything of value, other than money, that is
175 accepted by or coordinated with a filing entity.
- 176 (b) "In-kind contribution" does not include survey results, voter lists, voter contact
177 information, demographic data, voting trend data, or other information that:
- 178 (i) is not commissioned for the benefit of a particular candidate or officeholder; and
179 (ii) is offered at no cost to a candidate or officeholder.
- 180 [~~(25)~~] (26) "Interim report" means a report identifying the contributions received and
181 expenditures made since the last report.
- 182 [~~(26)~~] (27) "Legislative office" means the office of state senator, state representative,
183 speaker of the House of Representatives, president of the Senate, and the leader, whip,
184 and assistant whip of any party caucus in either house of the Legislature.
- 185 [~~(27)~~] (28) "Legislative office candidate" means a person who:
- 186 (a) files a declaration of candidacy for the office of state senator or state representative;
187 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
188 speaker of the House of Representatives, president of the Senate, or the leader, whip,
189 and assistant whip of any party caucus in either house of the Legislature; or
190 (c) receives contributions, makes expenditures, or gives consent for any other person to
191 receive contributions or make expenditures to bring about the person's nomination,
192 election, or appointment to a legislative office.
- 193 [~~(28)~~] (29) "Loan" means any of the following provided by a person that benefits a filing
194 entity if the person expects repayment or reimbursement:
- 195 (a) an expenditure made using any form of payment;
196 (b) money or funds received by the filing entity;
197 (c) the provision of a good or service with an agreement or understanding that payment
198 or reimbursement will be delayed; or

- 199 (d) use of any line of credit.
- 200 (30) "Local attorney" means:
- 201 (a) a county attorney or district attorney, as described in Title 17, Chapter 68, County
- 202 and District Attorney; or
- 203 (b) a city attorney under Section 10-3-928.
- 204 [(29)] (31) "Major political party" means either of the two registered political parties that
- 205 have the greatest number of members elected to the two houses of the Legislature.
- 206 [(30)] (32) "Officeholder" means a person who holds a public office.
- 207 [(31)] (33) "Party committee" means any committee organized by or authorized by the
- 208 governing board of a registered political party.
- 209 [(32)] (34) "Person" means both natural and legal persons, including individuals, business
- 210 organizations, personal campaign committees, party committees, political action
- 211 committees, political issues committees, and labor organizations, as defined in Section
- 212 20A-11-1501.
- 213 [(33)] (35) "Personal campaign committee" means the committee appointed by a candidate
- 214 to act for the candidate as provided in this chapter.
- 215 [(34)] (36) "Personal use expenditure" has the same meaning as provided under Section
- 216 20A-11-104.
- 217 [(35)] (37)(a) "Political action committee" means an entity, or any group of individuals
- 218 or entities within or outside this state, a major purpose of which is to:
- 219 (i) solicit or receive contributions from any other person, group, or entity for political
- 220 purposes; or
- 221 (ii) make expenditures to expressly advocate for any person to refrain from voting or
- 222 to vote for or against any candidate or person seeking election to a municipal or
- 223 county office.
- 224 (b) "Political action committee" includes groups affiliated with a registered political
- 225 party but not authorized or organized by the governing board of the registered
- 226 political party that receive contributions or makes expenditures for political purposes.
- 227 (c) "Political action committee" does not mean:
- 228 (i) a party committee;
- 229 (ii) any entity that provides goods or services to a candidate or committee in the
- 230 regular course of its business at the same price that would be provided to the
- 231 general public;
- 232 (iii) an individual;

233 (iv) individuals who are related and who make contributions from a joint checking
234 account;

235 (v) a corporation, except a corporation a major purpose of which is to act as a
236 political action committee; or

237 (vi) a personal campaign committee.

238 ~~[(36)]~~ (38)(a) "Political consultant" means a person who is paid by a reporting entity, or
239 paid by another person on behalf of and with the knowledge of the reporting entity, to
240 provide political advice to the reporting entity.

