

Effective 3/3/2022

Superseded 1/1/2027

20A-11-901 Political advertisements -- Requirement that ads designate responsibility and authorization -- Report to lieutenant governor -- Unauthorized use of endorsements.

- (1)
- (a) Whenever any person makes an expenditure for the purpose of financing an advertisement expressly advocating for the election or defeat of a clearly identified candidate, or solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, the advertisement:
 - (i) if paid for and authorized by a candidate or the candidate's campaign committee, shall clearly state that the advertisement has been paid for by the candidate or the campaign committee;
 - (ii) if paid for by another person but authorized by a candidate or the candidate's campaign committee, shall clearly state who paid for the advertisement and that the candidate or the campaign committee authorized the advertisement; or
 - (iii) if not authorized by a candidate or a candidate's campaign committee, shall clearly state the name of the person who paid for the advertisement and state that the advertisement is not authorized by any candidate or candidate's committee.
- (2)
- (a) A person that makes an expenditure for the purpose of financing an advertisement related to a ballot proposition shall ensure that the advertisement complies with Subsection (2)(b) if the advertisement expressly advocates:
 - (i) for placing a ballot proposition on the ballot;
 - (ii) for keeping a ballot proposition off the ballot;
 - (iii) that a voter refrain from voting on a ballot proposition; or
 - (iv) that a voter vote for or against a ballot proposition.
 - (b) An advertisement described in Subsection (2)(a) shall:
 - (i) if paid for by a political issues committee, clearly state that the advertisement was paid for by the political issues committee;
 - (ii) if paid for by another person but authorized by a political issues committee, clearly state who paid for the advertisement and that the political issues committee authorized the advertisement; or
 - (iii) if not authorized by a political issues committee, clearly state the name of the person who paid for the advertisement and state that the advertisement is not authorized by any political issues committee.
- (3) The requirements of Subsections (1) and (2) do not apply to:
- (a) lawn signs with dimensions of four by eight feet or smaller;
 - (b) bumper stickers;
 - (c) campaign pins, buttons, and pens; or
 - (d) similar small items upon which the disclaimer cannot be conveniently printed.
- (4)
- (a) A person who is not a reporting entity and pays for an electioneering communication shall file a report with the lieutenant governor within 24 hours of making the payment or entering into a contract to make the payment.
 - (b) The report shall include:
 - (i) the name and address of the person described in Subsection (4)(a);

- (ii) the name and address of each person contributing at least \$100 to the person described in Subsection (4)(a) for the purpose of disseminating the electioneering communication;
 - (iii) the amount spent on the electioneering communication;
 - (iv) the name of the identified referenced candidate; and
 - (v) the medium used to disseminate the electioneering communication.
- (5) A person may not, in order to promote the success of any candidate for nomination or election to any public office, or in connection with any question submitted to the voters, include or cause to be included the name of any person as endorser or supporter in any political advertisement, circular, poster, or publication without the express consent of that person.
- (6)
- (a) It is unlawful for a person to pay the owner, editor, publisher, or agent of any newspaper or other periodical to induce the owner, editor, publisher, or agent to advocate or oppose editorially any candidate for nomination or election.
 - (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to advocate or oppose editorially any candidate for nomination or election.

Amended by Chapter 18, 2022 General Session