

1 CAMPAIGN FINANCE DISCLOSURE

2 REVISIONS

3 2008 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Peter C. Knudson

6 House Sponsor: Glenn A. Donnelson

8 LONG TITLE

9 General Description:

10 This bill modifies provisions related to campaign finance disclosure.

11 Highlighted Provisions:

12 This bill:

13 ▶ requires a candidate to receive notice that they must comply with financial disclosure
14 laws at the time the candidate files for office;

15 ▶ requires candidates for state constitutional office and the Legislature and applicable
16 local candidates to receive notice of the obligation to file a pre-convention report
17 when the candidate files for office;

18 ▶ consolidates definitions for clarity and consistency;

19 ▶ clarifies the election officer's obligations to provide notice that certain campaign
20 financial statements are due;

21 ▶ provides that the election officer is not required to send advance notice of the
22 requirement to file a report due before a convention or a report due in relation to a
23 public hearing conducted on a proposed initiative;

24 ▶ specifies what information the notices sent by the election officer must contain;

25 ▶ requires that election-related financial reports that were previously due on
26 September 15, are due by August 31;

27 ▶ requires that reports due on August 31 be filed by every candidate, rather than only
28 by those that are opposed;

29 ▶ requires that year end summary reports that were previously due on January 5, are

30 due by January 10;

31 ▶ removes outdated filing guidelines;

32 ▶ requires that reports due before a political convention or primary election be filed by
33 all candidates, rather than only by those candidates that are opposed in the political
34 convention or primary election;

35 ▶ requires that beginning with the 2008 regular general election, a former candidate for
36 state office, legislative office, or school board office must file an annual summary
37 report by January 10 of each year if the former candidate has not filed a statement of
38 dissolution of the former candidate's campaign account;

39 ▶ requires that political action committees be required to file a statement of
40 organization after making expenditures of \$50 or more, rather than \$750, in order to
41 be consistent with the threshold for political issues committees;

42 ▶ removes requirements for corporations to file reports on March 1 and June 1 in
43 relation to donations to political issues committees;

44 ▶ removes requirements for political issues committees to file reports on March 1 and
45 June 1;

46 ▶ provides that all filers have five days after the reporting period ends to prepare a
47 financial report;

48 ▶ adds a requirement for political issues committees to file a financial report at the time
49 a verified referendum packet is submitted;

50 ▶ requires a state school board office candidate to file a May 15 financial report; and

51 ▶ makes technical changes.

52 **Monies Appropriated in this Bill:**

53 None

54 **Other Special Clauses:**

55 This bill provides an immediate effective date.

56 This bill coordinates with S.B. 12, Election Law Modifications, by providing substantive
57 amendments.

58 **Utah Code Sections Affected:**

59 **AMENDS:**

60 **20A-9-201**, as last amended by Laws of Utah 2007, Chapters 83 and 97

61 **20A-11-101**, as last amended by Laws of Utah 2004, Chapter 90

62 **20A-11-103**, as last amended by Laws of Utah 2001, Chapter 166

63 **20A-11-203**, as last amended by Laws of Utah 1997, Chapter 355

64 **20A-11-204**, as last amended by Laws of Utah 1999, Chapter 93

65 **20A-11-206**, as last amended by Laws of Utah 1999, Chapter 93

66 **20A-11-302**, as last amended by Laws of Utah 1997, Chapter 355

67 **20A-11-303**, as last amended by Laws of Utah 1999, Chapter 93

68 **20A-11-305**, as last amended by Laws of Utah 1999, Chapter 93

69 **20A-11-401**, as last amended by Laws of Utah 2007, Chapter 233

70 **20A-11-506**, as last amended by Laws of Utah 1997, Chapter 355

71 **20A-11-507**, as last amended by Laws of Utah 1997, Chapter 355

72 **20A-11-508**, as last amended by Laws of Utah 2006, Chapter 16

73 **20A-11-601**, as last amended by Laws of Utah 2006, Chapter 226

74 **20A-11-602**, as last amended by Laws of Utah 1999, Chapters 45 and 86

75 **20A-11-603**, as enacted by Laws of Utah 1997, Chapter 355

76 **20A-11-701**, as last amended by Laws of Utah 1998, Chapter 40

77 **20A-11-702**, as last amended by Laws of Utah 2003, Chapters 160 and 304

78 **20A-11-802**, as last amended by Laws of Utah 2003, Chapters 160 and 304

79 **20A-11-803**, as enacted by Laws of Utah 1997, Chapter 355

80 **20A-11-1302**, as enacted by Laws of Utah 1997, Chapter 355

81 **20A-11-1303**, as enacted by Laws of Utah 1997, Chapter 355

82 **20A-11-1305**, as last amended by Laws of Utah 2003, Chapter 215

83 **20A-12-304**, as enacted by Laws of Utah 2001, Chapter 166

84

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

86 Section 1. Section **20A-9-201** is amended to read:

87 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
88 **more than one political party prohibited with exceptions -- General filing and form**
89 **requirements.**

90 (1) Before filing a declaration of candidacy for election to any office, a person shall:

91 (a) be a United States citizen; and

92 (b) meet the legal requirements of that office.

93 (2) (a) Except as provided in Subsection (2)(b), a person may not:

94 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
95 Utah during any election year; or

96 (ii) appear on the ballot as the candidate of more than one political party.

97 (b) A person may file a declaration of candidacy for, or be a candidate for, President or
98 Vice President of the United States and another office, if the person resigns the person's
99 candidacy for the other office after the person is officially nominated for President or Vice
100 President of the United States.

101 (3) If the final date established for filing a declaration of candidacy is a Saturday or
102 Sunday, the filing time shall be extended until 5 p.m. on the following business day.

103 (4) (a) (i) Except for presidential candidates, before the filing officer may accept any
104 declaration of candidacy, the filing officer shall:

105 (A) read to the prospective candidate the constitutional and statutory qualification
106 requirements for the office that the candidate is seeking; and

107 (B) require the candidate to state whether or not the candidate meets those
108 requirements.

109 (ii) Before accepting a declaration of candidacy for the office of county attorney, the
110 county clerk shall ensure that the person filing that declaration of candidacy is:

111 (A) a United States citizen;

112 (B) an attorney licensed to practice law in Utah who is an active member in good
113 standing of the Utah State Bar;

114 (C) a registered voter in the county in which he is seeking office; and
115 (D) a current resident of the county in which he is seeking office and either has been a
116 resident of that county for at least one year or was appointed and is currently serving as county
117 attorney and became a resident of the county within 30 days after appointment to the office.

118 (iii) Before accepting a declaration of candidacy for the office of district attorney, the
119 county clerk shall ensure that, as of the date of the election, the person filing that declaration of
120 candidacy is:

121 (A) a United States citizen;
122 (B) an attorney licensed to practice law in Utah who is an active member in good
123 standing of the Utah State Bar;
124 (C) a registered voter in the prosecution district in which he is seeking office; and
125 (D) a current resident of the prosecution district in which he is seeking office and either
126 will have been a resident of that prosecution district for at least one year as of the date of the
127 election or was appointed and is currently serving as district attorney and became a resident of
128 the prosecution district within 30 days after receiving appointment to the office.

129 (iv) Before accepting a declaration of candidacy for the office of county sheriff, the
130 county clerk shall ensure that the person filing the declaration of candidacy:

131 (A) as of the date of filing:
132 (I) is a United States citizen;
133 (II) is a registered voter in the county in which the person seeks office;
134 (III) (Aa) has successfully met the standards and training requirements established for
135 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and
136 Certification Act; or
137 (Bb) has passed a certification examination as provided in Section 53-6-206; and
138 (IV) is qualified to be certified as a law enforcement officer, as defined in Section
139 53-13-103; and
140 (B) as of the date of the election, shall have been a resident of the county in which the
141 person seeks office for at least one year.

142 (b) If the prospective candidate states that he does not meet the qualification
143 requirements for the office, the filing officer may not accept the prospective candidate's
144 declaration of candidacy.

145 (c) If the candidate states that he meets the requirements of candidacy, the filing officer
146 shall:

147 (i) inform the candidate that:

148 (A) the candidate's name will appear on the ballot as it is written on the declaration of
149 candidacy;

150 (B) the candidate may be required to comply with state or local campaign finance
151 disclosure laws; and

152 (C) the candidate is required to file a financial statement before the candidate's political
153 convention under:

154 (I) Section 20A-11-204 for a candidate for constitutional office;

155 (II) Section 20A-11-303 for a candidate for the Legislature; or

156 (III) local campaign finance disclosure laws, if applicable;

157 (ii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide
158 Electronic Voter Information Website Program and inform the candidate of the submission
159 deadline under Subsection 20A-7-801(4)(a);

160 (iii) provide the candidate with a copy of the pledge of fair campaign practices
161 described under Section 20A-9-206 and inform the candidate that:

162 (A) signing the pledge is voluntary; and

163 (B) signed pledges shall be filed with the filing officer;

164 (iv) accept the candidate's declaration of candidacy; and

165 (v) if the candidate has filed for a partisan office, provide a certified copy of the
166 declaration of candidacy to the chair of the county or state political party of which the candidate
167 is a member.

168 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing officer
169 shall:

170 (i) accept the candidate's pledge; and

171 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
172 candidate's pledge to the chair of the county or state political party of which the candidate is a
173 member.