241 (b) "Political consultant" includes a circumstance described in Subsection ~~[(36)]~~(a)
242 (38)(a), where the person:

243 (i) has already been paid, with money or other consideration;

244 (ii) expects to be paid in the future, with money or other consideration; or

245 (iii) understands that the person may, in the discretion of the reporting entity or
246 another person on behalf of and with the knowledge of the reporting entity, be
247 paid in the future, with money or other consideration.

248 ~~[(37)]~~ (39) "Political convention" means a county or state political convention held by a
249 registered political party to select candidates.

250 ~~[(38)]~~ (40) "Political entity" means a candidate, a political party, a political action
251 committee, or a political issues committee.

252 ~~[(39)]~~ (41)(a) "Political issues committee" means an entity, or any group of individuals or
253 entities within or outside this state, a major purpose of which is to:

254 (i) solicit or receive donations from any other person, group, or entity to assist in
255 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off
256 the ballot, or to advocate that a voter refrain from voting or vote for or vote
257 against any ballot proposition;

258 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
259 ballot proposition or incorporation petition or refrain from voting, vote for, or vote
260 against any proposed ballot proposition or an incorporation in an incorporation
261 election; or

262 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
263 ballot or to assist in keeping a ballot proposition off the ballot.

264 (b) "Political issues committee" does not mean:

265 (i) a registered political party or a party committee;

266 (ii) any entity that provides goods or services to an individual or committee in the

- 267 regular course of its business at the same price that would be provided to the
 268 general public;
- 269 (iii) an individual;
- 270 (iv) individuals who are related and who make contributions from a joint checking
 271 account;
- 272 (v) a corporation, except a corporation a major purpose of which is to act as a
 273 political issues committee; or
- 274 (vi) a group of individuals who:
- 275 (A) associate together for the purpose of challenging or supporting a single ballot
 276 proposition, ordinance, or other governmental action by a county, city, town,
 277 special district, special service district, or other local political subdivision of
 278 the state;
- 279 (B) have a common liberty, property, or financial interest that is directly impacted
 280 by the ballot proposition, ordinance, or other governmental action;
- 281 (C) do not associate together, for the purpose described in Subsection [
 282 ~~(39)(b)(vi)(A)~~] (41)(b)(vi)(A), via a legal entity;
- 283 (D) do not receive funds for challenging or supporting the ballot proposition,
 284 ordinance, or other governmental action from a person other than an individual
 285 in the group; and
- 286 (E) do not expend a total of more than \$5,000 for the purpose described in
 287 Subsection [~~(39)(b)(vi)(A)~~] (41)(b)(vi)(A).

288 [~~(40)~~] (42)(a) "Political issues contribution" means any of the following:

- 289 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money
 290 or anything of value given to a political issues committee;
- 291 (ii) an express, legally enforceable contract, promise, or agreement to make a
 292 political issues donation to influence the approval or defeat of any ballot
 293 proposition;
- 294 (iii) any transfer of funds received by a political issues committee from a reporting
 295 entity;
- 296 (iv) compensation paid by another reporting entity for personal services rendered
 297 without charge to a political issues committee; and
- 298 (v) goods or services provided to or for the benefit of a political issues committee at
 299 less than fair market value.
- 300 (b) "Political issues contribution" does not include:

301 (i) services provided without compensation by individuals volunteering a portion or
302 all of their time on behalf of a political issues committee; or

303 (ii) money lent to a political issues committee by a financial institution in the
304 ordinary course of business.

305 [(41)] (43)(a) "Political issues expenditure" means any of the following when made by a
306 political issues committee or on behalf of a political issues committee by an agent of
307 the reporting entity:

308 (i) any payment from political issues contributions made for the purpose of
309 influencing the approval or the defeat of:

310 (A) a ballot proposition; or

311 (B) an incorporation petition or incorporation election;

312 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made
313 for the express purpose of influencing the approval or the defeat of:

314 (A) a ballot proposition; or

315 (B) an incorporation petition or incorporation election;

316 (iii) an express, legally enforceable contract, promise, or agreement to make any
317 political issues expenditure;

318 (iv) compensation paid by a reporting entity for personal services rendered by a
319 person without charge to a political issues committee; or

320 (v) goods or services provided to or for the benefit of another reporting entity at less
321 than fair market value.

