

CAMPAIGN FINANCE AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ben C. Ferry

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions in Title 20A, Chapter 11, Campaign and Financial Reporting Requirements and Title 20A, Chapter 12, Selection and Election of Judges.

Highlighted Provisions:

This bill:

- ▶ enacts, amends, and repeals definitions;
- ▶ requires a filing entity to electronically file a financial statement;
- ▶ requires the lieutenant governor to post a financial statement online in a searchable format within a certain amount of time;
- ▶ requires contributions over \$1,000 to be reported within a certain amount of time before an election;
- ▶ requires checks to be negotiated and reported when filing a financial statement;
- ▶ imposes a fine for failure to file a timely financial statement;
- ▶ repeals provisions relating to the removal of candidates for failure to file a timely financial statement;
- ▶ repeals a provision requiring a political action committee or political issues committee to disclose the occupation of a person who makes a contribution;
- ▶ establishes additional filing deadlines for some filing entities;
- ▶ prohibits earmarking contributions made to a political party or a political action committee;



- 28 ▶ establishes contribution limits;
- 29 ▶ prohibits cash contributions in excess of \$50;
- 30 ▶ requires a person sponsoring certain electioneering communications to file a report;
- 31 ▶ prohibits making a campaign contribution in another's name;
- 32 ▶ directs the chief election officer to index the contribution limits for inflation;
- 33 ▶ establishes reporting requirements for labor organizations; and
- 34 ▶ makes technical changes.

35 **Monies Appropriated in this Bill:**

36 None

37 **Other Special Clauses:**

38 This bill takes effect on January 1, 2011.

39 **Utah Code Sections Affected:**

40 AMENDS:

- 41 **20A-11-101**, as last amended by Laws of Utah 2009, Chapters 60 and 361
- 42 **20A-11-103**, as last amended by Laws of Utah 2008, Chapters 14 and 49
- 43 **20A-11-201**, as last amended by Laws of Utah 2009, Chapters 227 and 361
- 44 **20A-11-203**, as last amended by Laws of Utah 2009, Chapter 361
- 45 **20A-11-204**, as last amended by Laws of Utah 2009, Chapter 361
- 46 **20A-11-206**, as last amended by Laws of Utah 2009, Chapter 202
- 47 **20A-11-301**, as last amended by Laws of Utah 2009, Chapters 227 and 361
- 48 **20A-11-302**, as last amended by Laws of Utah 2009, Chapter 361
- 49 **20A-11-303**, as last amended by Laws of Utah 2009, Chapter 361
- 50 **20A-11-305**, as last amended by Laws of Utah 2009, Chapter 202
- 51 **20A-11-403**, as repealed and reenacted by Laws of Utah 1997, Chapter 355
- 52 **20A-11-507**, as last amended by Laws of Utah 2008, Chapter 14
- 53 **20A-11-508**, as last amended by Laws of Utah 2008, Chapter 14
- 54 **20A-11-602**, as last amended by Laws of Utah 2008, Chapters 14 and 49
- 55 **20A-11-603**, as last amended by Laws of Utah 2008, Chapter 14
- 56 **20A-11-701**, as last amended by Laws of Utah 2008, Chapter 14
- 57 **20A-11-702**, as last amended by Laws of Utah 2008, Chapter 14
- 58 **20A-11-703**, as enacted by Laws of Utah 1997, Chapter 355

- 59 **20A-11-802**, as last amended by Laws of Utah 2008, Chapters 14 and 49
- 60 **20A-11-901**, as enacted by Laws of Utah 1995, Chapter 1
- 61 **20A-11-1001**, as last amended by Laws of Utah 1997, Chapter 355
- 62 **20A-11-1002**, as last amended by Laws of Utah 2002, Chapter 317
- 63 **20A-11-1301**, as last amended by Laws of Utah 2009, Chapters 227 and 361
- 64 **20A-11-1302**, as last amended by Laws of Utah 2009, Chapter 361
- 65 **20A-11-1303**, as last amended by Laws of Utah 2009, Chapter 361
- 66 **20A-11-1305**, as last amended by Laws of Utah 2008, Chapter 14
- 67 **20A-11-1402**, as last amended by Laws of Utah 2004, Chapter 220
- 68 **20A-12-303**, as enacted by Laws of Utah 2001, Chapter 166
- 69 **20A-12-304**, as last amended by Laws of Utah 2008, Chapter 14
- 70 **20A-12-305**, as enacted by Laws of Utah 2001, Chapter 166
- 71 **20A-12-306**, as enacted by Laws of Utah 2001, Chapter 166

72 ENACTS:

- 73 **20A-11-509**, Utah Code Annotated 1953
- 74 **20A-11-510**, Utah Code Annotated 1953
- 75 **20A-11-604**, Utah Code Annotated 1953
- 76 **20A-11-605**, Utah Code Annotated 1953
- 77 **20A-11-705**, Utah Code Annotated 1953
- 78 **20A-11-904**, Utah Code Annotated 1953
- 79 **20A-11-1005**, Utah Code Annotated 1953
- 80 **20A-11-1006**, Utah Code Annotated 1953
- 81 **20A-11-1501**, Utah Code Annotated 1953
- 82 **20A-11-1601**, Utah Code Annotated 1953
- 83 **20A-11-1602**, Utah Code Annotated 1953



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

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

87 **20A-11-101. Definitions.**

88 As used in this chapter:

89 (1) "Address" means the number and street where an individual resides or where a

90 reporting entity has its principal office.