174 (5) Except for presidential candidates, the form of the declaration of candidacy shall be
175 substantially as follows:

176 "State of Utah, County of ____

177 I, _____, declare my intention of becoming a candidate for the office of ____
178 as a candidate for the ____ party. I do solemnly swear that: I can qualify to hold that office,
179 both legally and constitutionally, if selected; I reside at _____ in the City or Town of
180 _____, Utah, Zip Code ____ Phone No. ____; I will not knowingly violate any law governing
181 campaigns and elections; and I will qualify for the office if elected to it. The mailing address
182 that I designate for receiving official election notices is _____.

183 _____

184 Subscribed and sworn before me this _____(month\day\year).

185 Notary Public (or other officer qualified to administer oath.)"

186 (6) (a) Except for presidential candidates, the fee for filing a declaration of candidacy is:

187 (i) \$25 for candidates for the local school district board; and

188 (ii) 1/8 of 1% of the total salary for the full term of office legally paid to the person
189 holding the office, but not less than \$5, for all other federal, state, and county offices.

190 (b) Except for presidential candidates, the filing officer shall refund the filing fee to any
191 candidate:

192 (i) who is disqualified; or

193 (ii) who the filing officer determines has filed improperly.

194 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received
195 from candidates.

196 (ii) The lieutenant governor shall:

197 (A) apportion to and pay to the county treasurers of the various counties all fees

198 received for filing of nomination certificates or acceptances; and

199 (B) ensure that each county receives that proportion of the total amount paid to the
200 lieutenant governor from the congressional district that the total vote of that county for all
201 candidates for representative in Congress bears to the total vote of all counties within the
202 congressional district for all candidates for representative in Congress.

203 (d) (i) Each person who is unable to pay the filing fee may file a declaration of
204 candidacy without payment upon a prima facie showing of impecuniosity as evidenced by an
205 affidavit of impecuniosity filed with the filing officer.

206 (ii) The filing officer shall ensure that the affidavit of impecuniosity is printed in
207 substantially the following form:

208 "Affidavit of Impecuniosity

209 Individual Name

210 _____ Address _____

211 Phone Number _____

212 I, _____ (name), do solemnly [swear] [affirm] that, owing to my
213 poverty, I am unable to pay the filing fee required by law.

214 Date _____ Signature _____

215 Affiant

216 Subscribed and sworn to before me on _____ (month\day\year)

217 _____
218 (signature)

219 Name and Title of Officer Authorized to Administer Oath _____"

220 (7) Any person who fails to file a declaration of candidacy or certificate of nomination
221 within the time provided in this chapter is ineligible for nomination to office.

222 (8) A declaration of candidacy filed under this section may not be amended or modified
223 after the final date established for filing a declaration of candidacy.

224 Section 2. Section **20A-11-101** is amended to read:

225 **20A-11-101. Definitions.**

226 As used in this chapter:

227 (1) "Address" means the number and street where an individual resides or where a
228 reporting entity has its principal office.

229 (2) "Ballot proposition" includes initiatives, referenda, proposed constitutional
230 amendments, and any other ballot propositions submitted to the voters that are authorized by
231 the Utah Code Annotated 1953.

232 (3) "Candidate" means any person who:

233 (a) files a declaration of candidacy for a public office; or

234 (b) receives contributions, makes expenditures, or gives consent for any other person to
235 receive contributions or make expenditures to bring about the person's nomination or election to
236 a public office.

237 (4) "Chief election officer" means:

238 (a) the lieutenant governor for state office candidates, legislative office candidates,
239 officeholders, political parties, political action committees, corporations, political issues
240 committees, and state school board candidates; and

241 (b) the county clerk for local school board candidates.

242 (5) "Continuing political party" means an organization of voters that participated in the
243 last regular general election and polled a total vote equal to 2% or more of the total votes cast
244 for all candidates for the United States House of Representatives.

245 (6) (a) "Contribution" means any of the following when done for political purposes:

246 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
247 value given to the filing entity;

248 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
249 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
250 anything of value to the filing entity;

251 (iii) any transfer of funds from another reporting entity or a corporation to the filing
252 entity;

253 (iv) compensation paid by any person or reporting entity other than the filing entity for

254 personal services provided without charge to the filing entity;

255 (v) remuneration from any organization or its directly affiliated organization that has a
256 registered lobbyist to compensate a legislator for a loss of salary or income while the Legislature
257 is in session;

258 (vi) salaries or other remuneration paid to a legislator by any agency or subdivision of
259 the state, including school districts, for the period the Legislature is in session; and

260 (vii) goods or services provided to or for the benefit of the filing entity at less than fair
261 market value.

262 (b) "Contribution" does not include:

263 (i) services provided without compensation by individuals volunteering a portion or all
264 of their time on behalf of the filing entity; or

265 (ii) money lent to the filing entity by a financial institution in the ordinary course of
266 business.

267 (7) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
268 organization that is registered as a corporation or is authorized to do business in a state and
269 makes any expenditure from corporate funds for:

270 (i) political purposes; or

271 (ii) the purpose of influencing the approval or the defeat of any ballot proposition.

272 (b) "Corporation" does not mean:

273 (i) a business organization's political action committee or political issues committee; or

274 (ii) a business entity organized as a partnership or a sole proprietorship.

275 (8) "Detailed listing" means:

276 (a) for each contribution or public service assistance:

277 (i) the name and address of the individual or source making the contribution or public
278 service assistance;

279 (ii) the amount or value of the contribution or public service assistance; and

280 (iii) the date the contribution or public service assistance was made; and

281 (b) for each expenditure:

- 282 (i) the amount of the expenditure;
- 283 (ii) the person or entity to whom it was disbursed;
- 284 (iii) the specific purpose, item, or service acquired by the expenditure; and
- 285 (iv) the date the expenditure was made.
- 286 (9) "Election" means each:
 - 287 (a) regular general election;
 - 288 (b) regular primary election; and
 - 289 (c) special election at which candidates are eliminated and selected.
- 290 (10) (a) "Expenditure" means:
 - 291 (i) any disbursement from contributions, receipts, or from the separate bank account
 - 292 required by this chapter;
 - 293 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
 - 294 or anything of value made for political purposes;
 - 295 (iii) an express, legally enforceable contract, promise, or agreement to make any
 - 296 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
 - 297 value for political purposes;
 - 298 (iv) compensation paid by a corporation or filing entity for personal services rendered
 - 299 by a person without charge to a reporting entity;
 - 300 (v) a transfer of funds between the filing entity and a candidate's personal campaign
 - 301 committee; or
 - 302 (vi) goods or services provided by the filing entity to or for the benefit of another
 - 303 reporting entity for political purposes at less than fair market value.
- 304 (b) "Expenditure" does not include:
 - 305 (i) services provided without compensation by individuals volunteering a portion or all
 - 306 of their time on behalf of a reporting entity;
 - 307 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
 - 308 business; or
 - 309 (iii) anything listed in Subsection (10)(a) that is given by a corporation or reporting

310 entity to candidates for office or officeholders in states other than Utah.

311 (11) "Filing entity" means the reporting entity that is filing a [~~report~~] financial statement
312 required by this chapter.

313 (12) "Financial statement" includes any summary report, interim report, verified
314 financial statement, or other statement disclosing contributions, expenditures, receipts,
315 donations, or disbursements that is required by this chapter.

316 (13) "Governing board" means the individual or group of individuals that determine the
317 candidates and committees that will receive expenditures from a political action committee.

318 (14) "Incorporation" means the process established by Title 10, Chapter 2, Part 1,
319 Incorporation, by which a geographical area becomes legally recognized as a city or town.

320 (15) "Incorporation election" means the election authorized by Section 10-2-111.

321 (16) "Incorporation petition" means a petition authorized by Section 10-2-109.

322 (17) "Individual" means a natural person.

323 (18) "Interim report" means a report identifying the contributions received and
324 expenditures made since the last report.

325 (19) "Legislative office" means the office of state senator, state representative, speaker
326 of the House of Representatives, president of the Senate, and the leader, whip, and assistant
327 whip of any party caucus in either house of the Legislature.

328 (20) "Legislative office candidate" means a person who:

329 (a) files a declaration of candidacy for the office of state senator or state representative;

330 (b) declares himself to be a candidate for, or actively campaigns for, the position of
331 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
332 assistant whip of any party caucus in either house of the Legislature; and

333 (c) receives contributions, makes expenditures, or gives consent for any other person to
334 receive contributions or make expenditures to bring about the person's nomination or election to
335 a legislative office.

336 (21) "Newly registered political party" means an organization of voters that has
337 complied with the petition and organizing procedures of this chapter to become a registered

338 political party.

339 (22) "Officeholder" means a person who holds a public office.

340 (23) "Party committee" means any committee organized by or authorized by the
341 governing board of a registered political party.

342 (24) "Person" means both natural and legal persons, including individuals, business
343 organizations, personal campaign committees, party committees, political action committees,
344 political issues committees, labor unions, and labor organizations.

345 (25) "Personal campaign committee" means the committee appointed by a candidate to
346 act for the candidate as provided in this chapter.

347 (26) (a) "Political action committee" means an entity, or any group of individuals or
348 entities within or outside this state, that solicits or receives contributions from any other person,
349 group, or entity or makes expenditures for political purposes. A group or entity may not divide
350 or separate into units, sections, or smaller groups for the purpose of avoiding the financial
351 reporting requirements of this chapter, and substance shall prevail over form in determining the
352 scope or size of a political action committee.

353 (b) "Political action committee" includes groups affiliated with a registered political
354 party but not authorized or organized by the governing board of the registered political party
355 that receive contributions or makes expenditures for political purposes.

