

Senator Curtis S. Bramble proposes the following substitute bill:

CAMPAIGN AND FINANCIAL REPORTING

REQUIREMENTS AMENDMENTS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad L. Dee

Senate Sponsor: Gregory S. Bell

7	Cosponsors:	Kerry W. Gibson	Carol Spackman Moss
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24	Craig A. Frank	Kay L. McIff	Carl Wimmer
25	Kevin S. Garn	Ronda Rudd Menlove	Bradley A. Winn
26	Francis D. Gibson	Michael T. Morley	



LONG TITLE

General Description:

This bill addresses the reporting of contributions and public service assistance for various candidates for office and officeholders.



32 **Highlighted Provisions:**

33 This bill:

- 34 ▶ defines terms;
- 35 ▶ addresses the reporting of in-kind contributions;
- 36 ▶ requires contributions and public service assistance to be reported within 30 days of
37 the day on which they are received;
- 38 ▶ requires contributions and public service assistance that are made in the form of a
39 negotiable instrument or check to be negotiated before the filing deadline for, and
40 included on, interim reports; and
- 41 ▶ makes technical changes.

42 **Monies Appropriated in this Bill:**

43 None

44 **Other Special Clauses:**

45 None

46 **Utah Code Sections Affected:**

47 AMENDS:

48 **20A-11-101**, as last amended by Laws of Utah 2008, Chapters 14 and 49

49 **20A-11-201**, as last amended by Laws of Utah 1997, Chapter 355

50 **20A-11-203**, as last amended by Laws of Utah 2008, Chapter 14

51 **20A-11-204**, as last amended by Laws of Utah 2008, Chapter 14

52 **20A-11-301**, as last amended by Laws of Utah 1997, Chapter 355

53 **20A-11-302**, as last amended by Laws of Utah 2008, Chapters 14 and 225

54 **20A-11-303**, as last amended by Laws of Utah 2008, Chapter 14

55 **20A-11-401**, as last amended by Laws of Utah 2008, Chapter 14

56 **20A-11-1301**, as enacted by Laws of Utah 1997, Chapter 355

57 **20A-11-1302**, as last amended by Laws of Utah 2008, Chapters 14 and 225

58 **20A-11-1303**, as last amended by Laws of Utah 2008, Chapter 14

59

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

61 Section 1. Section **20A-11-101** is amended to read:

62 **20A-11-101. Definitions.**

63 As used in this chapter:

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

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

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

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

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

74 (4) "Chief election officer" means:

75 (a) the lieutenant governor for state office candidates, legislative office candidates,
76 officeholders, political parties, political action committees, corporations, political issues
77 committees, and state school board candidates; and

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

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

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

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

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

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

90 (iv) compensation paid by any person or reporting entity other than the filing entity for
91 personal services provided without charge to the filing entity;

92 (v) remuneration from any organization or its directly affiliated organization that has a
93 registered lobbyist to compensate a legislator for a loss of salary or income while the

94 Legislature is in session;

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

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

99 (b) "Contribution" does not include:

100 (i) services provided without compensation by individuals volunteering a portion or all
101 of their time on behalf of the filing entity; [or]

102 (ii) money lent to the filing entity by a financial institution in the ordinary course of
103 business[-]; or

104 (iii) goods or services provided for the benefit of a candidate or political party at less
105 than fair market value that are not authorized by the candidate or political party.

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

109 (i) political purposes; or

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

111 (b) "Corporation" does not mean:

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

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

114 (8) "Detailed listing" means:

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

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

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

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

120 (b) for each expenditure:

121 (i) the amount of the expenditure;

122 (ii) the person or entity to whom it was disbursed;

123 (iii) the specific purpose, item, or service acquired by the expenditure; and

124 (iv) the date the expenditure was made.

