

Effective 3/13/2014

20A-11-1605 Failure to file -- Penalties.

- (1) Within 30 days after the day on which a regulated officeholder is required to file a financial disclosure form under Subsection 20A-11-1604(3)(a)(i), (b)(i), or (c)(i), the lieutenant governor shall review each filed financial disclosure form to ensure that:
 - (a) each regulated officeholder who is required to file a financial disclosure form has filed one; and
 - (b) each financial disclosure form contains the information required under Section 20A-11-1604.
- (2) The lieutenant governor shall take the action described in Subsection (3) if:
 - (a) a regulated officeholder has failed to timely file a financial disclosure form;
 - (b) a filed financial disclosure form does not comply with the requirements of Section 20A-11-1604; or
 - (c) the lieutenant governor receives a written complaint alleging a violation of Section 20A-11-1604, other than Subsection 20A-11-1604(1), and after receiving the complaint and giving the regulated officeholder notice and an opportunity to be heard, the lieutenant governor determines that a violation occurred.
- (3) If a circumstance described in Subsection (2) occurs, the lieutenant governor shall, within five days after the day on which the lieutenant governor determines that a violation occurred, notify the regulated officeholder of the violation and direct the regulated officeholder to file an amended report correcting the problem.
- (4)
 - (a) It is unlawful for a regulated officeholder to fail to file or amend a financial disclosure form within seven days after the day on which the regulated officeholder receives the notice described in Subsection (3).
 - (b) A regulated officeholder who violates Subsection (4)(a) is guilty of a class B misdemeanor.
 - (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the attorney general.
 - (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant governor shall impose a civil fine of \$100 against a regulated officeholder who violates Subsection (4)(a).
- (5) The lieutenant governor shall deposit a fine collected under this part into the General Fund as a dedicated credit to pay for the costs of administering the provisions of this part.

Enacted by Chapter 18, 2014 General Session