

1 **CAMPAIGN REPORTING REQUIREMENTS**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: L. Steven Poulton**

5 AN ACT RELATING TO ELECTIONS; REQUIRING POLITICAL ACTION COMMITTEES
6 TO OBTAIN AND MAKE AVAILABLE TO THE PUBLIC CERTAIN INFORMATION FROM
7 ORGANIZATIONS THAT CONTRIBUTE TO THEM; AND MAKING TECHNICAL
8 CORRECTIONS.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **20A-11-602**, as last amended by Chapter 40, Laws of Utah 1998

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **20A-11-602** is amended to read:

14 **20A-11-602. Political action committees -- Financial reporting.**

15 (1) (a) Each registered political action committee that has made expenditures that total at
16 least \$750 during a calendar year shall file a verified financial statement with the lieutenant
17 governor's office on:

18 (i) January 5, reporting contributions and expenditures as of December 31 of the previous
19 year;

20 (ii) September 15; and

21 (iii) seven days before the regular general election.

22 (b) The registered political action committee shall report:

23 (i) a detailed listing of all contributions received and expenditures made since the last
24 statement; and

25 (ii) for financial statements filed on September 15 and before the general election, all
26 contributions and expenditures as of three days before the required filing date of the financial
27 statement.

28 (c) The registered political action committee need not file a statement under this section
29 if it received no contributions and made no expenditures during the reporting period.

30 (2) (a) The verified financial statement shall include:

31 (i) the name, address, and occupation of any individual that makes a contribution to the
32 reporting political action committee, and the amount of the contribution;

33 (ii) the identification of any publicly identified class of individuals that makes a
34 contribution to the reporting political action committee, and the amount of the contribution;

35 (iii) the name and address of any political action committee, group, or entity that makes
36 a contribution to the reporting political action committee, and the amount of the contribution;

37 (iv) for each nonmonetary contribution, the fair market value of the contribution;

38 (v) the name and address of each reporting entity that received an expenditure from the
39 reporting political action committee, and the amount of each expenditure;

40 (vi) for each nonmonetary expenditure, the fair market value of the expenditure;

41 (vii) the total amount of contributions received and expenditures disbursed by the reporting
42 political action committee;

43 (viii) a paragraph signed by the political action committee's treasurer or chief financial
44 officer verifying that, to the best of the signer's knowledge, the financial report is accurate; and

45 (ix) a summary page in the form required by the lieutenant governor that identifies:

46 (A) beginning balance;

47 (B) total contributions during the period since the last statement;

48 (C) total contributions to date;

49 (D) total expenditures during the period since the last statement; and

50 (E) total expenditures to date.

51 (b) (i) Contributions received by a political action committee that have a value of \$150 or
52 less need not be reported individually, but shall be listed on the report as an aggregate total.

53 (ii) Two or more contributions from the same source that have an aggregate total of more
54 than \$150 may not be reported in the aggregate, but shall be reported separately.

55 (3) (a) As used in this Subsection (3), "organization" means a corporation or a publicly
56 identified class of individuals that makes a contribution to a political action committee.

57 (b) When a political action committee receives a contribution from an organization, the
58 political action committee shall:

59 (i) obtain a list from the organization containing the name, address, and occupation of each
60 individual member, owner, shareholder, or employee of the organization;

61 (ii) obtain a list from the organization of the name, address, and a contact person of each
62 other corporation or publicly identified class of individuals that made a contribution to the
63 organization for political purposes; and

64 (iii) make those lists available, without charge other than reasonable reproduction charges,
65 to any person.

Legislative Review Note
as of 2-23-99 12:05 PM

This legislation raises the following constitutional or statutory concerns:

This bill raises certain constitutional issues, including First Amendment, Privacy, and Equal Protection issues.

Office of Legislative Research and General Counsel