

***Superseded 1/1/2017***

**20A-11-403 Failure to file -- Penalties.**

- (1) Within 30 days after a deadline for the filing of a summary report, the lieutenant governor shall review each filed summary report to ensure that:
  - (a) each officeholder that is required to file a summary report has filed one; and
  - (b) each summary report contains the information required by this part.
- (2) If it appears that any officeholder has failed to file the summary report required by law, if it appears that a filed summary report does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any summary report, the lieutenant governor shall, if the lieutenant governor determines that a violation has occurred:
  - (a) impose a fine against the filing entity in accordance with Section 20A-11-1005; and
  - (b) within five days of discovery of a violation or receipt of a written complaint, notify the officeholder of the violation or written complaint and direct the officeholder to file a summary report correcting the problem.
- (3)
  - (a) It is unlawful for any officeholder to fail to file or amend a summary report within seven days after receiving notice from the lieutenant governor under this section.
  - (b) Each officeholder who violates Subsection (3)(a) is guilty of a class B misdemeanor.
  - (c) The lieutenant governor shall report all violations of Subsection (3)(a) to the attorney general.
  - (d) In addition to the criminal penalty described in Subsection (3)(b), the lieutenant governor shall impose a civil fine of \$100 against an officeholder who violates Subsection (3)(a).
- (4) Within 30 days after a deadline for the filing of an interim report by an officeholder under Subsection 20A-11-204(1)(c), 20A-11-303(1)(c), or 20A-11-1303(1)(c), the lieutenant governor shall review each filed interim report to ensure that each interim report contains the information required for the report.
- (5) If it appears that any officeholder has failed to file an interim report required by law, if it appears that a filed interim report does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any interim report, the lieutenant governor shall, if the lieutenant governor determines that a violation has occurred:
  - (a) impose a fine against the filing entity in accordance with Section 20A-11-1005; and
  - (b) within five days after the day on which the violation is discovered or a written complaint is received, notify the officeholder of the violation or written complaint and direct the officeholder to file an interim report correcting the problem.
- (6)
  - (a) It is unlawful for any officeholder to fail to file or amend an interim report within seven days after the day on which the officeholder receives notice from the lieutenant governor under this section.
  - (b) Each officeholder who violates Subsection (6)(a) is guilty of a class B misdemeanor.
  - (c) The lieutenant governor shall report all violations of Subsection (6)(a) to the attorney general.
  - (d) In addition to the criminal penalty described in Subsection (6)(b), the lieutenant governor shall impose a civil fine of \$100 against an officeholder who violates Subsection (6)(a).