356 (c) "Political action committee" does not mean:

357 (i) a party committee;

358 (ii) any entity that provides goods or services to a candidate or committee in the regular
359 course of its business at the same price that would be provided to the general public;

360 (iii) an individual;

361 (iv) individuals who are related and who make contributions from a joint checking
362 account;

363 (v) a corporation; or

364 (vi) a personal campaign committee.

365 (27) "Political convention" means a county or state political convention held by a

366 registered political party to select candidates.

367 (28) (a) "Political issues committee" means an entity, or any group of individuals or
368 entities within or outside this state, that solicits or receives donations from any other person,
369 group, or entity or makes disbursements to influence, or to intend to influence, directly or
370 indirectly, any person to:

371 (i) assist in placing a statewide ballot proposition on the ballot, assist in keeping a
372 statewide ballot proposition off the ballot, or refrain from voting or vote for or vote against any
373 statewide ballot proposition; or

374 (ii) sign or refuse to sign an incorporation petition or refrain from voting, vote for, or
375 vote against any proposed incorporation in an incorporation election.

376 (b) "Political issues committee" does not mean:

377 (i) a registered political party or a party committee;

378 (ii) any entity that provides goods or services to an individual or committee in the
379 regular course of its business at the same price that would be provided to the general public;

380 (iii) an individual;

381 (iv) individuals who are related and who make contributions from a joint checking
382 account; or

383 (v) a corporation, except a corporation whose apparent purpose is to act as a political
384 issues committee.

385 (29) (a) "Political issues contribution" means any of the following:

386 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
387 anything of value given to a political issues committee;

388 (ii) an express, legally enforceable contract, promise, or agreement to make a political
389 issues donation to influence the approval or defeat of any ballot proposition;

390 (iii) any transfer of funds received by a political issues committee from a reporting
391 entity;

392 (iv) compensation paid by another reporting entity for personal services rendered
393 without charge to a political issues committee; and

394 (v) goods or services provided to or for the benefit of a political issues committee at
395 less than fair market value.

396 (b) "Political issues contribution" does not include:

397 (i) services provided without compensation by individuals volunteering a portion or all
398 of their time on behalf of a political issues committee; or

399 (ii) money lent to a political issues committee by a financial institution in the ordinary
400 course of business.

401 (30) (a) "Political issues expenditure" means any of the following:

402 (i) any payment from political issues contributions made for the purpose of influencing
403 the approval or the defeat of a statewide ballot proposition;

404 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
405 the purpose of influencing the approval or the defeat of a statewide ballot proposition;

406 (iii) an express, legally enforceable contract, promise, or agreement to make any
407 political issues expenditure;

408 (iv) compensation paid by a reporting entity for personal services rendered by a person
409 without charge to a political issues committee; or

410 (v) goods or services provided to or for the benefit of another reporting entity at less
411 than fair market value.

412 (b) "Political issues expenditure" does not include:

413 (i) services provided without compensation by individuals volunteering a portion or all
414 of their time on behalf of a political issues committee; or

415 (ii) money lent to a political issues committee by a financial institution in the ordinary
416 course of business.

417 (31) "Political purposes" means an act done with the intent or in a way to influence or
418 tend to influence, directly or indirectly, any person to refrain from voting or to vote for or
419 against any candidate for public office at any caucus, political convention, primary, or election.

420 (32) "Primary election" means any regular primary election held under the election laws.

421 (33) "Public office" means the office of governor, lieutenant governor, state auditor,

422 state treasurer, attorney general, state or local school board member, state senator, state
423 representative, speaker of the House of Representatives, president of the Senate, and the leader,
424 whip, and assistant whip of any party caucus in either house of the Legislature.

425 (34) (a) "Public service assistance" means the following when given or provided to an
426 officeholder to defray the costs of functioning in a public office or aid the officeholder to
427 communicate with the officeholder's constituents:

428 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
429 money or anything of value to an officeholder; or

430 (ii) goods or services provided at less than fair market value to or for the benefit of the
431 officeholder.

432 (b) "Public service assistance" does not include:

433 (i) anything provided by the state;

434 (ii) services provided without compensation by individuals volunteering a portion or all
435 of their time on behalf of an officeholder;

436 (iii) money lent to an officeholder by a financial institution in the ordinary course of
437 business;

438 (iv) news coverage or any publication by the news media; or

439 (v) any article, story, or other coverage as part of any regular publication of any
440 organization unless substantially all the publication is devoted to information about the
441 officeholder.

442 (35) "Publicly identified class of individuals" means a group of 50 or more individuals
443 sharing a common occupation, interest, or association that contribute to a political action
444 committee or political issues committee and whose names can be obtained by contacting the
445 political action committee or political issues committee upon whose financial report they are
446 listed.

447 (36) "Receipts" means contributions and public service assistance.

448 (37) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
449 Lobbyist Disclosure and Regulation Act.

450 (38) "Registered political action committee" means any political action committee that
451 is required by this chapter to file a statement of organization with the lieutenant governor's
452 office.

453 (39) "Registered political issues committee" means any political issues committee that is
454 required by this chapter to file a statement of organization with the lieutenant governor's office.

455 (40) "Registered political party" means an organization of voters that:

456 (a) participated in the last regular general election and polled a total vote equal to 2%
457 or more of the total votes cast for all candidates for the United States House of Representatives
458 for any of its candidates for any office; or

459 (b) has complied with the petition and organizing procedures of this chapter.

460 [~~(41)~~] "Report" means a verified financial statement.]

461 [~~(42)~~] (41) "Reporting entity" means a candidate, a candidate's personal campaign
462 committee, an officeholder, [~~and~~] a party committee, a political action committee, and a political
463 issues committee.

464 [~~(43)~~] (42) "School board office" means the office of state school board or local school
465 board.

466 [~~(44)~~] (43) (a) "Source" means the person or entity that is the legal owner of the
467 tangible or intangible asset that comprises the contribution.

468 (b) "Source" means, for political action committees and corporations, the political
469 action committee and the corporation as entities, not the contributors to the political action
470 committee or the owners or shareholders of the corporation.

471 [~~(45)~~] (44) "State office" means the offices of governor, lieutenant governor, attorney
472 general, state auditor, and state treasurer.

473 [~~(46)~~] (45) "State office candidate" means a person who:

474 (a) files a declaration of candidacy for a state office; or

475 (b) receives contributions, makes expenditures, or gives consent for any other person to
476 receive contributions or make expenditures to bring about the person's nomination or election to
477 a state office.

478 ~~[(47)]~~ (46) "Summary report" means the year end report containing the summary of a
479 reporting entity's contributions and expenditures.

480 ~~[(48)]~~ (47) "Supervisory board" means the individual or group of individuals that
481 allocate expenditures from a political issues committee.

482 Section 3. Section **20A-11-103** is amended to read:

483 **20A-11-103. Notice of pending interim and summary reports -- Form of**
484 **submission.**

485 (1) (a) ~~[(i) Ten]~~ Except as provided under Subsection (1)(b), ten days before a ~~[report]~~
486 financial statement from a state office candidate, legislative office candidate, officeholder, state
487 school board candidate, political party, political action committee, political issues committee, or
488 judge is due under this chapter, the lieutenant governor shall inform those candidates,
489 officeholders, parties, committees, and judges~~[-, and entities]~~ by postal mail or, if requested by
490 the candidate, ~~[judge,]~~ officeholder, party, ~~[or]~~ committee, or judge, by electronic mail:

491 ~~[(A)]~~ (i) that the ~~[report]~~ financial statement is due; ~~[and]~~

492 ~~[(B)]~~ (ii) the date that the ~~[report]~~ financial statement is due~~[-];~~

493 ~~[(ii)]~~ (iii) ~~[In addition to the information required by Subsection (1)(a)(i) and in the~~
494 ~~same mailing, ten days before the interim reports for candidates or judges are due, the lieutenant~~
495 ~~governor shall inform the candidate or judge]~~ if the notification is sent to a judge in reference to
496 the interim report due before the regular general election, or to a candidate in reference to an
497 interim report due before the regular primary election, on August 31, or before the regular
498 general election, that if the report is not ~~[received in the lieutenant governor's office by 5 p.m.~~
499 ~~on the date that it is due]~~ timely filed, voters will be informed that the candidate or judge has
500 been disqualified and any votes cast for the candidate or judge will not be counted~~[-];~~

501 ~~[(iii)]~~ (iv) ~~[In addition to the information required by Subsection (1)(a)(i) and in the~~
502 ~~same mailing, ten days before the interim reports or verified financial statements for entities that~~
503 ~~are due September 15 and before the regular general election are due, and ten days before~~
504 ~~summary reports or January 5 financial statements are due, the lieutenant governor shall inform~~
505 ~~the entity, candidate, judge, or officeholder that if the report is not received in the lieutenant~~

506 ~~governor's office by the date that it is due, the entity, candidate, judge, or officeholder] if the~~
507 ~~notification is sent to a political party, political action committee, or political issues committee~~
508 ~~in reference to an interim report or a verified financial statement, that the entity may be guilty of~~
509 a class B misdemeanor for failing to file the report or statement[-]; and

510 (v) if the notification is in reference to a summary report, that the candidate,
511 officeholder, party, committee, or judge may be guilty of a class B misdemeanor for failing to
512 file the report.