- 125 (9) "Election" means each:
126 (a) regular general election;
127 (b) regular primary election; and
128 (c) special election at which candidates are eliminated and selected.
- 129 (10) (a) "Expenditure" means:
130 (i) any disbursement from contributions, receipts, or from the separate bank account
131 required by this chapter;
132 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
133 or anything of value made for political purposes;
134 (iii) an express, legally enforceable contract, promise, or agreement to make any
135 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
136 value for political purposes;
137 (iv) compensation paid by a corporation or filing entity for personal services rendered
138 by a person without charge to a reporting entity;
139 (v) a transfer of funds between the filing entity and a candidate's personal campaign
140 committee; or
141 (vi) goods or services provided by the filing entity to or for the benefit of another
142 reporting entity for political purposes at less than fair market value.
- 143 (b) "Expenditure" does not include:
144 (i) services provided without compensation by individuals volunteering a portion or all
145 of their time on behalf of a reporting entity;
146 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
147 business; or
148 (iii) anything listed in Subsection (10)(a) that is given by a corporation or reporting
149 entity to candidates for office or officeholders in states other than Utah.
- 150 (11) "Filing entity" means the reporting entity that is filing a financial statement
151 required by this chapter.
- 152 (12) "Financial statement" includes any summary report, interim report, verified
153 financial statement, or other statement disclosing contributions, expenditures, receipts,
154 donations, or disbursements that is required by this chapter.
- 155 (13) "Governing board" means the individual or group of individuals that determine the

156 candidates and committees that will receive expenditures from a political action committee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

186 (26) (a) "Political action committee" means an entity, or any group of individuals or

187 entities within or outside this state, that solicits or receives contributions from any other person,
188 group, or entity or makes expenditures:

189 (i) for political purposes; or

190 (ii) with the intent or in a way to influence or tend to influence, directly or indirectly,
191 any person to refrain from voting or to vote for or against any candidate for a municipal or
192 county office.

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

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

197 (i) a party committee;

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

200 (iii) an individual;

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

203 (v) a corporation; or

204 (vi) a personal campaign committee.

205 (27) "Political convention" means a county or state political convention held by a
206 registered political party to select candidates.

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

211 (i) assist in placing a ballot proposition on the ballot, assist in keeping a ballot
212 proposition off the ballot, or refrain from voting or vote for or vote against any ballot
213 proposition; or

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

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

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

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

220 (iii) an individual;

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

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

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

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

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

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

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

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

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

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

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

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

242 (i) any payment from political issues contributions made for the purpose of influencing
243 the approval or the defeat of:

244 (A) a ballot proposition; or

245 (B) an incorporation petition or incorporation election;

246 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
247 the purpose of influencing the approval or the defeat of:

248 (A) a ballot proposition; or

249 (B) an incorporation petition or incorporation election;
250 (iii) an express, legally enforceable contract, promise, or agreement to make any
251 political issues expenditure;
252 (iv) compensation paid by a reporting entity for personal services rendered by a person
253 without charge to a political issues committee; or
254 (v) goods or services provided to or for the benefit of another reporting entity at less
255 than fair market value.

256 (b) "Political issues expenditure" does not include:
257 (i) services provided without compensation by individuals volunteering a portion or all
258 of their time on behalf of a political issues committee; or
259 (ii) money lent to a political issues committee by a financial institution in the ordinary
260 course of business.

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

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

266 (33) "Public office" means the office of governor, lieutenant governor, state auditor,
267 state treasurer, attorney general, state or local school board member, state senator, state
268 representative, speaker of the House of Representatives, president of the Senate, and the leader,
269 whip, and assistant whip of any party caucus in either house of the Legislature.

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

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

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

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

278 (i) anything provided by the state;

279 (ii) services provided without compensation by individuals volunteering a portion or all

280 of their time on behalf of an officeholder;

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

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

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

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

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

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

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

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

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

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

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

306 (41) "Reporting entity" means a candidate, a candidate's personal campaign committee,
307 an officeholder, a party committee, a political action committee, and a political issues
308 committee.

309 (42) "School board office" means the office of state school board or local school board.

310 (43) (a) "Source" means the person or entity that is the legal owner of the tangible or

311 intangible asset that comprises the contribution.

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

315 (44) "State office" means the offices of governor, lieutenant governor, attorney general,
316 state auditor, and state treasurer.

317 (45) "State office candidate" means a person who:

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

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

322 (46) "Summary report" means the year end report containing the summary of a
323 reporting entity's contributions and expenditures.

324 (47) "Supervisory board" means the individual or group of individuals that allocate
325 expenditures from a political issues committee.

326 Section 2. Section **20A-11-201** is amended to read:

327 **20A-11-201. State office candidate -- Separate bank account for campaign funds.**

328 (1) (a) Each state office candidate or the candidate's personal campaign committee
329 shall deposit each contribution and public service assistance received in one or more separate
330 campaign accounts in a financial institution.