322 (b) "Political issues expenditure" does not include:

323 (i) services provided without compensation by individuals volunteering a portion or
324 all of their time on behalf of a political issues committee; or

325 (ii) money lent to a political issues committee by a financial institution in the
326 ordinary course of business.

327 [(42)] (44) "Political purposes" means an act done with the intent or in a way to influence or
328 tend to influence, directly or indirectly, any person to refrain from voting or to vote for
329 or against any:

330 (a) candidate or a person seeking a municipal or county office at any caucus, political
331 convention, or election; or

332 (b) judge standing for retention at any election.

333 [(43)] (45)(a) "Poll" means the survey of a person regarding the person's opinion or
334 knowledge of an individual who has filed a declaration of candidacy for public

335 office, or of a ballot proposition that has legally qualified for placement on the ballot,
336 which is conducted in person or by telephone, facsimile, Internet, postal mail, or
337 email.

338 (b) "Poll" does not include:

339 (i) a ballot; or

340 (ii) an interview of a focus group that is conducted, in person, by one individual, if:

341 (A) the focus group consists of more than three, and less than thirteen, individuals;

342 and

343 (B) all individuals in the focus group are present during the interview.

344 ~~[(44)]~~ (46) "Primary election" means any regular primary election held under the election
345 laws.

346 ~~[(45)]~~ (47) "Publicly identified class of individuals" means a group of 50 or more
347 individuals sharing a common occupation, interest, or association that contribute to a
348 political action committee or political issues committee and whose names can be
349 obtained by contacting the political action committee or political issues committee upon
350 whose financial statement the individuals are listed.

351 ~~[(46)]~~ (48) "Public office" means the office of governor, lieutenant governor, state auditor,
352 state treasurer, attorney general, state school board member, state senator, state
353 representative, speaker of the House of Representatives, president of the Senate, and the
354 leader, whip, and assistant whip of any party caucus in either house of the Legislature.

355 ~~[(47)]~~ (49)(a) "Public service assistance" means the following when given or provided to
356 an officeholder to defray the costs of functioning in a public office or aid the
357 officeholder to communicate with the officeholder's constituents:

358 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit
359 of money or anything of value to an officeholder; or

360 (ii) goods or services provided at less than fair market value to or for the benefit of
361 the officeholder.

362 (b) "Public service assistance" does not include:

363 (i) anything provided by the state;

364 (ii) services provided without compensation by individuals volunteering a portion or
365 all of their time on behalf of an officeholder;

366 (iii) money lent to an officeholder by a financial institution in the ordinary course of
367 business;

368 (iv) news coverage or any publication by the news media; or

369 (v) any article, story, or other coverage as part of any regular publication of any
370 organization unless substantially all the publication is devoted to information
371 about the officeholder.

372 [~~(48)~~] (50) "Receipts" means contributions and public service assistance.

373 [~~(49)~~] (51) "Registered lobbyist" means a person licensed under Title 36, Chapter 11,
374 Lobbyist Disclosure and Regulation Act.

375 [~~(50)~~] (52) "Registered political action committee" means any political action committee
376 that is required by this chapter to file a statement of organization with the Office of the
377 Lieutenant Governor.

378 [~~(51)~~] (53) "Registered political issues committee" means any political issues committee that
379 is required by this chapter to file a statement of organization with the Office of the
380 Lieutenant Governor.

381 [~~(52)~~] (54) "Registered political party" means an organization of voters that:

382 (a) participated in the last regular general election and polled a total vote equal to 2% or
383 more of the total votes cast for all candidates for the United States House of
384 Representatives for any of its candidates for any office; or

385 (b) has complied with the petition and organizing procedures of Chapter 8, Political
386 Party Formation and Procedures.