513 (b) Notwithstanding the provisions of Subsection (1)(a), under this section the
514 lieutenant governor is not required to provide notice:

515 (i) to a candidate of the financial statement that is due before the candidate's political
516 convention; or

517 (ii) of a financial statement due in connection with a public hearing for an initiative
518 under the requirements of Section 20A-7-204.1

519 ~~[(b)]~~ (c) Ten days before ~~[a]~~ an interim or summary report from a local school board
520 candidate is due under this chapter, the county clerk shall inform the candidate by postal mail
521 or, if requested, by electronic mail:

522 (i) that the report is due;

523 (ii) the date that the report is due; ~~and]~~

524 (iii) if the notification is in reference to an interim report due before the regular primary
525 election, on August 31, or before the regular general election, that, if the report is not [received
526 in the county clerk's office by 5 p.m. on the date that it is due] timely filed, voters will be
527 informed that the candidate has been disqualified and any votes cast for the candidate will not be
528 counted[-]; and

529 (iv) if the notification is in reference to a summary report, that the candidate may be
530 guilty of a class B misdemeanor for failing to file the report.

531 (2) Persons or entities submitting ~~[reports]~~ financial statements required by this chapter
532 may submit them:

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

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

537 (c) via fax; or

538 (d) via electronic mail or the Internet, according to specifications established by the
539 chief election officer.

540 (3) A [report] financial statement is considered timely filed if:

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

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

545 (c) the candidate, judge, or entity has proof that the [report] financial statement was
546 mailed, with appropriate postage and addressing, three days before the [report] financial
547 statement was due.

548 Section 4. Section **20A-11-203** is amended to read:

549 **20A-11-203. State office candidate -- Financial reporting requirements --**
550 **Year-end summary report.**

551 (1) (a) Each state office candidate shall file a summary report by January [5] 10 of the
552 year after the regular general election year.

553 (b) Beginning with the 2008 regular general election and in addition to the requirements
554 of Subsection (1)(a), a former state office candidate that has not filed the statement of
555 dissolution and final summary report required under Section 20A-11-205 shall continue to file a
556 summary report on January 10 of each year.

557 (2) (a) Each summary report shall include the following information as of December 31
558 of the [~~last regular general election~~] previous year:

559 (i) the net balance of the last summary report, if any;

560 (ii) a single figure equal to the total amount of receipts reported on all interim reports, if
561 any;

562 (iii) a single figure equal to the total amount of expenditures reported on all interim
563 reports, if any, filed during the ~~[election]~~ previous year;

564 (iv) a detailed listing of each contribution and public service assistance received since
565 the last summary report that has not been reported in detail on an interim report;

566 (v) for each nonmonetary contribution, the fair market value of the contribution;

567 (vi) a detailed listing of each expenditure made since the last summary report that has
568 not been reported in detail on an interim report;

569 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

570 (viii) a net balance for the year consisting of the net balance from the last summary
571 report, if any, plus all receipts minus all expenditures.

572 (b) (i) For all single contributions or public service assistance of \$50 or less, a single
573 aggregate figure may be reported without separate detailed listings.

574 (ii) Two or more contributions from the same source that have an aggregate total of
575 more than \$50 may not be reported in the aggregate, but shall be reported separately.

576 (c) In preparing the report, all receipts and expenditures shall be reported as of
577 December 31 of the ~~[last regular general election]~~ previous year.

578 (3) The summary report shall contain a paragraph signed by an authorized member of
579 the state office candidate's personal campaign committee or by the state office candidate
580 certifying that, to the best of the signer's knowledge, all receipts and all expenditures have been
581 reported as of December 31 of the ~~[last regular general election]~~ previous year and that there
582 are no bills or obligations outstanding and unpaid except as set forth in that report.

583 ~~[(4) State office candidates reporting under this section need only report receipts
584 received and expenditures made after April 29, 1991.]~~

585 Section 5. Section **20A-11-204** is amended to read:

586 **20A-11-204. State office candidate -- Financial reporting requirements -- Interim**
587 **reports.**

588 (1) Each state office candidate shall file an interim report at the following times in any
589 year in which the candidate has filed a declaration of candidacy for a public office:

590 (a) seven days before ~~[any] the candidate's~~ political convention ~~[if more than one~~
591 ~~individual in the candidate's same party has filed a declaration of candidacy for the particular~~
592 ~~public office that the candidate seeks];~~

593 (b) seven days before the regular primary election date;

594 (c) ~~[September 15]~~ August 31; and

595 (d) seven days before the regular general election date.

596 (2) Each interim report shall include the following information:

597 (a) the net balance of the last summary report, if any;

598 (b) a single figure equal to the total amount of receipts reported on all prior interim
599 reports, if any, during the calendar year in which the interim report is due;

600 (c) a single figure equal to the total amount of expenditures reported on all prior interim
601 reports, if any, filed during the calendar year in which the interim report is due;

602 (d) a detailed listing of each contribution and public service assistance received since the
603 last summary report that has not been reported in detail on a prior interim report;

604 (e) for each nonmonetary contribution, the fair market value of the contribution;

605 (f) a detailed listing of each expenditure made since the last summary report that has not
606 been reported in detail on a prior interim report;

607 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

608 (h) a net balance for the year consisting of the net balance from the last summary report,
609 if any, plus all receipts since the last summary report minus all expenditures since the last
610 summary report; and

611 (i) a summary page in the form required by the lieutenant governor that identifies:

612 (i) beginning balance;

613 (ii) total contributions during the period since the last statement;

614 (iii) total contributions to date;

615 (iv) total expenditures during the period since the last statement; and

616 (v) total expenditures to date.

617 (3) (a) For all individual contributions or public service assistance of \$50 or less, a

618 single aggregate figure may be reported without separate detailed listings.

619 (b) Two or more contributions from the same source that have an aggregate total of
620 more than \$50 may not be reported in the aggregate, but shall be reported separately.

621 (4) In preparing each interim report, all receipts and expenditures shall be reported as
622 of five days before the required filing date of the report.

623 [~~(5) State office candidates reporting under this section need only report contributions~~
624 ~~received and expenditures made after April 29, 1991.~~]

625 Section 6. Section **20A-11-206** is amended to read:

626 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

627 (1) (a) If a state office candidate fails to file an interim report due before the regular
628 primary election, [~~September 15~~] on August 31, or before the regular general election, the
629 lieutenant governor shall, after making a reasonable attempt to discover if the report was timely
630 mailed, inform the county clerk and other appropriate election officials who:

631 (i) shall, if practicable, remove the name of the candidate by blacking out the candidate's
632 name before the ballots are delivered to voters; or

633 (ii) shall, if removing the candidate's name from the ballot is not practicable, inform the
634 voters by any practicable method that the candidate has been disqualified and that votes cast for
635 the candidate will not be counted; and

636 (iii) may not count any votes for that candidate.

637 (b) Any state office candidate who fails to file timely a financial statement required by
638 this part is disqualified and the vacancy on the ballot may be filled as provided in Section
639 20A-1-501.

640 (c) Notwithstanding Subsections (1)(a) and (1)(b), a state office candidate is not
641 disqualified if:

642 (i) the candidate files the reports required by this section;

643 (ii) those reports are completed, detailing accurately and completely the information
644 required by this part except for inadvertent omissions or insignificant errors or inaccuracies; and

645 (iii) those omissions, errors, or inaccuracies are corrected in an amended report or in

646 the next scheduled report.

647 (2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant
648 governor shall review each filed summary report to ensure that:

649 (i) each state office candidate that is required to file a summary report has filed one; and

650 (ii) each summary report contains the information required by this part.

651 (b) If it appears that any state office candidate has failed to file the summary report
652 required by law, if it appears that a filed summary report does not conform to the law, or if the
653 lieutenant governor has received a written complaint alleging a violation of the law or the falsity
654 of any summary report, the lieutenant governor shall, within five days of discovery of a violation
655 or receipt of a written complaint, notify the state office candidate of the violation or written
656 complaint and direct the state office candidate to file a summary report correcting the problem.

657 (c) (i) It is unlawful for any state office candidate to fail to file or amend a summary
658 report within 14 days after receiving notice from the lieutenant governor under this section.

659 (ii) Each state office candidate who violates Subsection (2)(c)(i) is guilty of a class B
660 misdemeanor.

661 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
662 attorney general.

663 Section 7. Section **20A-11-302** is amended to read:

664 **20A-11-302. Legislative office candidate -- Financial reporting requirements --**
665 **Year-end summary report.**

666 (1) (a) Each legislative office candidate shall file a summary report by January [5] 10 of
667 the year after the regular general election year.

668 (b) Beginning with the 2008 regular general election and in addition to the requirements
669 of Subsection (1)(a), a former legislative office candidate that has not filed the statement of
670 dissolution and final summary report required under Section 20A-11-304 shall continue to file a
671 summary report on January 10 of each year.

672 (2) (a) Each summary report shall include the following information as of December 31
673 of the [~~last regular general election~~] previous year:

- 674 (i) the net balance of the last summary report, if any;
- 675 (ii) a single figure equal to the total amount of receipts reported on all interim reports, if
676 any, during the calendar year in which the summary report is due;
- 677 (iii) a single figure equal to the total amount of expenditures reported on all interim
678 reports, if any, filed during the ~~[election]~~ previous year;
- 679 (iv) a detailed listing of each receipt, contribution, and public service assistance since
680 the last summary report that has not been reported in detail on an interim report;
- 681 (v) for each nonmonetary contribution, the fair market value of the contribution;
- 682 (vi) a detailed listing of each expenditure made since the last summary report that has
683 not been reported in detail on an interim report;
- 684 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
- 685 (viii) a net balance for the year consisting of the net balance from the last summary
686 report, if any, plus all receipts minus all expenditures.