331 (b) The state office candidate or the candidate's personal campaign committee may use
332 the monies in those accounts only for political purposes.

333 (2) A state office candidate or the candidate's personal campaign committee may not
334 deposit or mingle any contributions received into a personal or business account.

335 (3) If a person who is no longer a state office candidate chooses not to expend the
336 monies remaining in his campaign account, the person shall continue to file the year-end
337 summary report required by Section 20A-11-203 until the statement of dissolution and final
338 summary report required by Section 20A-11-205 are filed with the lieutenant governor.

339 (4) (a) As used in this Subsection (4) and Section 20A-11-204, "received" means:

340 (i) for a cash contribution, that the cash is given to a state office candidate or a member
341 of the candidate's personal campaign committee;

342 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
343 instrument or check is negotiated; and

344 (iii) for any other type of contribution, that any portion of the contribution's benefit
345 inures to the state office candidate.

346 (b) Each state office candidate shall report each contribution and public service
347 assistance to the lieutenant governor within 30 days after the contribution or public service
348 assistance is received.

349 Section 3. Section 20A-11-203 is amended to read:

350 **20A-11-203. State office candidate -- Financial reporting requirements --**
351 **Year-end summary report.**

352 (1) (a) Each state office candidate shall file a summary report by January 10 of the year
353 after the regular general election year.

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

358 (2) (a) Each summary report shall include the following information as of December 31
359 of the previous year:

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

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

363 (iii) a single figure equal to the total amount of expenditures reported on all interim
364 reports, if any, filed during the previous year;

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

367 (v) for each nonmonetary contribution[;]:

368 (A) the fair market value of the contribution[;] with that information provided by the
369 contributor; and

370 (B) a specific description of the contribution;

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

373 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
374 (viii) a net balance for the year consisting of the net balance from the last summary
375 report, if any, plus all receipts minus all expenditures.

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

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

380 (c) In preparing the report, all receipts and expenditures shall be reported as of
381 December 31 of the previous year.

382 (3) The summary report shall contain a paragraph signed by an authorized member of
383 the state office candidate's personal campaign committee or by the state office candidate
384 certifying that, to the best of the signer's knowledge, all receipts and all expenditures have been
385 reported as of December 31 of the previous year and that there are no bills or obligations
386 outstanding and unpaid except as set forth in that report.

387 Section 4. Section **20A-11-204** is amended to read:

388 **20A-11-204. State office candidate -- Financial reporting requirements -- Interim**
389 **reports.**

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

392 (a) seven days before the candidate's political convention;

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

394 (c) August 31; and

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

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

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

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

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

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

404 (e) for each nonmonetary contribution[?];
405 (i) the fair market value of the contribution[?] with that information provided by the
406 contributor; and

407 (ii) a specific description of the contribution;

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

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

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

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

415 (i) beginning balance;

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

417 (iii) total contributions to date;

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

419 (v) total expenditures to date.

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

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

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

426 (b) Any negotiable instrument or check received by a state office candidate more than
427 five days before the required filing date of a report required by this section shall be negotiated
428 and included in the interim report.

429 Section 5. Section **20A-11-301** is amended to read:

430 **20A-11-301. Legislative office candidate -- Campaign requirements.**

431 (1) Each legislative office candidate shall deposit each contribution and public service
432 assistance received in one or more separate accounts in a financial institution that are dedicated
433 only to that purpose.

434 (2) A legislative office candidate may not deposit or mingle any contributions or public

435 service assistance received into a personal or business account.

436 (3) A legislative office candidate may not make any political expenditures prohibited
437 by law.

438 (4) If a person who is no longer a legislative candidate chooses not to expend the
439 monies remaining in his campaign account, the person shall continue to file the year-end
440 summary report required by Section 20A-11-302 until the statement of dissolution and final
441 summary report required by Section 20A-11-304 are filed with the lieutenant governor.

442 (5) (a) As used in this Subsection (5) and Section 20A-11-303, "received" means:

443 (i) for a cash contribution, that the cash is given to a legislative office candidate or a
444 member of the candidate's personal campaign committee;

445 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
446 instrument or check is negotiated; and

447 (iii) for any other type of contribution, that any portion of the contribution's benefit
448 inures to the legislative office candidate.