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

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

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

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

99 (4) "Cash" means currency or coinage that constitutes legal tender.

100 [~~(4)~~] (5) "Chief election officer" means:

101 (a) the lieutenant governor for state office candidates, legislative office candidates,
102 officeholders, political parties, political action committees, corporations, political issues
103 committees, [~~and~~] state school board candidates, judges, and labor organizations; and

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

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

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

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

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

114 (iii) any transfer of funds from another reporting entity [~~or a corporation~~] to the filing
115 entity;

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

118 (v) remuneration from;

119 (A) any organization or its directly affiliated organization that has a registered lobbyist
120 [to compensate a legislator for a loss of salary or income while the Legislature is in session]; or

121 [~~(vi)~~ salaries or other remuneration paid to a legislator by]

122 (B) any agency or subdivision of the state, including school districts~~[, for the period~~
123 ~~the Legislature is in session]~~; and

124 [~~(vii)~~ (vi) goods or services provided to or for the benefit of the filing entity at less
125 than fair market value.

126 (b) "Contribution" does not include:

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

129 (ii) money lent to the filing entity by a financial institution in the ordinary course of
130 business; or

131 (iii) goods or services provided for the benefit of a candidate or political party at less
132 than fair market value that are not authorized by or coordinated with the candidate or political
133 party.

134 (7) "Contribution cycle" means a two-year period of time:

135 (a) beginning January 1 of an odd-numbered year; and

136 (b) ending December 31 of an even-numbered year immediately following an
137 odd-numbered year described in Subsection (7)(a).

138 [~~(7)~~ (8) "Coordinated with" means that goods or services provided for the benefit of a
139 candidate or political party are provided:

140 (a) with the candidate's or political party's prior knowledge, if the candidate or political
141 party does not object;

142 (b) by agreement with the candidate or political party;

143 (c) in coordination with the candidate or political party; or

144 (d) using official logos, slogans, and similar elements belonging to a candidate or
145 political party.

146 [~~(8)~~ (9) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
147 organization that is registered as a corporation or is authorized to do business in a state and
148 makes any expenditure from corporate funds for:

149 (i) the purpose of expressly advocating for political purposes; or

150 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
151 proposition.

- 152 (b) "Corporation" does not mean:
153 (i) a business organization's political action committee or political issues committee; or
154 (ii) a business entity organized as a partnership or a sole proprietorship.

155 ~~(9)~~ (10) "Detailed listing" means:

- 156 (a) for each contribution or public service assistance:
157 (i) the name and address of the individual or source making the contribution or public
158 service assistance;

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

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

161 (b) for each expenditure:

162 (i) the amount of the expenditure;

163 (ii) the person or entity to whom ~~it~~ the expenditure was disbursed;

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

165 (iv) the date the expenditure was made~~[-]; and~~

166 (c) for each expenditure made by a vendor that benefits the filing entity:

167 (i) the amount of the expenditure;

168 (ii) the person or entity to whom the expenditure was disbursed;

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

170 (iv) the date the expenditure was made.

171 ~~(10)~~ (11) "Election" means each:

172 (a) regular general election;

173 (b) regular primary election; and

174 (c) special election at which candidates are eliminated and selected.

175 (12) "Electioneering communication" means a communication that:

176 (a) has at least a value of \$10,000;

177 (b) clearly identifies a candidate or judge; and

178 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising

179 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly

180 identified candidate's or judge's election date.

181 ~~(11)~~ (13) (a) "Expenditure" means:

182 (i) any disbursement from contributions, receipts, or from the separate bank account

183 required by this chapter;

184 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
185 or anything of value made for political purposes;

186 (iii) an express, legally enforceable contract, promise, or agreement to make any
187 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
188 value for political purposes;

189 (iv) compensation paid by ~~a corporation or~~ a filing entity for personal services
190 rendered by a person without charge to a reporting entity;

191 (v) a transfer of funds between the filing entity and a candidate's personal campaign
192 committee; or

193 (vi) goods or services provided by the filing entity to or for the benefit of another
194 reporting entity for political purposes at less than fair market value.

195 (b) "Expenditure" does not include:

196 (i) services provided without compensation by individuals volunteering a portion or all
197 of their time on behalf of a reporting entity;

198 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
199 business; or

200 (iii) anything listed in Subsection ~~[(11)]~~ (13)(a) that is given by ~~a corporation or~~ a
201 reporting entity to candidates for office or officeholders in states other than Utah.

202 ~~[(12)]~~ (14) "Filing entity" means the reporting entity that is ~~filing~~ required to file a
203 financial statement required by this chapter or Title 20A, Chapter 12, Part 2, Judicial Retention
204 Elections.

205 ~~[(13)]~~ (15) "Financial statement" includes any summary report, interim report, verified
206 financial statement, or other statement disclosing contributions, expenditures, receipts,
207 donations, or disbursements that is required by this chapter or Title 20A, Chapter 12, Part 2,
208 Judicial Retention Elections.

