

**Effective 5/13/2014**

**20A-11-1702 Definitions.**

As used in this part:

- (1) "Clearly identified" means:
  - (a) the name of the candidate appears;
  - (b) a photograph or drawing of the candidate appears; or
  - (c) the identity of the candidate or ballot proposition is apparent by unambiguous reference.
- (2)
  - (a) "Independent expenditure" means an expenditure by a person expressly advocating the success or defeat of a clearly identified candidate or ballot proposition if the expenditure is not made in coordination with, or at the request or suggestion of:
    - (i) a candidate;
    - (ii) a candidate's personal campaign committee;
    - (iii) a member of a candidate's personal campaign committee;
    - (iv) a political action committee for which the candidate is an officer with primary decision making authority;
    - (v) an agent of a candidate; or
    - (vi) a political issues committee.
  - (b) "Independent expenditure" includes:
    - (i) the cost of creating and disseminating material for a public communication, including design and production costs; and
    - (ii) a contract or other promise to make an expenditure described in Subsection (2)(a) or (2)(b) (i).
- (3)
  - (a) "Public communication" means a communication by:
    - (i) broadcast, cable, satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing, or telephone bank; or
    - (ii) another medium used for political advertising to the general public.
  - (b) "Public communication" does not include:
    - (i) a news story, a commentary, or an editorial disseminated by a broadcasting station, including a cable television operator, programmer, or producer, satellite television or radio provider, website, newspaper, magazine, or other periodical publication, that is not controlled by a candidate or political party; or
    - (ii) a candidate debate or forum.
- (4) "Telephone bank" means 500 or more identical or substantially similar telephone calls within any 30-day period.

Enacted by Chapter 60, 2014 General Session