449 (b) Each legislative office candidate shall report each contribution and public service
450 assistance to the lieutenant governor within 30 days after the contribution or public service
451 assistance is received.

452 Section 6. Section **20A-11-302** is amended to read:

453 **20A-11-302. Legislative office candidate -- Financial reporting requirements --**
454 **Year-end summary report.**

455 (1) (a) Each legislative office candidate shall file a summary report by January 10 of
456 the year after the regular general election year.

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

461 (2) (a) Each summary report shall include the following information as of December 31
462 of the previous year:

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

464 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
465 if any, during the calendar year in which the summary report is due;

- 466 (iii) a single figure equal to the total amount of expenditures reported on all interim
467 reports, if any, filed during the previous year;
- 468 (iv) a detailed listing of each receipt, contribution, and public service assistance since
469 the last summary report that has not been reported in detail on an interim report;
- 470 (v) for each nonmonetary contribution[;]:
- 471 (A) the fair market value of the contribution[;] with that information provided by the
472 contributor; and
- 473 (B) a specific description of the contribution;
- 474 (vi) a detailed listing of each expenditure made since the last summary report that has
475 not been reported in detail on an interim report;
- 476 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
- 477 (viii) a net balance for the year consisting of the net balance from the last summary
478 report, if any, plus all receipts minus all expenditures.
- 479 (b) (i) For all individual contributions or public service assistance of \$50 or less, a
480 single aggregate figure may be reported without separate detailed listings.
- 481 (ii) Two or more contributions from the same source that have an aggregate total of
482 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 483 (c) In preparing the report, all receipts and expenditures shall be reported as of
484 December 31 of the previous year.
- 485 (3) The summary report shall contain a paragraph signed by the legislative office
486 candidate certifying that to the best of the candidate's knowledge, all receipts and all
487 expenditures have been reported as of December 31 of the previous year and that there are no
488 bills or obligations outstanding and unpaid except as set forth in that report.
- 489 Section 7. Section **20A-11-303** is amended to read:
- 490 **20A-11-303. Legislative office candidate -- Financial reporting requirements --**
491 **Interim reports.**
- 492 (1) Each legislative office candidate shall file an interim report at the following times
493 in any year in which the candidate has filed a declaration of candidacy for a public office:
- 494 (a) seven days before the candidate's political convention;
- 495 (b) seven days before the regular primary election date;
- 496 (c) August 31; and

- 497 (d) seven days before the regular general election date.
- 498 (2) Each interim report shall include the following information:
- 499 (a) the net balance of the last summary report, if any;
- 500 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 501 reports, if any, during the calendar year in which the interim report is due;
- 502 (c) a single figure equal to the total amount of expenditures reported on all prior
- 503 interim reports, if any, filed during the calendar year in which the interim report is due;
- 504 (d) a detailed listing of each contribution and public service assistance received since
- 505 the last summary report that has not been reported in detail on a prior interim report;
- 506 (e) for each nonmonetary contribution[;]:
- 507 (i) the fair market value of the contribution[;] with that information provided by the
- 508 contributor; and
- 509 (ii) a specific description of the contribution;
- 510 (f) a detailed listing of each expenditure made since the last summary report that has
- 511 not been reported in detail on a prior interim report;
- 512 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 513 (h) a net balance for the year consisting of the net balance from the last summary
- 514 report, if any, plus all receipts since the last summary report minus all expenditures since the
- 515 last summary report; and
- 516 (i) a summary page in the form required by the lieutenant governor that identifies:
- 517 (i) beginning balance;
- 518 (ii) total contributions during the period since the last statement;
- 519 (iii) total contributions to date;
- 520 (iv) total expenditures during the period since the last statement; and
- 521 (v) total expenditures to date.
- 522 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
- 523 single aggregate figure may be reported without separate detailed listings.
- 524 (b) Two or more contributions from the same source that have an aggregate total of
- 525 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 526 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
- 527 as of five days before the required filing date of the report.

528 (b) Any negotiable instrument or check received by a legislative office candidate more
529 than five days before the required filing date of a report required by this section shall be
530 negotiated and included in the interim report.

531 Section 8. Section **20A-11-401** is amended to read:

532 **20A-11-401. Officeholder financial reporting requirements -- Year-end summary**
533 **report.**

534 (1) (a) Each officeholder shall file a summary report by January 10 of each year.