687 (b) (i) For all individual contributions or public service assistance of \$50 or less, a single
688 aggregate figure may be reported without separate detailed listings.

689 (ii) Two or more contributions from the same source that have an aggregate total of
690 more than \$50 may not be reported in the aggregate, but shall be reported separately.

691 (c) In preparing the report, all receipts and expenditures shall be reported as of
692 December 31 of the ~~[last regular general election]~~ previous year.

693 (3) The summary report shall contain a paragraph signed by the legislative office
694 candidate certifying that to the best of the candidate's knowledge, all receipts and all
695 expenditures have been reported as of December 31 of the ~~[last regular general election]~~
696 previous year and that there are no bills or obligations outstanding and unpaid except as set
697 forth in that report.

698 ~~[(4) Legislative office candidates reporting under this section need only report receipts
699 received and expenditures made after April 29, 1991.]~~

700 Section 8. Section **20A-11-303** is amended to read:
701 **20A-11-303. Legislative office candidate -- Financial reporting requirements --**

702 **Interim reports.**

703 (1) Each legislative office candidate shall file an interim report at the following times in
704 any year in which the candidate has filed a declaration of candidacy for a public office:

705 (a) seven days before ~~[any] the candidate's~~ political convention ~~[if more than one~~
706 ~~individual in the candidate's same party has filed a declaration of candidacy for the particular~~
707 ~~public office that the candidate seeks];~~

708 (b) seven days before the regular primary election date~~[-if the candidate is on the ballot~~
709 ~~in the primary election];~~

710 (c) ~~[September 15, unless the candidate is unopposed]~~ August 31; and

711 (d) seven days before the regular general election date.

712 (2) Each interim report shall include the following information:

713 (a) the net balance of the last summary report, if any;

714 (b) a single figure equal to the total amount of receipts reported on all prior interim
715 reports, if any, during the calendar year in which the interim report is due;

716 (c) a single figure equal to the total amount of expenditures reported on all prior interim
717 reports, if any, filed during the calendar year in which the interim report is due;

718 (d) a detailed listing of each contribution and public service assistance received since the
719 last summary report that has not been reported in detail on a prior interim report;

720 (e) for each nonmonetary contribution, the fair market value of the contribution;

721 (f) a detailed listing of each expenditure made since the last summary report that has not
722 been reported in detail on a prior interim report;

723 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

724 (h) a net balance for the year consisting of the net balance from the last summary report,
725 if any, plus all receipts since the last summary report minus all expenditures since the last
726 summary report; and

727 (i) a summary page in the form required by the lieutenant governor that identifies:

728 (i) beginning balance;

729 (ii) total contributions during the period since the last statement;

- 730 (iii) total contributions to date;
- 731 (iv) total expenditures during the period since the last statement; and
- 732 (v) total expenditures to date.
- 733 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
- 734 single aggregate figure may be reported without separate detailed listings.
- 735 (b) Two or more contributions from the same source that have an aggregate total of
- 736 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 737 (4) In preparing each interim report, all receipts and expenditures shall be reported as of
- 738 five days before the required filing date of the report.

739 ~~[(5) Legislative office candidates reporting under this section need only report~~
740 ~~contributions received and expenditures made after April 29, 1991.]~~

741 Section 9. Section **20A-11-305** is amended to read:

742 **20A-11-305. Legislative office candidate -- Failure to file report -- Name not**
743 **printed on ballot -- Filling vacancy.**

744 (1) (a) If a legislative office candidate fails to file an interim report due before the
745 regular primary election, [~~September 15~~] on August 31, or before the regular general election,
746 the lieutenant governor shall, after making a reasonable attempt to discover if the report was
747 timely mailed, inform the county clerk and other appropriate election officials who:

748 (i) shall, if practicable, remove the name of the candidate by blacking out the candidate's
749 name before the ballots are delivered to voters; or

750 (ii) shall, if removing the candidate's name from the ballot is not practicable, inform the
751 voters by any practicable method that the candidate has been disqualified and that votes cast for
752 the candidate will not be counted; and

753 (iii) may not count any votes for that candidate.

754 (b) Any legislative office candidate who fails to file timely a financial statement required
755 by this part is disqualified and the vacancy on the ballot may be filled as provided in Section
756 20A-1-501.

757 (c) Notwithstanding Subsections (1)(a) and (1)(b), a legislative office candidate is not

758 disqualified if:

759 (i) the candidate files the reports required by this section;

760 (ii) those reports are completed, detailing accurately and completely the information
761 required by this part except for inadvertent omissions or insignificant errors or inaccuracies; and

762 (iii) those omissions, errors, or inaccuracies are corrected in an amended report or in
763 the next scheduled report.

764 (2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant
765 governor shall review each filed summary report to ensure that:

766 (i) each legislative office candidate that is required to file a summary report has filed
767 one; and

768 (ii) each summary report contains the information required by this part.

769 (b) If it appears that any legislative office candidate has failed to file the summary report
770 required by law, if it appears that a filed summary report does not conform to the law, or if the
771 lieutenant governor has received a written complaint alleging a violation of the law or the falsity
772 of any summary report, the lieutenant governor shall, within five days of discovery of a violation
773 or receipt of a written complaint, notify the legislative office candidate of the violation or
774 written complaint and direct the legislative office candidate to file a summary report correcting
775 the problem.

776 (c) (i) It is unlawful for any legislative office candidate to fail to file or amend a
777 summary report within 14 days after receiving notice from the lieutenant governor under this
778 section.

779 (ii) Each legislative office candidate who violates Subsection (2)(c)(i) is guilty of a class
780 B misdemeanor.

781 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
782 attorney general.

783 Section 10. Section **20A-11-401** is amended to read:

784 **20A-11-401. Officeholder financial reporting requirements -- Year-end summary**
785 **report.**

786 (1) (a) Each officeholder shall file a summary report by January [~~5~~ 10] of each year.

787 (b) An officeholder that is required to file a summary report both as an officeholder and
788 as a candidate for office under the requirements of this chapter may file a single summary report
789 as a candidate and an officeholder, provided that the combined report meets the requirements
790 of:

791 (i) this section; and

792 (ii) the section that provides the requirements for the summary report that must be filed
793 by the officeholder in the officeholder's capacity of a candidate for office.

794 (2) (a) Each summary report shall include the following information as of December 31
795 of the [~~last~~ previous] year:

796 (i) the net balance of the last summary report, if any;

797 (ii) a single figure equal to the total amount of receipts received since the last summary
798 report, if any;

799 (iii) a single figure equal to the total amount of expenditures made since the last
800 summary report, if any;

801 (iv) a detailed listing of each contribution and public service assistance received since
802 the last summary report;

803 (v) for each nonmonetary contribution, the fair market value of the contribution;

804 (vi) a detailed listing of each expenditure made since the last summary report;

805 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

806 (viii) a net balance for the year consisting of the net balance from the last summary
807 report plus all receipts minus all expenditures.

808 (b) (i) For all individual contributions or public service assistance of \$50 or less, a single
809 aggregate figure may be reported without separate detailed listings.

810 (ii) Two or more contributions from the same source that have an aggregate total of
811 more than \$50 may not be reported in the aggregate, but shall be reported separately.

812 (c) In preparing the report, all receipts and expenditures shall be reported as of
813 December 31 of the [~~last calendar~~ previous] year.

814 (3) The summary report shall contain a paragraph signed by the officeholder certifying
815 that, to the best of the officeholder's knowledge, all receipts and all expenditures have been
816 reported as of December 31 of the last calendar year and that there are no bills or obligations
817 outstanding and unpaid except as set forth in that report.

818 Section 11. Section **20A-11-506** is amended to read:

819 **20A-11-506. Political party financial reporting requirements -- Year-end**
820 **summary report.**

821 (1) ~~[Each]~~ The party committee of each registered political party shall file a summary
822 report by January [5] 10 of ~~[the year after the regular general election]~~ each year.

823 (2) (a) Each summary report shall include the following information as of December 31
824 of the ~~[regular general election]~~ previous year:

825 (i) the net balance of the last summary report, if any;

826 (ii) a single figure equal to the total amount of receipts reported on all interim reports, if
827 any, during the ~~[election]~~ previous year;

828 (iii) a single figure equal to the total amount of expenditures reported on all interim
829 reports, if any, filed during the ~~[election]~~ previous year;

830 (iv) a detailed listing of each contribution and public service assistance received since
831 the last summary report that has not been reported in detail on an interim report;

832 (v) for each nonmonetary contribution, the fair market value of the contribution;

833 (vi) a detailed listing of each expenditure made since the last summary report that has
834 not been reported in detail on an interim report;

835 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

836 (viii) a net balance for the year consisting of the net balance from the last summary
837 report, if any, plus all receipts minus all expenditures.

838 (b) (i) For all individual contributions or public service assistance of \$50 or less, a single
839 aggregate figure may be reported without separate detailed listings.

840 (ii) Two or more contributions from the same source that have an aggregate total of
841 more than \$50 may not be reported in the aggregate, but shall be reported separately.

842 (c) In preparing the report, all receipts and expenditures shall be reported as of
843 December 31 of the [~~last regular general election~~] previous year.