209 ~~[(14)]~~ (16) "Governing board" means the individual or group of individuals that
210 determine the candidates and committees that will receive expenditures from a political action
211 committee, political party, or corporation.

212 ~~[(15)]~~ (17) "Incorporation" means the process established by Title 10, Chapter 2, Part
213 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

214 ~~[(16)]~~ (18) "Incorporation election" means the election authorized by Section 10-2-111.

215 ~~[(17)]~~ (19) "Incorporation petition" means a petition authorized by Section 10-2-109.

216 ~~[(18)]~~ (20) "Individual" means a natural person.

217 ~~[(19)]~~ (21) "Interim report" means a report identifying the contributions received and
218 expenditures made since the last report.

219 (22) (a) "Labor organization" means a lawful organization of any kind that is
220 composed, in whole or in part, of employees and that exists for the purpose, in whole or in part,
221 of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of
222 employment, or other terms and conditions of employment.

223 (b) Except as provided in Subsection (22)(c), "labor organization" includes each
224 employee association and union for employees of public and private sector employers.

225 (c) "Labor organization" does not include organizations governed by the National
226 Labor Relations Act, 29 U.S.C. Sec. 151 et seq. or the Railroad Labor Act, 45 U.S.C. Sec. 151
227 et seq.

228 ~~[(20)]~~ (23) "Legislative office" means the office of state senator, state representative,
229 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
230 assistant whip of any party caucus in either house of the Legislature.

231 ~~[(21)]~~ (24) "Legislative office candidate" means a person who:

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

233 (b) declares himself to be a candidate for, or actively campaigns for, the position of
234 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
235 assistant whip of any party caucus in either house of the Legislature; ~~[and]~~ or

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

239 ~~[(22) "Newly registered political party" means an organization of voters that has~~
240 ~~complied with the petition and organizing procedures of this chapter to become a registered~~
241 ~~political party.]~~

242 ~~[(23)]~~ (25) "Officeholder" means a person who holds a public office.

243 ~~[(24)]~~ (26) "Party committee" means any committee organized by or authorized by the
244 governing board of a registered political party.

245 [~~(25)~~] (27) "Person" means both natural and legal persons, including individuals,
246 business organizations, personal campaign committees, party committees, political action
247 committees, political issues committees, labor unions, and labor organizations.

248 [~~(26)~~] (28) "Personal campaign committee" means the committee appointed by a
249 candidate to act for the candidate as provided in this chapter.

250 [~~(27)~~] (29) (a) "Political action committee" means an entity, or any group of
251 individuals or entities within or outside this state, a major purpose of which is to:

252 (i) solicit or receive contributions from any other person, group, or entity for political
253 purposes; or

254 (ii) make expenditures to expressly advocate for any person to refrain from voting or to
255 vote for or against any candidate [~~for~~] or person seeking election to a municipal or county
256 office.

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

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

261 (i) a party committee;

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

264 (iii) an individual;

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

267 (v) a corporation, except a corporation a major purpose of which is to act as a political
268 action committee; or

269 (vi) a personal campaign committee.

270 [~~(28)~~] (30) "Political convention" means a county or state political convention held by
271 a registered political party to select candidates.

272 [~~(29)~~] (31) (a) "Political issues committee" means an entity, or any group of individuals
273 or entities within or outside this state, a major purpose of which is to:

274 (i) solicit or receive donations from any other person, group, or entity to assist in
275 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or

276 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

277 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
278 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
279 proposed ballot proposition or an incorporation in an incorporation election; or

280 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
281 ballot or to assist in keeping a ballot proposition off the ballot.

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

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

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

286 (iii) an individual;

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

289 (v) a corporation, except a corporation a major purpose of which is to act as a political
290 issues committee.

291 [~~(30)~~] (32) (a) "Political issues contribution" means any of the following:

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

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

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

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

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

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

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

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

307 [~~(31)~~] (33) (a) "Political issues expenditure" means any of the following:

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

310 (A) a ballot proposition; or

311 (B) an incorporation petition or incorporation election;

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

314 (A) a ballot proposition; or

315 (B) an incorporation petition or incorporation election;

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

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

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

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

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

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

327 [~~(32)~~] (34) "Political purposes" means an act done with the intent or in a way to
328 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
329 for or against any candidate [~~for public office~~] or a person seeking a municipal or county office
330 at any caucus, political convention, [~~primary~~], or election.

331 [~~(33)~~] (35) "Primary election" means any regular primary election held under the
332 election laws.

333 [~~(34)~~] (36) "Public office" means the office of governor, lieutenant governor, state
334 auditor, state treasurer, attorney general, state or local school board member, state senator, state
335 representative, speaker of the House of Representatives, president of the Senate, and the leader,
336 whip, and assistant whip of any party caucus in either house of the Legislature.

337 [~~(35)~~] (37) (a) "Public service assistance" means the following when given or provided

338 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to
339 communicate with the officeholder's constituents:

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

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

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

345 (i) anything provided by the state;

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

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

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

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

354 ~~[(36)]~~ (38) "Publicly identified class of individuals" means a group of 50 or more
355 individuals sharing a common occupation, interest, or association that contribute to a political
356 action committee or political issues committee and whose names can be obtained by contacting
357 the political action committee or political issues committee upon whose financial ~~[report they]~~
358 statement the individuals are listed.