387 [~~(53)~~] (55)(a) "Remuneration" means a payment:

388 (i) made to a legislator for the period the Legislature is in session; and

389 (ii) that is approximately equivalent to an amount a legislator would have earned
390 during the period the Legislature is in session in the legislator's ordinary course of
391 business.

392 (b) "Remuneration" does not mean anything of economic value given to a legislator by:

393 (i) the legislator's primary employer in the ordinary course of business; or

394 (ii) a person or entity in the ordinary course of business:

395 (A) because of the legislator's ownership interest in the entity; or

396 (B) for services rendered by the legislator on behalf of the person or entity.

397 [~~(54)~~] (56) "Reporting entity" means a candidate, a candidate's personal campaign

398 committee, a judge, a judge's personal campaign committee, an officeholder, a party

399 committee, a political action committee, a political issues committee, a corporation, or a

400 labor organization, as defined in Section 20A-11-1501.

401 [~~(55)~~] (57) "School board office" means the office of state school board.

402 [~~(56)~~] (58)(a) "Source" means the person or entity that is the legal owner of the tangible

403 or intangible asset that comprises the contribution.

404 (b) "Source" means, for political action committees and corporations, the political action
405 committee and the corporation as entities, not the contributors to the political action
406 committee or the owners or shareholders of the corporation.

407 [(57)] (59) "State office" means the offices of governor, lieutenant governor, attorney
408 general, state auditor, and state treasurer.

409 [(58)] (60) "State office candidate" means a person who:

410 (a) files a declaration of candidacy for a state office; or

411 (b) receives contributions, makes expenditures, or gives consent for any other person to
412 receive contributions or make expenditures to bring about the person's nomination,
413 election, or appointment to a state office.

414 [(59)] (61) "Summary report" means the year end report containing the summary of a
415 reporting entity's contributions and expenditures.

416 [(60)] (62) "Supervisory board" means the individual or group of individuals that allocate
417 expenditures from a political issues committee.

418 Section 2. Section **20A-11-901** is amended to read:

419 **20A-11-901 . Political advertisements -- Requirement that ads designate**
420 **responsibility and authorization -- Report to lieutenant governor -- Unauthorized use of**
421 **endorsements.**

422 (1)[(a)] Whenever any person makes an expenditure for the purpose of financing an
423 advertisement expressly advocating for the election or defeat of a clearly identified
424 candidate, or solicits any contribution through [~~any broadcasting station, newspaper,~~
425 ~~magazine, outdoor advertising facility, direct mailing, or any other type of general~~
426 ~~public political advertising]~~ an advertisement, the advertisement shall:

427 [(i)] (a) if paid for and authorized by a candidate or the candidate's campaign committee, [~~shall~~]
428 clearly state that the advertisement has been paid for by the candidate or the
429 candidate's campaign committee;

430 [(ii)] (b) if paid for by another person but authorized by a candidate or the candidate's
431 campaign committee, [~~shall~~] clearly state who paid for the advertisement and that the
432 candidate or the candidate's campaign committee authorized the advertisement; or

433 [(iii)] (c) if not authorized by a candidate or a candidate's campaign committee, [~~shall~~]
434 clearly state the name of the person who paid for the advertisement and state that the
435 advertisement is not authorized by any candidate or [~~candidate's~~] a candidate's
436 campaign committee.

