

H.B. 303

CAMPAIGN FINANCE FILING REQUIREMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

FEBRUARY 12, 2007 10:41 AM

Representative **Neil A. Hansen** proposes the following amendments:

1. *Page 1, Line 23:*

23 removal of the candidate's name from the ballot; ~~{and}~~

► requires the election officer to send a receipt within one business day of receiving a campaign finance report by facsimile or mail; and

2. *Page 2, Line 33:*

33 20A-9-203, as last amended by Chapters 28 and 226, Laws of Utah 2006

20A-11-103, as last amended by Chapter 166, Laws of Utah 2001

3. *Page 11, Lines 330 through 331:*

330 election, withdraw the nomination by filing a written affidavit with the clerk.

Section 4. 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, political issues committee, or judge is due under this chapter, the lieutenant governor shall inform those candidates, judges, and entities by postal mail or, if requested by the candidate, judge, 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 or judges are due, the lieutenant governor shall inform the candidate or judge that if the report is not received in the lieutenant governor's office by 5 p.m. on the date that it is due, voters will be informed that the candidate or judge has been disqualified and any votes cast for the candidate or judge will not be counted.

(iii) In addition to the information required by Subsection (1)(a)(i) and in the same mailing, ten days before the interim reports or verified financial statements for entities that are due September 15 and before the regular general election are due, and ten days before summary reports or January 5 financial statements are due, the lieutenant governor shall inform the entity, candidate, judge, or officeholder that if the report is not received in the lieutenant governor's office by the date that it is due, the entity, candidate, judge, or officeholder may be guilty of a class B misdemeanor for failing to file the report or statement.

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

(i) that the report is due;
(ii) the date that the report is due; and
(iii) if the report is not received in the county clerk's office by 5 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.

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

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

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

(c) via fax; or

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

(3) A report is considered filed if:

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

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

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

(4) (a) Except as provided in Subsection (4)(c), within one business day of receiving a report that is submitted by facsimile or mail, the chief election officer, or the county clerk in the case of a report from a local school board candidate, shall send a receipt or notice to the filer of the report, that verifies the election officer's receipt of the report.

(b) The receipt or notice verifying receipt of the report shall:

(i) show the time and date that the report was received; and

(ii) be sent:

(A) via mail, if the report was submitted by mail; or

(B) via facsimile, if the report was submitted by facsimile.

(c) The chief election officer or county clerk is not required to send a receipt or notice verifying receipt of a report if the filer of the report does not provide a facsimile number or mailing address when filing the report.

331 Section {4} 5 . Effective date.