

Effective 7/1/2020

Superseded 5/3/2023

20A-11-1202 Definitions.

As used in this part:

- (1) "Applicable election officer" means:
 - (a) a county clerk, if the email relates only to a local election; or
 - (b) the lieutenant governor, if the email relates to an election other than a local election.
- (2) "Ballot proposition" means constitutional amendments, initiatives, referenda, judicial retention questions, opinion questions, bond approvals, or other questions submitted to the voters for their approval or rejection.
- (3) "Campaign contribution" means any of the following when done for a political purpose or to advocate for or against a ballot proposition:
 - (a) a gift, subscription, donation, loan, advance, deposit of money, or anything of value given to a filing entity;
 - (b) an express, legally enforceable contract, promise, or agreement to make a gift, subscription, donation, unpaid or partially unpaid loan, advance, deposit of money, or anything of value to a filing entity;
 - (c) any transfer of funds from another reporting entity to a filing entity;
 - (d) compensation paid by any person or reporting entity other than the filing entity for personal services provided without charge to the filing entity;
 - (e) remuneration from:
 - (i) any organization or the organization's directly affiliated organization that has a registered lobbyist; or
 - (ii) any agency or subdivision of the state, including a school district; or
 - (f) an in-kind contribution.
- (4)
 - (a) "Commercial interlocal cooperation agency" means an interlocal cooperation agency that receives its revenues from conduct of its commercial operations.
 - (b) "Commercial interlocal cooperation agency" does not mean an interlocal cooperation agency that receives some or all of its revenues from:
 - (i) government appropriations;
 - (ii) taxes;
 - (iii) government fees imposed for regulatory or revenue raising purposes; or
 - (iv) interest earned on public funds or other returns on investment of public funds.
- (5) "Expenditure" means:
 - (a) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value;
 - (b) an express, legally enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value;
 - (c) a transfer of funds between a public entity and a candidate's personal campaign committee;
 - (d) a transfer of funds between a public entity and a political issues committee; or
 - (e) goods or services provided to or for the benefit of a candidate, a candidate's personal campaign committee, or a political issues committee for political purposes at less than fair market value.
- (6) "Filing entity" means the same as that term is defined in Section 20A-11-101.
- (7) "Governmental interlocal cooperation agency" means an interlocal cooperation agency that receives some or all of its revenues from:
 - (a) government appropriations;

- (b) taxes;
 - (c) government fees imposed for regulatory or revenue raising purposes; or
 - (d) interest earned on public funds or other returns on investment of public funds.
- (8) "Influence" means to campaign or advocate for or against a ballot proposition.
- (9) "Interlocal cooperation agency" means an entity created by interlocal agreement under the authority of Title 11, Chapter 13, Interlocal Cooperation Act.
- (10) "Local district" means an entity under Title 17B, Limited Purpose Local Government Entities - Local Districts, and includes a special service district under Title 17D, Chapter 1, Special Service District Act.
- (11) "Political purposes" means an act done with the intent or in a way to influence or intend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any:
- (a) candidate for public office at any caucus, political convention, primary, or election; or
 - (b) judge standing for retention at any election.
- (12) "Proposed initiative" means an initiative proposed in an application filed under Section 20A-7-202 or 20A-7-502.
- (13) "Proposed referendum" means a referendum proposed in an application filed under Section 20A-7-302 or 20A-7-602.
- (14)
- (a) "Public entity" includes the state, each state agency, each county, municipality, school district, local district, governmental interlocal cooperation agency, and each administrative subunit of each of them.
 - (b) "Public entity" does not include a commercial interlocal cooperation agency.
 - (c) "Public entity" includes local health departments created under Title 26, Chapter 1, Department of Health Organization.
- (15)
- (a) "Public funds" means any money received by a public entity from appropriations, taxes, fees, interest, or other returns on investment.
 - (b) "Public funds" does not include money donated to a public entity by a person or entity.
- (16)
- (a) "Public official" means an elected or appointed member of government with authority to make or determine public policy.
 - (b) "Public official" includes the person or group that:
 - (i) has supervisory authority over the personnel and affairs of a public entity; and
 - (ii) approves the expenditure of funds for the public entity.
- (17) "Reporting entity" means the same as that term is defined in Section 20A-11-101.
- (18)
- (a) "State agency" means each department, commission, board, council, agency, institution, officer, corporation, fund, division, office, committee, authority, laboratory, library, unit, bureau, panel, or other administrative unit of the state.
 - (b) "State agency" includes the legislative branch, the Utah Board of Higher Education, each institution of higher education board of trustees, and each higher education institution.