359 ~~[(37)]~~ (39) "Receipts" means contributions and public service assistance.

360 ~~[(38)]~~ (40) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
361 Lobbyist Disclosure and Regulation Act.

362 ~~[(39)]~~ (41) "Registered political action committee" means any political action
363 committee that is required by this chapter to file a statement of organization with the lieutenant
364 governor's office.

365 ~~[(40)]~~ (42) "Registered political issues committee" means any political issues
366 committee that is required by this chapter to file a statement of organization with the lieutenant
367 governor's office.

368 ~~[(41)]~~ (43) "Registered political party" means an organization of voters that:

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

372 (b) has complied with the petition and organizing procedures of ~~[this chapter]~~ Chapter
373 8, Political Party Formation and Procedures.

374 (44) (a) "Remuneration" means a payment:

375 (i) made to a legislator for the period the Legislature is in session; and

376 (ii) that is approximately equivalent to an amount a legislator would have earned

377 during the period the Legislature is session in the legislator's ordinary course of business.

378 (b) "Remuneration" does not mean anything of economic value given to a legislator by:

379 (i) the legislator's primary employer in the ordinary course of business; or

380 (ii) a person or entity in the ordinary course of business:

381 (A) because of the legislator's ownership interest in the entity; or

382 (B) for services rendered by the legislator on behalf of the person or entity.

383 ~~[(42)]~~ (45) "Reporting entity" means a candidate, a candidate's personal campaign

384 committee, a judge, a judge's personal campaign committee, an officeholder, a party

385 committee, a political action committee, ~~[and]~~ a political issues committee, a corporation, or a

386 labor organization.

387 ~~[(43)]~~ (46) "School board office" means the office of state school board or local school
388 board.

389 (47) "Solicitation and administration costs" means the cost of office space, phones,

390 salaries, utilities, supplies, legal and accounting fees, fund-raising, and other expenses incurred

391 in setting up and running a political action committee established by a corporation or labor

392 organization.

393 ~~[(44)]~~ (48) (a) "Source" means the person or entity that is the legal owner of the
394 tangible or intangible asset that comprises the contribution.

395 (b) "Source" means, for political action committees and corporations, the political

396 action committee and the corporation as entities, not the contributors to the political action

397 committee or the owners or shareholders of the corporation.

398 ~~[(45)]~~ (49) "State office" means the offices of governor, lieutenant governor, attorney
399 general, state auditor, and state treasurer.

400 [(46)] (50) "State office candidate" means a person who:

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

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

405 [(47)] (51) "Summary report" means the year end report containing the summary of a
406 reporting entity's contributions and expenditures.

407 [(48)] (52) "Supervisory board" means the individual or group of individuals that
408 allocate expenditures from a political issues committee.

409 (53) "Vendor" means a person who is paid in excess of \$1,000 within one year by a
410 filing entity to contract with another person on the filing entity's behalf to provide a good or
411 service for the benefit of a filing entity.

412 Section 2. Section **20A-11-103** is amended to read:

413 **20A-11-103. Notice of pending interim and summary reports -- Form of**
414 **submission -- Public availability -- Notice of local filings.**

415 (1) (a) Except as provided under Subsection (1)(b), 10 days before [~~a financial~~
416 ~~statement from a state office candidate, legislative office candidate, officeholder, state school~~
417 ~~board candidate, political party, political action committee, political issues committee, or~~
418 ~~judge]~~ an interim report or summary report is due under this chapter[;] or Chapter 12, Part 2,
419 Judicial Retention Elections, the [lieutenant governor] chief election officer shall inform [~~those~~
420 ~~candidates, officeholders, parties, committees, and judges]~~ the filing entity by postal mail or, if
421 requested by the [~~candidate, officeholder, party, committee, or judge]~~ filing entity, by electronic
422 mail:

423 (i) of that the financial statement is due;

424 (ii) of the date that the financial statement is due; and

425 (iii) the penalty for failing to file the financial statement.

426 [~~(iii) if the notification is sent to a judge in reference to the interim report due before~~
427 ~~the regular general election, or to a candidate in reference to an interim report due before the~~
428 ~~regular primary election, on August 31, or before the regular general election, that if the report~~
429 ~~is not timely filed, voters will be informed that the candidate or judge has been disqualified and~~
430 ~~any votes cast for the candidate or judge will not be counted;]~~

431 ~~[(iv) if the notification is sent to a political party, political action committee, or~~
432 ~~political issues committee in reference to an interim report or a verified financial statement,~~
433 ~~that the entity may be guilty of a class B misdemeanor for failing to file the report or statement;~~
434 ~~and]~~

435 ~~[(v) if the notification is in reference to a summary report, that the candidate,~~
436 ~~officeholder, party, committee, or judge may be guilty of a class B misdemeanor for failing to~~
437 ~~file the report.]~~

438 (b) Notwithstanding the provisions of Subsection (1)(a), under this section the
439 ~~[lieutenant governor]~~ chief election officer is not required to provide notice:

