

**Effective 5/3/2023**

**20A-11-1202 Definitions.**

As used in this part:

- (1) "Applicable election officer" means:
  - (a) a county clerk, if the election relates only to a local election; or
  - (b) the lieutenant governor, if the election 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) "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.
- (11) "Proposed initiative" means an initiative proposed in an application filed under Section 20A-7-202 or 20A-7-502.
- (12) "Proposed referendum" means a referendum proposed in an application filed under Section 20A-7-302 or 20A-7-602.
- (13)
  - (a) "Public entity" includes the state, each state agency, each county, municipality, school district, special 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 26A, Local Health Authorities.
- (14)
  - (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.
- (15)
  - (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.
- (16) "Reporting entity" means the same as that term is defined in Section 20A-11-101.
- (17)
  - (a) "Special district" means an entity under Title 17B, Limited Purpose Local Government Entities - Special Districts.
  - (b) "Special district" includes a special service district under Title 17D, Chapter 1, Special Service District Act.
- (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.

Amended by Chapter 15, 2023 General Session  
Amended by Chapter 327, 2023 General Session