

Acknowledgments

My appreciation to the working group & Advisors

Working Group:

- LGRC Atty Michael Cipriano
- State Elections Director Ryan Cowley
- State Elections Coordinator Mallory Underwood
- Davis County Clerk Brian McKenzie

Additional Advisors:

- State Auditor John Dugal
- Former Elections Director Justin Lee
- Former Elections Director Mark Thomas
- Lt. Governor Deidre Henderson



IMPROVING LOCAL ELECTIONS TRANSPARENCY & EFFICIENCY

The background of the slide is a photograph of the Utah State Capitol building. The building is a large, classical-style structure with a prominent central dome and a portico with columns. In the foreground, there are several trees with white cherry blossoms in full bloom. The sky is overcast and grey.

Potential of giving political subdivisions of the State local access to the disclosure and campaign finance reporting tools at disclosure.utah.gov

Rep. Paul Cutler

Conflict of Interest Disclosure Modifications

- Version 1 Posted 11/13/2023
- Version 2 Posted 11/14/2023 (2024FL-1045/002)

“We posted an updated version of the bill on the committee page because we were still considering the bill’s penalty provisions, which the first version of the bill did not adequately address.”



The background of the slide is a faded, light-colored image of the Utah State Capitol building, showing its iconic dome and classical architectural details like columns and a balcony. The text is overlaid on this image in a bold, black, sans-serif font.

29 Counties
250+ Cities & Towns
Special Services Districts
State Land Use Authorities
Other Political Subdivisions



LRGC Research

- Conflict of Interest Disclosure Research
- Campaign Finance Reporting Research
- Common Requirements vs Unique Requirements
 - State
 - County
 - School Boards
 - Cities & Towns
 - Special Service Districts
 - Land Use Authorities

Thanks to Lisa Sorenson & Brittini Anderson for their research efforts





- HOME
- PUBLIC SEARCH
- ADVANCED SEARCH
- CREATE ENTITY
- CONTACT
- FAQS
- MY FOLDER
- LOG OFF

Financial Disclosures or Conflict of Interest Form.

Welcome **Paul Cutler!**

Candidate/Officeholder:

Paul Ashton Cutler

Office

Representative: Utah House District 18

Item 1A

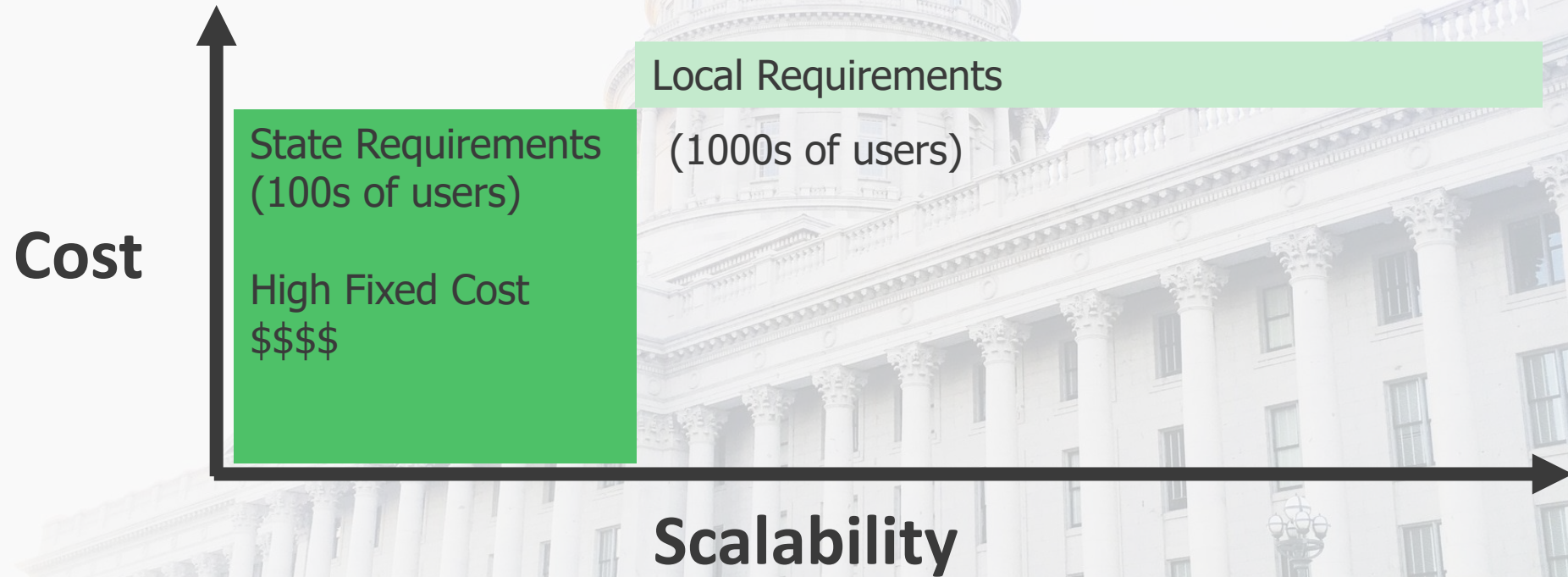
The name(s) and address(es) of each of the individual's current employer(s) and name(s) and address(es) of each of the individual's employer(s) during the preceding year.