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

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

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

447 ~~[(i) that the report is due;]~~

448 ~~[(ii) the date that the report is due;]~~

449 ~~[(iii) if the notification is in reference to an interim report due before the regular~~
450 ~~primary election, on August 31, or before the regular general election, that, if the report is not~~
451 ~~timely filed, voters will be informed that the candidate has been disqualified and any votes cast~~
452 ~~for the candidate will not be counted; and]~~

453 ~~[(iv) if the notification is in reference to a summary report, that the candidate may be~~
454 ~~guilty of a class B misdemeanor for failing to file the report.]~~

455 (2) ~~[Persons or entities submitting financial statements required by this chapter may~~
456 ~~submit them: (a) on paper, printed, typed, or legibly handwritten or hand printed; (b) on a~~
457 ~~computer disk according to specifications established by the chief election officer that protect~~
458 ~~against fraudulent filings and secure the accuracy of the information contained on the computer~~
459 ~~disk; (c) via fax; or (d)]~~ A filing entity shall electronically file a financial statement
460 via electronic mail or the Internet[;] according to specifications established by the chief election
461 officer.

462 (3) A financial statement is considered timely filed if[:~~(a)~~] it is received [~~in~~] by the
 463 chief election officer's office [~~no later than 5:00 p.m.~~] before the close of regular office hours
 464 on the date that it is due[;].

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

467 [~~(c) the candidate, judge, or entity has proof that the financial statement was mailed;~~
 468 ~~with appropriate postage and addressing, three days before the financial statement was due.]~~

469 (4) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
 470 Access and Management Act, the lieutenant governor shall:

471 (a) make each campaign finance statement filed by a candidate available for public
 472 inspection and copying no later than one business day after the statement is filed; and

473 (b) post an electronic copy or the contents of each [~~campaign finance~~] financial
 474 statement in a searchable format on a website established by the lieutenant governor:

475 (i) for campaign finance statements submitted to the lieutenant governor under the
 476 requirements of Section 10-3-208 or Section 17-16-6.5, no later than seven business days after
 477 the date of receipt of the campaign finance statement; [~~or]~~

478 (ii) for a [~~campaign finance statement~~] summary report or interim report filed under the
 479 requirements of this chapter or Chapter 12, Part 2, Judicial Retention Elections, no later than
 480 [~~seven~~] three business days after the date the statement is [~~due~~] electronically filed; and

481 (iii) for a financial statement required by Subsections 20A-11-201(5)(b),
 482 20A-11-301(6)(a), 20A-11-901(2), 20A-11-1301(6)(b), and 20A-12-303(3)(b), and Section
 483 20A-11-510, no later than one business day after the date the statement is electronically filed.

484 (5) If a municipality, under Section 10-3-208, or a county, under Section 17-16-6.5,
 485 elects to provide campaign finance disclosure on its own website, rather than through the
 486 lieutenant governor, the website established by the lieutenant governor shall contain a link or
 487 other access point to the municipality or county website.

488 Section 3. Section **20A-11-201** is amended to read:

489 **20A-11-201. State office candidate -- Separate bank account for campaign funds.**

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

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

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

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

501 (4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who
502 is no longer a state office candidate may not expend or transfer the monies in a campaign
503 account in a manner that would cause the former state office candidate to recognize the monies
504 as taxable income under federal tax law.

505 (b) A person who is no longer a state office candidate may transfer the monies in a
506 campaign account in a manner that would cause the former state office candidate to recognize
507 the monies as taxable income under federal tax law if the transfer is made to a campaign
508 account for federal office.

509 (5) (a) As used in this Subsection (5) and Section 20A-11-204, "received" means:

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

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

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

516 (b) Each state office candidate shall report to the lieutenant governor each contribution
517 and public service assistance [~~to the lieutenant governor~~];

518 (i) within 30 days after the contribution or public service assistance is received[-]; and

519 (ii) within 24 hours if the contribution or public service assistance is:

520 (A) in excess of \$1,000; and

521 (B) within the possession of the state office candidate or the state office candidate's
522 personal campaign committee within seven days of an election.

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

524 **20A-11-203. State office candidate -- Financial reporting requirements --**
525 **Year-end summary report.**

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

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

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

534 (i) the net balance of the last [~~summary report~~] financial statement, if any;

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

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

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

541 (v) for each nonmonetary contribution:

542 (A) the fair market value of the contribution with that information provided by the
543 contributor; and

544 (B) a specific description of the contribution;

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

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

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

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

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

554 (c) In preparing the report, all receipts and expenditures shall be reported as of

555 December 31 of the previous year.

556 (d) A check or negotiable instrument within the possession of a state office candidate
557 or the state office candidate's personal campaign committee on or before December 31 of the
558 previous year shall be negotiated and included in the summary report.

559 (3) [~~The summary report shall contain a paragraph signed by an~~] An authorized
560 member of the state office candidate's personal campaign committee or [~~by~~] the state office
561 candidate [~~certifying~~] shall certify in the summary report that, to the best of the [~~signer's~~]
562 person's knowledge, all receipts and all expenditures have been reported as of December 31 of
563 the previous year and that there are no bills or obligations outstanding and unpaid except as set
564 forth in that report.