844 (3) The summary report shall contain a paragraph signed by the treasurer of the party
845 committee certifying that, to the best of the treasurer's knowledge, all receipts and all
846 expenditures have been reported as of December 31 of the [~~last regular general election~~]
847 previous year and that there are no bills or obligations outstanding and unpaid except as set
848 forth in that report.

849 Section 12. Section **20A-11-507** is amended to read:

850 **20A-11-507. Political party financial reporting requirements -- Interim reports.**

851 (1) [~~Each~~] The party committee of each registered political party shall file an interim
852 report at the following times in any year in which there is a regular general election:

853 (a) [~~September 15~~] August 31; and

854 (b) seven days before the general election.

855 (2) Each interim report shall include the following information:

856 (a) the net balance of the last summary report, if any;

857 (b) a single figure equal to the total amount of receipts reported on all prior interim
858 reports, if any, during the calendar year in which the interim report is due;

859 (c) a single figure equal to the total amount of expenditures reported on all prior interim
860 reports, if any, filed during the calendar year in which the interim report is due;

861 (d) a detailed listing of each contribution and public service assistance received since the
862 last summary report that has not been reported in detail on a prior interim report;

863 (e) for each nonmonetary contribution, the fair market value of the contribution;

864 (f) a detailed listing of each expenditure made since the last summary report that has not
865 been reported in detail on a prior interim report;

866 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

867 (h) a net balance for the year consisting of the net balance from the last summary report,
868 if any, plus all receipts since the last summary report minus all expenditures since the last
869 summary report; and

- 870 (i) a summary page in the form required by the lieutenant governor that identifies:
- 871 (i) beginning balance;
- 872 (ii) total contributions during the period since the last statement;
- 873 (iii) total contributions to date;
- 874 (iv) total expenditures during the period since the last statement; and
- 875 (v) total expenditures to date.

876 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
877 single aggregate figure may be reported without separate detailed listings.

878 (b) Two or more contributions from the same source that have an aggregate total of
879 more than \$50 may not be reported in the aggregate, but shall be reported separately.

880 (4) In preparing each interim report, all receipts and expenditures shall be reported as of
881 [~~three~~] five days before the required filing date of the report.

882 Section 13. Section **20A-11-508** is amended to read:

883 **20A-11-508. Political party reporting requirements -- Criminal penalties.**

884 (1) (a) Each registered political party that fails to file the interim reports due
885 [~~September 15~~] on August 31 or before the regular general election is guilty of a class B
886 misdemeanor.

887 (b) The lieutenant governor shall report all violations of Subsection (1)(a) to the
888 attorney general.

889 (2) Within 30 days after a deadline for the filing of a summary report required by this
890 part, the lieutenant governor shall review each filed report to ensure that:

891 (a) each political party that is required to file a report has filed one; and

892 (b) each report contains the information required by this part.

893 (3) If it appears that any political party has failed to file a report required by law, if it
894 appears that a filed report does not conform to the law, or if the lieutenant governor has
895 received a written complaint alleging a violation of the law or the falsity of any report, the
896 lieutenant governor shall, within five days of discovery of a violation or receipt of a written
897 complaint, notify the political party of the violation or written complaint and direct the political

898 party to file a summary report correcting the problem.

899 (4) (a) It is unlawful for any political party to fail to file or amend a summary report
900 within 14 days after receiving notice from the lieutenant governor under this section.

901 (b) Each political party who violates Subsection (4)(a) is guilty of a class B
902 misdemeanor.

903 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the
904 attorney general.

905 Section 14. Section **20A-11-601** is amended to read:

906 **20A-11-601. Political action committees -- Registration -- Criminal penalty for**
907 **providing false information or accepting unlawful contribution.**

908 (1) (a) Each political action committee shall file a statement of organization with the
909 lieutenant governor's office by January 10 of each year, unless the political action committee has
910 filed a notice of dissolution under Subsection (4).

911 (b) If a political action committee is organized after the January 10 filing date, the
912 political action committee shall file an initial statement of organization no later than seven days
913 after:

914 (i) receiving contributions totaling at least \$750; or

915 (ii) distributing expenditures for political purposes totaling at least [~~\$750~~] \$50.

916 (c) If January 10 falls on a weekend or holiday, the statement of organization shall be
917 filed by the following business day.

918 (2) Each political action committee shall designate two officers that have primary
919 decision-making authority for the political action committee.

920 (3) The statement of organization shall include:

921 (a) the name and address of the political action committee;

922 (b) the name, street address, phone number, occupation, and title of the two primary
923 officers designated under Subsection (2);

924 (c) the name, street address, occupation, and title of all other officers of the political
925 action committee;

926 (d) the name and street address of the organization, individual corporation, association,
927 unit of government, or union that the political action committee represents, if any;

928 (e) the name and street address of all affiliated or connected organizations and their
929 relationships to the political action committee;

930 (f) the name, street address, business address, occupation, and phone number of the
931 committee's treasurer or chief financial officer; and

932 (g) the name, street address, and occupation of each member of the governing and
933 advisory boards, if any.

934 (4) (a) Any registered political action committee that intends to permanently cease
935 operations shall file a notice of dissolution with the lieutenant governor's office.

936 (b) Any notice of dissolution filed by a political action committee does not exempt that
937 political action committee from complying with the financial reporting requirements of this
938 chapter.

939 (5) (a) Unless the political action committee has filed a notice of dissolution under
940 Subsection (4), a political action committee shall file, with the lieutenant governor's office,
941 notice of any change of an officer described in Subsection (2).

942 (b) Notice of a change of a primary officer described in Subsection (2) shall:

943 (i) be filed within ten days of the date of the change; and

944 (ii) contain the name and title of the officer being replaced, and the name, street
945 address, occupation, and title of the new officer.

946 (6) (a) A person is guilty of providing false information in relation to a political action
947 committee if the person intentionally or knowingly gives false or misleading material
948 information in the statement of organization or the notice of change of primary officer.

949 (b) Each primary officer designated in Subsection (2) is guilty of accepting an unlawful
950 contribution if the political action committee knowingly or recklessly accepts a contribution
951 from a corporation that:

952 (i) was organized less than 90 days before the date of the general election; and

953 (ii) at the time the political action committee accepts the contribution, has failed to file a

954 statement of organization with the lieutenant governor's office as required by Section
955 20A-11-704.

956 (c) A violation of this Subsection (6) is a third degree felony.

957 Section 15. Section **20A-11-602** is amended to read:

958 **20A-11-602. Political action committees -- Financial reporting.**

959 (1) (a) Each registered political action committee that has received contributions
960 totaling at least \$750, or [made] disbursed expenditures [that total] totaling at least [\$750] \$50,
961 during a calendar year shall file a verified financial statement with the lieutenant governor's
962 office on:

963 (i) January [~~5~~] 10, reporting contributions and expenditures as of December 31 of the
964 previous year;

965 (ii) [~~September 15~~] August 31; and

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

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

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

970 (ii) for financial statements filed on [~~September 15~~] August 31 and before the general
971 election, all contributions and expenditures as of [~~three~~] five days before the required filing date
972 of the financial statement.

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

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

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

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

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

- 982 (iv) for each nonmonetary contribution, the fair market value of the contribution;
 - 983 (v) the name and address of each reporting entity that received an expenditure from the
 - 984 reporting political action committee, and the amount of each expenditure;
 - 985 (vi) for each nonmonetary expenditure, the fair market value of the expenditure;
 - 986 (vii) the total amount of contributions received and expenditures disbursed by the
 - 987 reporting political action committee;
 - 988 (viii) a paragraph signed by the political action committee's treasurer or chief financial
 - 989 officer verifying that, to the best of the signer's knowledge, the financial report is accurate; and
 - 990 (ix) a summary page in the form required by the lieutenant governor that identifies:
 - 991 (A) beginning balance;
 - 992 (B) total contributions during the period since the last statement;
 - 993 (C) total contributions to date;
 - 994 (D) total expenditures during the period since the last statement; and
 - 995 (E) total expenditures to date.
 - 996 (b) (i) Contributions received by a political action committee that have a value of \$50 or
 - 997 less need not be reported individually, but shall be listed on the report as an aggregate total.
 - 998 (ii) Two or more contributions from the same source that have an aggregate total of
 - 999 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 1000 Section 16. Section **20A-11-603** is amended to read:
- 1001 **20A-11-603. Criminal penalties.**
- 1002 (1) (a) Each political action committee that fails to file the statement due [~~September~~
 - 1003 ~~15]~~ on August 31 or before the regular general session is guilty of a class B misdemeanor.
 - 1004 (b) The lieutenant governor shall report all violations of Subsection (1)(a) to the
 - 1005 attorney general.
 - 1006 (2) Within 30 days after a deadline for the filing of the January [~~5]~~ 10 statement
 - 1007 required by this part, the lieutenant governor shall review each filed statement to ensure that:
 - 1008 (a) each political action committee that is required to file a statement has filed one; and
 - 1009 (b) each statement contains the information required by this part.

1010 (3) If it appears that any political action committee has failed to file the January [5] 10
1011 statement, if it appears that a filed statement does not conform to the law, or if the lieutenant
1012 governor has received a written complaint alleging a violation of the law or the falsity of any
1013 statement, the lieutenant governor shall, within five days of discovery of a violation or receipt of
1014 a written complaint, notify the political action committee of the violation or written complaint
1015 and direct the political action committee to file a statement correcting the problem.

1016 (4) (a) It is unlawful for any political action committee to fail to file or amend a
1017 statement within 14 days after receiving notice from the lieutenant governor under this section.