- 437 (2)(a) A person that makes an expenditure for the purpose of financing an advertisement
438 related to a ballot proposition shall ensure that the advertisement complies with
439 Subsection (2)(b) if the advertisement expressly advocates:
- 440 (i) for placing a ballot proposition on the ballot;
 - 441 (ii) for keeping a ballot proposition off the ballot;
 - 442 (iii) that a voter refrain from voting on a ballot proposition; or
 - 443 (iv) that a voter vote for or against a ballot proposition.
- 444 (b) An advertisement described in Subsection (2)(a) shall:
- 445 (i) if paid for by a political issues committee, clearly state that the advertisement was
446 paid for by the political issues committee;
 - 447 (ii) if paid for by another person but authorized by a political issues committee,
448 clearly state who paid for the advertisement and that the political issues committee
449 authorized the advertisement; or
 - 450 (iii) if not authorized by a political issues committee, clearly state the name of the
451 person who paid for the advertisement and state that the advertisement is not
452 authorized by any political issues committee.
- 453 (3) The requirements of Subsections (1) and (2) do not apply to:
- 454 (a) lawn signs with dimensions of four by eight feet or smaller;
 - 455 (b) bumper stickers;
 - 456 (c) campaign pins, buttons, and pens; or
 - 457 (d) similar small items upon which the disclaimer cannot be conveniently printed.
- 458 (4)(a) A person who is not a reporting entity and pays for an electioneering
459 communication shall file a report with the lieutenant governor within 24 hours of
460 making the payment or entering into a contract to make the payment.
- 461 (b) The report shall include:
- 462 (i) the name and address of the person described in Subsection (4)(a);
 - 463 (ii) the name and address of each person contributing at least \$100 to the person
464 described in Subsection (4)(a) for the purpose of disseminating the electioneering
465 communication;
 - 466 (iii) the amount spent on the electioneering communication;
 - 467 (iv) the name of the identified referenced candidate; and
 - 468 (v) the medium used to disseminate the electioneering communication.
- 469 (5) A person may not, in order to promote the success of any candidate for nomination or
470 election to any public office, or in connection with any question submitted to the voters,

471 include or cause to be included the name of any person as endorser or supporter in any
472 political advertisement, circular, poster, or publication without the express consent of
473 that person.

474 (6)(a) It is unlawful for a person to pay the owner, editor, publisher, or agent of any
475 newspaper or other periodical to induce the owner, editor, publisher, or agent to
476 advocate or oppose editorially any candidate for nomination or election.

477 (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to
478 advocate or oppose editorially any candidate for nomination or election.

479 (7) The lieutenant governor shall impose a \$1,000 fine against a person who:

480 (a) violates Subsection (4); or

481 (b) violates any other disclosure requirement or prohibition described in this section, if
482 the violation relates to:

483 (i) a statewide ballot proposition; or

484 (ii) the nomination or election of a candidate for:

485 (A) federal office;

486 (B) state office;

487 (C) legislative office; or

488 (D) school board office.

489 (8) Upon investigation by the local attorney, the county clerk or municipal clerk shall
490 impose a \$500 fine against a person who violates this section, other than Subsection (4),
491 if the violation relates to:

492 (a) for a county clerk:

493 (i) a candidate for county office, local school board office, or special district office;

494 (ii) a countywide local ballot proposition; or

495 (iii) a judicial retention election; or

496 (b) for a municipal clerk:

497 (i) a candidate for municipal office; or

498 (ii) a citywide or townwide local ballot proposition.

499 (9) A fine imposed under Subsection (7) or (8):

500 (a) if the fine relates to a violation of Subsection (1) or (2), may be imposed only once
501 per advertisement, regardless of the number of times the advertisement is
502 disseminated; or

503 (b) if the fine relates to a violation of Subsection (4), (5), or (6), may be imposed only
504 once per act or omission giving rise to the violation.

505 (10)(a) The lieutenant governor shall deposit a fine collected under Subsection (8) into
506 the state's General Fund.

507 (b) The county clerk or municipal clerk shall deposit a fine collected under Subsection
508 (9) into the political subdivision's general fund.

509 (11) An election officer shall provide a person who receives a fine under Subsection (7) or
510 (8) a reasonable opportunity to establish, by a preponderance of the evidence, that
511 payment of the fine is not required.

512 **Section 3. Effective Date.**

513 This bill takes effect on May 6, 2026.