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

566 **20A-11-204. State office candidate -- Financial reporting requirements -- Interim**
567 **reports.**

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

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

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

572 (c) August 31; and

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

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

575 (a) the net balance of the last [~~summary report~~] financial statement, if any;

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

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

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

582 (e) for each nonmonetary contribution:

583 (i) the fair market value of the contribution with that information provided by the
584 contributor; and

585 (ii) a specific description of the contribution;

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

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

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

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

593 (i) beginning balance;

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

595 (iii) total contributions to date;

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

597 (v) total expenditures to date.

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

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

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

604 (b) Any negotiable instrument or check [~~received by~~] within the possession of a state
605 office candidate or a state office candidate's personal campaign committee more than five days
606 before the required filing date of a report required by this section shall be negotiated and
607 included in the interim report.

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

609 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

610 (1) (a) If a state office candidate fails to file an interim report due before the regular
611 primary election, on August 31, or before the regular general election, the lieutenant governor
612 shall, after making a reasonable attempt to discover if the report was timely [~~mailed, inform the~~
613 ~~county clerk and other appropriate election officials who:~~] filed, impose a fine against the filing
614 entity in accordance with Section 20A-11-1006.

615 [~~(i) shall, if practicable, remove the name of the candidate by blacking out the~~
616 ~~candidate's name before the ballots are delivered to voters; or]~~

617 ~~[(ii) shall, if removing the candidate's name from the ballot is not practicable, inform~~
618 ~~the voters by any practicable method that the candidate has been disqualified and that votes~~
619 ~~cast for the candidate will not be counted; and]~~

620 ~~[(iii) may not count any votes for that candidate.]~~

621 ~~[(b) Any state office candidate who fails to file timely a financial statement required by~~
622 ~~Section 20A-11-204 is disqualified and the vacancy on the ballot may be filled as provided in~~
623 ~~Section 20A-1-501.]~~

624 ~~[(c) Notwithstanding Subsections (1)(a) and (1)(b), a state office candidate is not~~
625 ~~disqualified if:]~~

626 (b) The lieutenant governor may not impose the fine if:

627 (i) the candidate timely files the reports required by this section no later than the due
628 date in accordance with Section 20A-11-103;

629 (ii) ~~[those]~~ the reports are completed, detailing accurately and completely the
630 information required by this part except for inadvertent omissions or insignificant errors or
631 inaccuracies; and

632 (iii) ~~[those]~~ the omissions, errors, or inaccuracies described in Subsection (1)(b)(ii) are
633 explained, clearly shown, and corrected in:

634 (A) an amended report; or [in]

635 (B) the next scheduled report.

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

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

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

641 (b) If it appears that any state office candidate has failed to file the summary report
642 required by law, if it appears that a filed summary report does not conform to the law, or if the
643 lieutenant governor has received a written complaint alleging a violation of the law or the
644 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
645 violation or receipt of a written complaint, notify the state office candidate of the violation or
646 written complaint and direct the state office candidate to file a summary report correcting the
647 problem.

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

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

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

654 Section 7. Section **20A-11-301** is amended to read:

655 **20A-11-301. Legislative office candidate -- Campaign requirements.**

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

659 (2) A legislative office candidate may not deposit or mingle any contributions or public
660 service assistance received into a personal or business account.

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

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

667 (5) (a) Except as provided in Subsection (5)(b) and Section 20A-11-402, a person who
668 is no longer a legislative office candidate may not expend or transfer the monies in a campaign
669 account in a manner that would cause the former legislative office candidate to recognize the
670 monies as taxable income under federal tax law.

671 (b) A person who is no longer a legislative office candidate may transfer the monies in
672 a campaign account in a manner that would cause the former legislative office candidate to
673 recognize the monies as taxable income under federal tax law if the transfer is made to a
674 campaign account for federal office.

675 (6) (a) As used in this Subsection (6) and Section 20A-11-303, "received" means:

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

678 (ii) for a contribution that is a negotiable instrument or check, that the negotiable

679 instrument or check is negotiated; and

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

682 (b) Each legislative office candidate shall report to the lieutenant governor each
683 contribution and public service assistance [~~to the lieutenant governor~~];

684 (i) within 30 days after the contribution or public service assistance is received[-]; and

685 (ii) within 24 hours if the contribution or public service assistance is:

686 (A) in excess of \$1,000; and

687 (B) within the legislative office candidate's possession within seven days of an
688 election.

689 Section 8. Section **20A-11-302** is amended to read:

690 **20A-11-302. Legislative office candidate -- Financial reporting requirements --**

691 **Year-end summary report.**

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

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

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

700 (i) the net balance of the last [~~summary report~~] financial statement, if any;

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

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

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

707 (v) for each nonmonetary contribution:

708 (A) the fair market value of the contribution with that information provided by the
709 contributor; and

710 (B) a specific description of the contribution;
711 (vi) a detailed listing of each expenditure made since the last summary report that has
712 not been reported in detail on an interim report;
713 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
714 (viii) a net balance for the year consisting of the net balance from the last summary
715 report, if any, plus all receipts minus all expenditures.

