

**CAMPAIGN FINANCE AND ELECTION LAW**

**REVISIONS**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: John E. Swallow**

**This act modifies the Election Code's provisions governing the filing of campaign finance reports. It changes the deadline for filing from 5 p.m. to 11:59 p.m. on the date that the report is due.**

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

AMENDS:

**20A-11-103**, as last amended by Chapter 17, Laws of Utah 2000

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

Section 1. Section **20A-11-103** is amended to read:

**20A-11-103. Reports -- Form of submission.**

(1) (a) (i) Ten days before a report from a state office candidate, legislative office candidate, state school board candidate, political party, political action committee, or political issues committee is due under this chapter, the lieutenant governor shall inform those candidates and entities by postal mail or, if requested by the candidate, party, or committee, by electronic mail:

(A) that the report is due; and

(B) the date that the report is due.

(ii) In addition to the information required by Subsection (1)(a)(i) and in the same mailing, ten days before the interim reports for candidates are due, the lieutenant governor shall inform the candidate that if the report is not received in the lieutenant governor's office by [5] 11:59 p.m. on the date that it is due, voters will be informed that the candidate has been disqualified and any votes cast for the candidate will not be counted.

(iii) In addition to the information required by Subsection (1)(a)(i) and in the same



28 mailing, ten days before the interim reports or verified financial statements for entities that are due  
29 September 15 and before the regular general election are due, and ten days before summary reports  
30 or January 5 financial statements are due, the lieutenant governor shall inform the entity, candidate,  
31 or officeholder that if the report is not received in the lieutenant governor's office by the date that  
32 it is due, the entity, candidate, or officeholder may be guilty of a class B misdemeanor for failing  
33 to file the report or statement.

34 (b) Ten days before a report from a local school board candidate is due under this chapter,  
35 the county clerk shall inform the candidate by postal mail or, if requested, by electronic mail:

36 (i) that the report is due;

37 (ii) the date that the report is due; and

38 (iii) if the report is not received in the county clerk's office by [5] 11:59 p.m. on the date  
39 that it is due, voters will be informed that the candidate has been disqualified and any votes cast  
40 for the candidate will not be counted.

41 (2) Persons or entities submitting reports required by this chapter may submit them:

42 (a) on paper, printed, typed, or legibly handwritten or hand printed;

43 (b) on a computer disk according to specifications established by the chief election officer  
44 that protect against fraudulent filings and secure the accuracy of the information contained on the  
45 computer disk;

46 (c) via fax; or

47 (d) via electronic mail according to specifications established by the chief election officer.

48 (3) A report is considered filed if:

49 (a) it is received in the chief election officer's office no later than [~~5:00~~] 11:59 p.m. on the  
50 date that it is due;

51 (b) it is received in the chief election officer's office with a postmark three days or more  
52 before the date that the report was due; or

53 (c) the candidate or entity has proof that the report was mailed, with appropriate postage  
54 and addressing, three days before the report was due.

**Legislative Review Note**  
**as of 2-9-01 12:41 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**