1018 (b) Each political action committee who violates Subsection (4)(a) is guilty of a class B
1019 misdemeanor.

1020 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the
1021 attorney general.

1022 Section 17. Section **20A-11-701** is amended to read:

1023 **20A-11-701. Campaign financial reporting of candidate campaign contributions**
1024 **by corporations -- Filing requirements -- Statement contents.**

1025 (1) (a) Each corporation that has made expenditures for political purposes that total at
1026 least \$750 during a calendar year shall file a verified financial statement with the lieutenant
1027 governor's office on:

1028 (i) January [5] 10, reporting expenditures as of December 31 of the previous year;

1029 (ii) [~~September 15~~] August 31; and

1030 (iii) seven days before the regular general election.

1031 (b) The corporation shall report:

1032 (i) a detailed listing of all expenditures made since the last statement; and

1033 (ii) for financial statements filed on [~~September 15~~] August 31 and before the general
1034 election, all expenditures as of three days before the required filing date of the financial
1035 statement.

1036 (c) The corporation need not file a statement under this section if it made no
1037 expenditures during the reporting period.

1038 (2) That statement shall include:

1039 (a) the name and address of each reporting entity that received an expenditure from the
1040 corporation, and the amount of each expenditure;

1041 (b) the total amount of expenditures disbursed by the corporation; and

1042 (c) a paragraph signed by the corporation's or the political action committee's treasurer
1043 or chief financial officer verifying the accuracy of the financial report.

1044 Section 18. Section **20A-11-702** is amended to read:

1045 **20A-11-702. Campaign financial reporting of political issues expenditures by**
1046 **corporations -- Financial reporting.**

1047 (1) (a) Each corporation that has made political issues expenditures on current or
1048 proposed ballot issues that total at least \$750 during a calendar year shall file a verified financial
1049 statement with the lieutenant governor's office on:

1050 (i) January ~~[5]~~ 10, reporting expenditures as of December 31 of the previous year;

1051 ~~[(ii) March 1;]~~

1052 ~~[(iii) June 1;]~~

1053 ~~[(iv) September 15; and]~~

1054 (ii) August 31; and

1055 ~~[(v)]~~ (iii) seven days before the regular general election.

1056 (b) The corporation shall report:

1057 (i) a detailed listing of all expenditures made since the last statement; and

1058 (ii) for financial statements filed on ~~[September 15]~~ August 31 and before the primary
1059 and general elections, expenditures as of ~~[three]~~ five days before the required filing date of the
1060 financial statement.

1061 (c) The corporation need not file a statement under this section if it made no
1062 expenditures during the reporting period.

1063 (2) That statement shall include:

1064 (a) the name and address of each individual, entity, or group of individuals or entities
1065 that received a political issues expenditure of more than \$50 from the corporation, and the

1066 amount of each political issues expenditure;

1067 (b) the total amount of political issues expenditures disbursed by the corporation; and

1068 (c) a paragraph signed by the corporation's treasurer or chief financial officer verifying
1069 the accuracy of the verified financial statement.

1070 Section 19. Section **20A-11-802** is amended to read:

1071 **20A-11-802. Political issues committees -- Financial reporting.**

1072 (1) (a) Each registered political issues committee that has received political issues
1073 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least
1074 \$50, during a calendar year on current or proposed statewide ballot propositions, to influence
1075 an incorporation petition or an incorporation election, or on initiative petitions to be submitted
1076 to the Legislature, shall file a verified financial statement with the lieutenant governor's office:

1077 (i) on January ~~[5]~~ 10, reporting contributions and expenditures as of December 31 of
1078 the previous year;

1079 (ii) seven days before the date of an incorporation election, if the political issues
1080 committee has received donations or made disbursements to affect an incorporation;

1081 ~~[(iii) March 1;]~~

1082 ~~[(iv) June 1;]~~

1083 ~~[(v)]~~ (iii) at least three days before the first public hearing held as required by Section
1084 20A-7-204.1;

1085 ~~[(vi)]~~ (iv) if the political issues committee has received or expended funds in relation to
1086 an initiative or referendum, at the time the initiative or referendum sponsors submit;

1087 (A) the verified and certified initiative packets [to the county clerk] as required by
1088 Section 20A-7-206; or

1089 (B) the signed and verified referendum packets as required by Section 20A-7-306;

1090 ~~[(vii)]~~ (v) on ~~[September 15]~~ August 31; and

1091 ~~[(viii)]~~ (vi) seven days before the regular general election.

1092 (b) The political issues committee shall report:

1093 (i) a detailed listing of all contributions received and expenditures made since the last

1094 statement; and

1095 (ii) for financial statements filed on [~~September 15~~] August 31 and before the general
1096 election, all contributions and expenditures as of three days before the required filing date of the
1097 financial statement.

1098 (c) The political issues committee need not file a statement under this section if it
1099 received no contributions and made no expenditures during the reporting period.

1100 (2) (a) That statement shall include:

1101 (i) the name, address, and occupation of any individual that makes a political issues
1102 contribution to the reporting political issues committee, and the amount of the political issues
1103 contribution;

1104 (ii) the identification of any publicly identified class of individuals that makes a political
1105 issues contribution to the reporting political issues committee, and the amount of the political
1106 issues contribution;

1107 (iii) the name and address of any political issues committee, group, or entity that makes
1108 a political issues contribution to the reporting political issues committee, and the amount of the
1109 political issues contribution;

1110 (iv) the name and address of each reporting entity that makes a political issues
1111 contribution to the reporting political issues committee, and the amount of the political issues
1112 contribution;

1113 (v) for each nonmonetary contribution, the fair market value of the contribution;

1114 (vi) except as provided in Subsection (2)(c), the name and address of each individual,
1115 entity, or group of individuals or entities that received a political issues expenditure of more
1116 than \$50 from the reporting political issues committee, and the amount of each political issues
1117 expenditure;

1118 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

1119 (viii) the total amount of political issues contributions received and political issues
1120 expenditures disbursed by the reporting political issues committee;

1121 (ix) a paragraph signed by the political issues committee's treasurer or chief financial

1122 officer verifying that, to the best of the signer's knowledge, the financial statement is accurate;
1123 and

1124 (x) a summary page in the form required by the lieutenant governor that identifies:

1125 (A) beginning balance;

1126 (B) total contributions during the period since the last statement;

1127 (C) total contributions to date;

1128 (D) total expenditures during the period since the last statement; and

1129 (E) total expenditures to date.

1130 (b) (i) Political issues contributions received by a political issues committee that have a
1131 value of \$50 or less need not be reported individually, but shall be listed on the report as an
1132 aggregate total.

1133 (ii) Two or more political issues contributions from the same source that have an
1134 aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported
1135 separately.

1136 (c) When reporting political issue expenditures made to circulators of initiative
1137 petitions, the political issues committee:

1138 (i) need only report the amount paid to each initiative petition circulator; and

1139 (ii) need not report the name or address of the circulator.

1140 Section 20. Section **20A-11-803** is amended to read:

1141 **20A-11-803. Criminal penalties.**

1142 (1) (a) Each political issues committee that fails to file the statement due [~~September~~
1143 ~~15~~] August 31 or before the regular general [~~session~~] election is guilty of a class B
1144 misdemeanor.

1145 (b) The lieutenant governor shall report all violations of Subsection (1)(a) to the
1146 attorney general.

1147 (2) Within 30 days after a deadline for the filing of the January [~~5~~] 10 statement, the
1148 lieutenant governor shall review each filed statement to ensure that:

1149 (a) each political issues committee that is required to file a statement has filed one; and

1150 (b) each statement contains the information required by this part.

1151 (3) If it appears that any political issues committee has failed to file the January [5] 10
1152 statement, if it appears that a filed statement does not conform to the law, or if the lieutenant
1153 governor has received a written complaint alleging a violation of the law or the falsity of any
1154 statement, the lieutenant governor shall, within five days of discovery of a violation or receipt of
1155 a written complaint, notify the political issues committee of the violation or written complaint
1156 and direct the political issues committee to file a statement correcting the problem.

1157 (4) (a) It is unlawful for any political issues committee to fail to file or amend a
1158 statement within 14 days after receiving notice from the lieutenant governor under this section.

1159 (b) Each political issues committee who violates Subsection (4)(a) is guilty of a class B
1160 misdemeanor.

1161 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the
1162 attorney general.

1163 Section 21. Section **20A-11-1302** is amended to read:

1164 **20A-11-1302. School board office candidate -- Financial reporting requirements**
1165 **-- Year-end summary report.**

1166 (1) (a) Each school board office candidate shall file a summary report by January [5] 10
1167 of the year after the regular general election year.

1168 (b) Beginning with the 2008 regular general election and in addition to the requirements
1169 of Subsection (1)(a), a former school board office candidate that has not filed the statement of
1170 dissolution and final summary report required under Section 20A-11-1304 shall continue to file
1171 a summary report on January 10 of each year.

1172 (2) (a) Each summary report shall include the following information as of December 31
1173 of the [~~last regular general election~~] previous year:

1174 (i) the net balance of the last summary report, if any;

1175 (ii) a single figure equal to the total amount of receipts reported on all interim reports, if
1176 any, during the [~~calendar year in which the summary report is due~~] previous year;

1177 (iii) a single figure equal to the total amount of expenditures reported on all interim

1178 reports, if any, filed during the ~~[election]~~ previous year;

1179 (iv) a detailed listing of each receipt, contribution, and public service assistance since
1180 the last summary report that has not been reported in detail on an interim report;

1181 (v) for each nonmonetary contribution, the fair market value of the contribution;

1182 (vi) a detailed listing of each expenditure made since the last summary report that has
1183 not been reported in detail on an interim report;

1184 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

1185 (viii) a net balance for the year consisting of the net balance from the last summary
1186 report, if any, plus all receipts minus all expenditures.