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

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

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

722 (d) A check or negotiable instrument within the legislative office candidate's
723 possession on or before December 31 of the previous year shall be negotiated and included in
724 the summary report.

725 (3) [~~The summary report shall contain a paragraph signed by the~~] The legislative office
726 candidate [certifying] shall certify in the summary report that to the best of the candidate's
727 knowledge, all receipts and all expenditures have been reported as of December 31 of the
728 previous year and that there are no bills or obligations outstanding and unpaid except as set
729 forth in that report.

730 Section 9. Section **20A-11-303** is amended to read:

731 **20A-11-303. Legislative office candidate -- Financial reporting requirements --**
732 **Interim reports.**

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

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

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

737 (c) August 31; and

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

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

740 (a) the net balance of the last [~~summary report~~] financial statement, if any;

- 741 (b) a single figure equal to the total amount of receipts reported on all prior interim
742 reports, if any, during the calendar year in which the interim report is due;
- 743 (c) a single figure equal to the total amount of expenditures reported on all prior
744 interim reports, if any, filed during the calendar year in which the interim report is due;
- 745 (d) a detailed listing of each contribution and public service assistance received since
746 the last summary report that has not been reported in detail on a prior interim report;
- 747 (e) for each nonmonetary contribution:
- 748 (i) the fair market value of the contribution with that information provided by the
749 contributor; and
- 750 (ii) a specific description of the contribution;
- 751 (f) a detailed listing of each expenditure made since the last summary report that has
752 not been reported in detail on a prior interim report;
- 753 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 754 (h) a net balance for the year consisting of the net balance from the last summary
755 report, if any, plus all receipts since the last summary report minus all expenditures since the
756 last summary report; and
- 757 (i) a summary page in the form required by the lieutenant governor that identifies:
- 758 (i) beginning balance;
- 759 (ii) total contributions during the period since the last statement;
- 760 (iii) total contributions to date;
- 761 (iv) total expenditures during the period since the last statement; and
- 762 (v) total expenditures to date.
- 763 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
764 single aggregate figure may be reported without separate detailed listings.
- 765 (b) Two or more contributions from the same source that have an aggregate total of
766 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 767 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
768 as of five days before the required filing date of the report.
- 769 (b) Any negotiable instrument or check [~~received by~~] within the possession of a
770 legislative office candidate more than five days before the required filing date of a report
771 required by this section shall be negotiated and included in the interim report.

772 Section 10. Section **20A-11-305** is amended to read:

773 **20A-11-305. Legislative office candidate -- Failure to file report.**

774 (1) (a) If a legislative office candidate fails to file an interim report due before the
775 regular primary election, on August 31, or before the regular general election, the lieutenant
776 governor shall, after making a reasonable attempt to discover if the report was timely [~~mailed;~~
777 ~~inform the county clerk and other appropriate election officials who:~~] filed, impose a fine
778 against the filing entity in accordance with Section 20A-11-1006.

779 [~~(i) shall, if practicable, remove the name of the candidate by blacking out the~~
780 ~~candidate's name before the ballots are delivered to voters; or]~~

781 [~~(ii) shall, if removing the candidate's name from the ballot is not practicable, inform~~
782 ~~the voters by any practicable method that the candidate has been disqualified and that votes~~
783 ~~cast for the candidate will not be counted; and]~~

784 [~~(iii) may not count any votes for that candidate.]~~

785 [~~(b) Any legislative office candidate who fails to file timely a financial statement~~
786 ~~required by Section 20A-11-303 is disqualified and the vacancy on the ballot may be filled as~~
787 ~~provided in Section 20A-1-501.]~~

788 [~~(c) Notwithstanding Subsections (1)(a) and (1)(b), a legislative office candidate is not~~
789 ~~disqualified if:]~~

790 (b) The lieutenant governor may not impose the fine if:

791 (i) the candidate timely files the reports required by this section no later than the due
792 date in accordance with Section 20A-11-103;

793 (ii) [~~those~~] the reports are completed, detailing accurately and completely the
794 information required by this part except for inadvertent omissions or insignificant errors or
795 inaccuracies; and

796 (iii) [~~those~~] the omissions, errors, or inaccuracies described in Subsection (1)(b)(ii) are
797 explained, clearly shown, and corrected in:

798 (A) an amended report; or [in]

799 (B) the next scheduled report.

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

802 (i) each legislative office candidate that is required to file a summary report has filed

803 one; and

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

805 (b) If it appears that any legislative office candidate has failed to file the summary
806 report required by law, if it appears that a filed summary report does not conform to the law, or
807 if the lieutenant governor has received a written complaint alleging a violation of the law or the
808 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
809 violation or receipt of a written complaint, notify the legislative office candidate of the
810 violation or written complaint and direct the legislative office candidate to file a summary
811 report correcting the problem.

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

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

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

819 Section 11. Section **20A-11-403** is amended to read:

820 **20A-11-403. Failure to file -- Penalties.**

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

823 (a) each officeholder that is required to file a summary report has filed one; and

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

825 (2) If it appears that any officeholder has failed to file the summary report required by
826 law, if it appears that a filed summary report does not conform to the law, or if the lieutenant
827 governor has received a written complaint alleging a violation of the law or the falsity of any
828 summary report, the lieutenant governor shall[;]:

829 (a) impose a fine against the filing entity in accordance with Section 20A-11-1006; and

830 (b) within five days of discovery of a violation or receipt of a written complaint, notify
831 the officeholder of the violation or written complaint and direct the officeholder to file a
832 summary report correcting the problem.

