

Election Fundraising Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Michael S. Kennedy

LONG TITLE

General Description:

This bill amends provisions relating to prohibited campaign contributions.

Highlighted Provisions:

This bill:

- defines terms;
- exempts a campaign contribution for federal office from the prohibition on campaign contributions during a legislative session or the time period when the governor may veto a bill;
- makes it a crime to make a federal contribution with the intent to influence the governor or a state official to take or not take an action or to reward the governor or a state official for taking or not taking an action; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

36-11-305, as last amended by Laws of Utah 2018, Chapter 139

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

Section 1. Section **36-11-305** is amended to read:

36-11-305 . Campaign contribution during session or veto period prohibited --

Federal contribution intended to influence governor or state official prohibited.

(1) As used in this section:

(a)(i) "Campaign contribution" means a contribution, as defined in Section 20A-11-101.

(ii) "Campaign contribution" does not include a federal contribution.

(b) "Federal contribution" means a contribution made:

(i) to a state official who is a candidate for federal office or a governor who is a candidate for federal office, a campaign committee of the state official or governor, or a political action committee controlled by the state official or governor; and

(ii) for the state official's or governor's campaign for federal office.

(c) "State official" means:

(i) a member of the Utah Senate or the Utah House of Representatives;

(ii) the lieutenant governor;

(iii) the attorney general;

(iv) the state auditor; or

(v) the state treasurer.

~~[(1)]~~ (2) It is unlawful for a person, lobbyist, principal, or political committee to make a campaign contribution, or to contract, promise, or agree to make a campaign contribution, to any of the following during the time the Legislature is convened in annual general session, veto override session, or special session:

~~[(a)(i) a legislator;]~~

~~[(ii) the lieutenant governor;]~~

~~[(iii) the attorney general;]~~

~~[(iv) the state auditor; or]~~

~~[(v) the state treasurer;]~~

(a) a state official;

(b) the personal campaign committee of [an individual described in Subsection (1)(a)] a state official; or

(c) a political action committee controlled by a [person described in Subsection (1)(a)] state official.

(3) It is unlawful for a person, lobbyist, principal, or political committee to make a federal contribution, or to contract, promise, or agree to make a federal contribution, to a person described in Subsection (2)(a), (b), or (c) if the person, lobbyist, principal, or political committee makes the federal contribution, contract, promise, or agreement with the intent to:

(a) influence a state official to take or fail to take an action in the state official's capacity as a state official; or

(b) reward a state official for taking or failing to take an action in the state official's capacity as a state official.

66 [(2)] (4) It is unlawful for a person, lobbyist, principal, or political committee to make a
67 campaign contribution, or to contract, promise, or agree to make a campaign
68 contribution, to the governor, the governor's personal campaign committee, or a political
69 action committee controlled by the governor during the time the Legislature is convened
70 in annual general session, veto override session, special session, or during the time
71 period established by the Utah Constitution, Article VII, Section 8, for the governor to
72 approve or veto bills passed by the Legislature in the annual general session.

73 (5) It is unlawful for a person, lobbyist, principal, or political committee to make a federal
74 contribution, or to contract, promise, or agree to make a federal contribution, to the
75 governor, the governor's personal campaign committee, or a political action committee
76 controlled by the governor if the person, lobbyist, principal, or political committee
77 makes the federal contribution, contract, promise, or agreement with the intent to:
78 (a) influence the governor to take or fail to take an action in the governor's capacity as
79 governor; or
80 (b) reward the governor for taking or failing to take an action in the governor's capacity
81 as governor.

82 [(3)] (6) ~~[Any person who violates]~~ A violation of this section is~~[-guilty of]~~ a class A
83 misdemeanor.

84 Section 2. **Effective date.**

85 This bill takes effect on May 7, 2025.