1187 (b) (i) For all individual contributions or public service assistance of \$50 or less, a single
1188 aggregate figure may be reported without separate detailed listings.

1189 (ii) Two or more contributions from the same source that have an aggregate total of
1190 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1191 (c) In preparing the report, all receipts and expenditures shall be reported as of
1192 December 31 of the ~~[last regular general election]~~ previous year.

1193 (3) The summary report shall contain a paragraph signed by the school board office
1194 candidate certifying that, to the best of the school board office candidate's knowledge, all
1195 receipts and all expenditures have been reported as of December 31 of the ~~[last regular general
1196 election]~~ previous year and that there are no bills or obligations outstanding and unpaid except
1197 as set forth in that report.

1198 ~~[(4) School board office candidates reporting under this section need only report
1199 receipts received and expenditures made after May 5, 1997.]~~

1200 Section 22. Section **20A-11-1303** is amended to read:

1201 **20A-11-1303. School board office candidate -- Financial reporting requirements**
1202 **-- Interim reports.**

1203 (1) Each school board office candidate shall file an interim report at the following times
1204 in any year in which the candidate has filed a declaration of candidacy for a public office:

1205 (a) May 15, for state school board office candidates;

1206 [~~(a)~~] (b) seven days before the regular primary election date~~[, if the candidate is on the~~
1207 ~~ballot in the primary election]~~;

1208 [~~(b) September 15, unless the candidate is unopposed, and]~~

1209 (c) August 31; and

1210 [~~(c)~~] (d) seven days before the regular general election date.

1211 (2) Each interim report shall include the following information:

1212 (a) the net balance of the last summary report, if any;

1213 (b) a single figure equal to the total amount of receipts reported on all prior interim
1214 reports, if any, during the calendar year in which the interim report is due;

1215 (c) a single figure equal to the total amount of expenditures reported on all prior interim
1216 reports, if any, filed during the calendar year in which the interim report is due;

1217 (d) a detailed listing of each contribution and public service assistance received since the
1218 last summary report that has not been reported in detail on a prior interim report;

1219 (e) for each nonmonetary contribution, the fair market value of the contribution;

1220 (f) a detailed listing of each expenditure made since the last summary report that has not
1221 been reported in detail on a prior interim report;

1222 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

1223 (h) a net balance for the year consisting of the net balance from the last summary report,
1224 if any, plus all receipts since the last summary report minus all expenditures since the last
1225 summary report; and

1226 (i) a summary page in the form required by the lieutenant governor that identifies:

1227 (i) beginning balance;

1228 (ii) total contributions during the period since the last statement;

1229 (iii) total contributions to date;

1230 (iv) total expenditures during the period since the last statement; and

1231 (v) total expenditures to date.

1232 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
1233 single aggregate figure may be reported without separate detailed listings.

1234 (b) Two or more contributions from the same source that have an aggregate total of
1235 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1236 (4) In preparing each interim report, all receipts and expenditures shall be reported as of
1237 ~~[three]~~ five days before the required filing date of the report.

1238 ~~[(5) School board office candidates reporting under this section need only report~~
1239 ~~contributions received and expenditures made after May 5, 1997.]~~

1240 Section 23. Section **20A-11-1305** is amended to read:

1241 **20A-11-1305. School board office candidate -- Failure to file statement -- Name**
1242 **not printed on ballot -- Filling vacancy.**

1243 (1) (a) If a school board office candidate fails to file an interim report due before the
1244 regular primary election, ~~[September 15]~~ on August 31, and before the regular general election,
1245 the chief election officer shall, after making a reasonable attempt to discover if the report was
1246 timely mailed, inform the county clerk and other appropriate election officials who:

1247 (i) shall, if practicable, remove the name of the candidate by blacking out the candidate's
1248 name before the ballots are delivered to voters; or

1249 (ii) shall, if removing the candidate's name from the ballot is not practicable, inform the
1250 voters by any practicable method that the candidate has been disqualified and that votes cast for
1251 candidate will not be counted; and

1252 (iii) may not count any votes for that candidate.

1253 (b) Any school board office candidate who fails to file timely a financial statement
1254 required by this part is disqualified and the vacancy on the ballot may be filled as provided in
1255 Section 20A-1-501.

1256 (c) Notwithstanding ~~[Subsection]~~ Subsections (1)(a) and (1)(b), a school board office
1257 candidate is not disqualified if:

1258 (i) the candidate files the reports required by this section;

1259 (ii) those reports are completed, detailing accurately and completely the information
1260 required by this part except for inadvertent omissions or insignificant errors or inaccuracies; and

1261 (iii) those omissions, errors, or inaccuracies are corrected in an amended report or in

1262 the next scheduled report.

1263 (2) (a) Within 30 days after a deadline for the filing of a summary report by a candidate
1264 for state school board, the lieutenant governor shall review each filed summary report to ensure
1265 that:

1266 (i) each state school board candidate that is required to file a summary report has filed
1267 one; and

1268 (ii) each summary report contains the information required by this part.

1269 (b) If it appears that any state school board candidate has failed to file the summary
1270 report required by law, if it appears that a filed summary report does not conform to the law, or
1271 if the lieutenant governor has received a written complaint alleging a violation of the law or the
1272 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1273 violation or receipt of a written complaint, notify the state school board candidate of the
1274 violation or written complaint and direct the state school board candidate to file a summary
1275 report correcting the problem.

1276 (c) (i) It is unlawful for any state school board candidate to fail to file or amend a
1277 summary report within 14 days after receiving notice from the lieutenant governor under this
1278 section.

1279 (ii) Each state school board candidate who violates Subsection (2)(c)(i) is guilty of a
1280 class B misdemeanor.

1281 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
1282 attorney general.

1283 (3) (a) Within 30 days after a deadline for the filing of a summary report, the county
1284 clerk shall review each filed summary report to ensure that:

1285 (i) each local school board candidate that is required to file a summary report has filed
1286 one; and

1287 (ii) each summary report contains the information required by this part.

1288 (b) If it appears that any local school board candidate has failed to file the summary
1289 report required by law, if it appears that a filed summary report does not conform to the law, or

1290 if the county clerk has received a written complaint alleging a violation of the law or the falsity
1291 of any summary report, the county clerk shall, within five days of discovery of a violation or
1292 receipt of a written complaint, notify the local school board candidate of the violation or written
1293 complaint and direct the local school board candidate to file a summary report correcting the
1294 problem.

1295 (c) (i) It is unlawful for any local school board candidate to fail to file or amend a
1296 summary report within 14 days after receiving notice from the county clerk under this section.

1297 (ii) Each local school board candidate who violates Subsection (3)(c)(i) is guilty of a
1298 class B misdemeanor.

1299 (iii) The county clerk shall report all violations of Subsection (3)(c)(i) to the district or
1300 county attorney.

1301 Section 24. Section **20A-12-304** is amended to read:

1302 **20A-12-304. Judicial retention election candidates -- Financial reporting**
1303 **requirements -- Year-end summary report.**

1304 (1) The judge's personal campaign committee shall file a summary report with the
1305 lieutenant governor by January ~~[5]~~ 10 of the year after the regular general election year.

1306 (2) (a) Each summary report shall include the following information as of December 31
1307 of the last regular general election year:

1308 (i) a single figure equal to the total amount of contributions reported on the interim
1309 report;

1310 (ii) a single figure equal to the total amount of expenditures reported on the interim
1311 report;

1312 (iii) a detailed listing of each contribution received since the last summary report that
1313 has not been reported in detail on the interim report;

1314 (iv) for each nonmonetary contribution, the fair market value of the contribution;

1315 (v) a detailed listing of each expenditure made since the last summary report that has
1316 not been reported in detail on the interim report;

1317 (vi) for each nonmonetary expenditure, the fair market value of the expenditure; and

1318 (vii) the net balance for the year, consisting of all contributions minus all expenditures.

1319 (b) (i) For all single contributions of \$50 or less, an aggregate figure may be reported
1320 without a separate detailed listing.

1321 (ii) Two or more contributions from the same source for a total of more than \$50 may
1322 not be reported in the aggregate, but shall be reported in the detailed listing.

1323 (3) The summary report shall contain a statement signed by the judge certifying that, to
1324 the best of the judge's knowledge, all contributions and all expenditures have been reported as
1325 of December 31 of the last regular general election year and that there are no financial
1326 obligations outstanding except as set forth in the report.

1327 **Section 25. Effective date.**

1328 If approved by two-thirds of all the members elected to each house, this bill takes effect
1329 upon approval by the governor, or the day following the constitutional time limit of Utah
1330 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
1331 the date of veto override.

1332 **Section 26. Coordinating S.B. 21 with S.B. 12 -- Merging substantive**
1333 **amendments.**

1334 If this S.B. 21 and S.B. 12, Election Law Modifications, both pass, it is the intent of the
1335 Legislature that the amendments to Sections 20A-11-302, 20A-11-506, and 20A-11-1302 in
1336 this bill supersede the amendments to Sections 20A-11-302, 20A-11-506, and 20A-11-1302 in
1337 S.B. 12 when the Office of Legislative Research and General Counsel prepares the Utah Code
1338 database for publication.