Current Employer(s):

	Contributions (+)	Add	Expenditures (-)	Add	Balance	
					\$0.00	
			Beginning Balance		\$0.00	
		\$28.76			\$28.76	
			(\$28.76)		\$0.00	
			(\$82.06)		(\$82.06)	
		\$200.00			\$117.94	
			(\$349.73)		(\$231.79)	
		\$2,500.00			\$2,268.21	
		\$200.00			\$2,468.21	
		\$100.00			\$2,568.21	
		\$100.00			\$2,668.21	
			(\$5.99)		\$2,662.22	
			(\$400.00)		\$2,262.22	
12	3/10/2022	Farmington City	Campaign Expense	(\$125.00)	\$2,137.22	
13	3/10/2022	Renaissance Signs Marketing & Design	Advertising	(\$502.49)	\$1,634.73	
14	3/11/2022	Costco	Supplies	(\$160.10)	\$1,474.63	
15	3/11/2022	Signs.com	Advertising	(\$465.11)	\$1,009.52	
16	3/16/2022	Davis County Library	Campaign Expense	(\$10.00)	\$999.52	
		Report Totals:		\$3,128.76	(\$2,129.24)	\$999.52
Show Details		Primary		\$32,385.00	(\$21,063.35)	\$12,321.17
Show Details		September 30th		\$7,450.00	(\$6,359.57)	\$13,411.60
Show Details		General		\$400.00	(\$136.53)	\$13,675.07
Show Details		Year End		\$300.00	(\$3,957.77)	\$10,017.30



Software Scalability



Software Development, Integration & Scalability



Benefits of Conflict of Interest Disclosure Modifications

- **Improves Election Transparency** (common, easy to use source of disclosure/campaign spending information for all candidates in Utah)
- **Easier for Clerks/Recorders** (administer elections via automated reminders, automated posting, automated reporting)
- **Easier for Candidates** (online entry, automated reminders, easy reporting)



Conflict of Interest Disclosure Modifications

This Bill Does NOT:

- Change WHO is required to file a conflict of interest disclosure
- Eliminate any special or unique requirements a political subdivision may have related to conflict of interest disclosures

This Bill Does:

- Change WHERE conflict of interest disclosures are filed for elected officials & State Land Use Authorities (disclosures.utah.gov)
- Standardizes who must file annually
- Clarifies enforcement responsibilities and standard penalties



Conflict of Interest Disclosures- Existing Law

Existing Statute: Failure to Disclose a Conflict				
Office Holder	Civil Penalty	Criminal Penalty	Enforcement Responsibility*	
			Civil	Criminal
State	\$100	Title 20A (Class B)	Lt. Governor	Atty General
County	(dismissal from office)	Title 17-16A (Class A)	Commission	County Atty
Municipal	(dismissal from office)	Title 10-3 (Class B-F2)	Municipal Ethics Commission or Political Subdivisions Ethics Review Commission	Local Prosecutor
School District	(dismissal from office)	Title 67-16 (dismissal from office)	School Board	Local Prosecutor
Special District	(dismissal from office)	Title 67-16 (dismissal from office)	Special District	Local Prosecutor
State Land Use Authority	N/A	N/A	N/A	Local Prosecutor
Existing Statute: Failure to File a Conflict of Interest Disclosure:				
State	\$100	Title 20A (Class B)	Lt. Governor	Atty General



Conflict of Interest Disclosures Proposed Modifications

Proposed 2024 Bill: Failure to Disclose a Conflict

Proposed 2024 Bill: Failure to File a Conflict of Interest Disclosure

Office Holder	Civil Penalty	Criminal Penalty	Enforcement Responsibility*	
			Civil	Criminal
State	\$100	Title 20A (Class B)	Lt. Governor	Atty General
County	\$100	Title 17-16A (Class A) + (Class B)	County Clerk	County Atty
Municipal	\$100	Title 10-3 (Class B-F2) + (Class B)	Recorder or Town Clerk	Local Prosecutor
School District	\$100	Title 67-16 (dismissal from office) + (Class B)	Special District Clerk	Local Prosecutor
Special District	\$100	Title 67-16 (dismissal from office) + (Class B)	School District Administrator	Local Prosecutor
State Land Use Authority	\$100	Class B	Board Administrator	Local Prosecutor

*Bill defines “special filing officer” for each category who is responsible to oversee disclosures



Conflict of Interest Disclosure Modifications

Next Steps

- Additional discussion/review with stakeholders is required (ULCT, UAC, Special Districts, School Districts, State Land Use Authorities) to agree on policy and **operational processes**
- Political subdivisions may continue to go above and beyond the base state disclosure requirements if they chose (but State software will not be modified to accommodate).
- Consider policy of how to handle situation where other state boards who are required to disclose conflicts want to use the system



Stretch Goal: Conflict of Interest Disclosures + Campaign Finance Reporting

If Fiscal Challenges can be overcome – goal is to give political subdivisions access to campaign finance reporting tools too

- Political subdivisions may (but are not required to) use the campaign finance software tools at disclosure.Utah.gov if they conform to state standards (no customization)
- Administration & Enforcement responsibility would remain at the local level (No expansion of Lt. Governor’s responsibilities: State owns/manages software, but local “special filing officials” would be the responsible admins for local officials)



THANK
YOU