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

539 (i) this section; and

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

542 (2) (a) Each summary report shall include the following information as of December 31
543 of the previous year:

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

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

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

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

551 (v) for each nonmonetary contribution[;]:

552 (A) the fair market value of the contribution[;] with that information provided by the
553 contributor; and

554 (B) a specific description of the contribution;

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

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

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

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

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

563 (c) In preparing the report, all receipts and expenditures shall be reported as of
564 December 31 of the previous year.

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

569 Section 9. Section **20A-11-1301** is amended to read:

570 **20A-11-1301. School board office candidate -- Campaign requirements.**

571 (1) Each school board office candidate shall deposit each contribution and public
572 service assistance received in one or more separate accounts in a financial institution that are
573 dedicated only to that purpose.

574 (2) A school board office candidate may not deposit or mingle any contributions or
575 public service assistance received into a personal or business account.

576 (3) A school board office candidate may not make any political expenditures prohibited
577 by law.

578 (4) If a person who is no longer a school board candidate chooses not to expend the
579 monies remaining in his campaign account, the person shall continue to file the year-end
580 summary report required by Section 20A-11-1302 until the statement of dissolution and final
581 summary report required by Section 20A-11-1304 are filed with:

582 (a) the lieutenant governor in the case of a state school board candidate; and

583 (b) the county clerk, in the case of a local school board candidate.

584 (5) (a) As used in this Subsection (5) and Section 20A-11-1303, "received" means:

585 (i) for a cash contribution, that the cash is given to a legislative office candidate or a
586 member of the candidate's personal campaign committee;

587 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
588 instrument or check is negotiated; and

589 (iii) for any other type of contribution, that any portion of the contribution's benefit

590 inures to the legislative office candidate.

591 (b) Each school board office candidate shall report each contribution and public service
592 assistance to the lieutenant governor within 30 days after the contribution or public service
593 assistance is received.

594 Section 10. Section **20A-11-1302** is amended to read:

595 **20A-11-1302. School board office candidate -- Financial reporting requirements**
596 **-- Year-end summary report.**

597 (1) (a) Each school board office candidate shall file a summary report by January 10 of
598 the year after the regular general election year.

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

603 (2) (a) Each summary report shall include the following information as of December 31
604 of the previous year:

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

606 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
607 if any, during the previous year;

608 (iii) a single figure equal to the total amount of expenditures reported on all interim
609 reports, if any, filed during the previous year;

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

612 (v) for each nonmonetary contribution[;]:

613 (A) the fair market value of the contribution[;] with that information provided by the
614 contributor; and

615 (B) a specific description of the contribution;

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

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

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

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

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

625 (c) In preparing the report, all receipts and expenditures shall be reported as of
626 December 31 of the previous year.

627 (3) The summary report shall contain a paragraph signed by the school board office
628 candidate certifying that, to the best of the school board office candidate's knowledge, all
629 receipts and all expenditures have been reported as of December 31 of the previous year and
630 that there are no bills or obligations outstanding and unpaid except as set forth in that report.

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

632 **20A-11-1303. School board office candidate -- Financial reporting requirements**
633 **-- Interim reports.**

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

- 636 (a) May 15, for state school board office candidates;
- 637 (b) seven days before the regular primary election date;
- 638 (c) August 31; and
- 639 (d) seven days before the regular general election date.

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

- 641 (a) the net balance of the last summary report, if any;
- 642 (b) a single figure equal to the total amount of receipts reported on all prior interim
643 reports, if any, during the calendar year in which the interim report is due;
- 644 (c) a single figure equal to the total amount of expenditures reported on all prior
645 interim reports, if any, filed during the calendar year in which the interim report is due;
- 646 (d) a detailed listing of each contribution and public service assistance received since
647 the last summary report that has not been reported in detail on a prior interim report;
- 648 (e) for each nonmonetary contribution[?]:
 - 649 (i) the fair market value of the contribution[?] with that information provided by the
650 contribution; and
 - 651 (ii) a specific description of the contribution;

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

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

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

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

659 (i) beginning balance;

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

661 (iii) total contributions to date;

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

663 (v) total expenditures to date.

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

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

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

670 (b) Any negotiable instrument or check received by a school board office candidate
671 more than five days before the required filing date of a report required by this section shall be
672 negotiated and included in the interim report.