833 (3) (a) It is unlawful for any officeholder to fail to file or amend a summary report

834 within 14 days after receiving notice from the lieutenant governor under this section.

835 (b) Each officeholder who violates Subsection (3)(a) is guilty of a class B
836 misdemeanor.

837 (c) The lieutenant governor shall report all violations of Subsection (3)(a) to the
838 attorney general.

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

840 **20A-11-507. Political party financial reporting requirements -- Interim reports.**

841 (1) The party committee of each registered political party shall file an interim report at
842 the following times in any year in which there is a regular general election:

843 (a) seven days before the registered political party's political convention;

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

845 [~~(a)~~] (c) August 31; and

846 [~~(b)~~] (d) seven days before the general election date.

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

848 (a) the net balance of the last [~~summary report~~] financial statement, if any;

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

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

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

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

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

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

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

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

863 (i) beginning balance;

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

865 (iii) total contributions to date;

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

867 (v) total expenditures to date.

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

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

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

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

875 **20A-11-508. Political party reporting requirements -- Criminal penalties.**

876 (1) (a) Each registered political party that fails to file [~~the interim reports due on~~
877 ~~August 31 or before the regular general election is~~] an interim report by the due date is:

878 (i) subject to a fine imposed in accordance with Section 20A-11-1006; and

879 (ii) guilty of a class B misdemeanor.

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

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

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

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

886 (3) If it appears that any political party has failed to file a report required by law, if it
887 appears that a filed report does not conform to the law, or if the lieutenant governor has
888 received a written complaint alleging a violation of the law or the falsity of any report, the
889 lieutenant governor shall, within five days of discovery of a violation or receipt of a written
890 complaint, notify the political party of the violation or written complaint and direct the political
891 party to file a summary report correcting the problem.

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

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

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

898 Section 14. Section **20A-11-509** is enacted to read:

899 **20A-11-509. Designation of contribution's use prohibited.**

900 A person making a contribution to a registered political party may not request that the
901 registered political party expend the contribution in a way to benefit a specific candidate.

902 Section 15. Section **20A-11-510** is enacted to read:

903 **20A-11-510. Reporting of contributions over \$1,000.**

904 A registered political party shall report to the lieutenant governor each contribution
905 received within 24 hours if the contribution is:

906 (1) in excess of \$1,000; and

907 (2) within the registered political party's possession within seven days of an election.

908 Section 16. Section **20A-11-602** is amended to read:

909 **20A-11-602. Political action committees -- Financial reporting.**

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

913 (i) on January 10, reporting contributions and expenditures as of December 31 of the
914 previous year;

915 (ii) seven days before the regular primary election date;

916 ~~[(ii)]~~ (iii) on August 31; and

917 ~~[(iii)]~~ (iv) seven days before the regular general election date.

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

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

921 (ii) for financial statements filed ~~[on August 31 and before the general election]~~ under
922 Subsections (1)(a)(ii) through (iv), all contributions and expenditures as of five days before the
923 required filing date of the financial statement.

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

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

- 927 (i) the name~~[-]~~ and address~~[-]~~~~and occupation~~ of any individual that makes a
928 contribution to the reporting political action committee, and the amount of the contribution;
- 929 (ii) the identification of any publicly identified class of individuals that makes a
930 contribution to the reporting political action committee, and the amount of the contribution;
- 931 (iii) the name and address of any political action committee, group, or entity that makes
932 a contribution to the reporting political action committee, and the amount of the contribution;
- 933 (iv) for each nonmonetary contribution, the fair market value of the contribution;
- 934 (v) the name and address of each reporting entity that received an expenditure from the
935 reporting political action committee, and the amount of each expenditure;
- 936 (vi) for each nonmonetary expenditure, the fair market value of the expenditure;
- 937 (vii) the total amount of contributions received and expenditures disbursed by the
938 reporting political action committee;
- 939 (viii) ~~[a paragraph signed]~~ a statement by the political action committee's treasurer or
940 chief financial officer ~~[verifying]~~ certifying that, to the best of the ~~[signer's]~~ person's
941 knowledge, the financial report is accurate; and
- 942 (ix) a summary page in the form required by the lieutenant governor that identifies:
- 943 (A) beginning balance;
- 944 (B) total contributions during the period since the last statement;
- 945 (C) total contributions to date;
- 946 (D) total expenditures during the period since the last statement; and
- 947 (E) total expenditures to date.
- 948 (b) (i) Contributions received by a political action committee that have a value of \$50
949 or less need not be reported individually, but shall be listed on the report as an aggregate total.
- 950 (ii) Two or more contributions from the same source that have an aggregate total of
951 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 952 (3) A group or entity may not divide or separate into units, sections, or smaller groups
953 for the purpose of avoiding the financial reporting requirements of this chapter, and substance
954 shall prevail over form in determining the scope or size of a political action committee.
- 955 (4) A registered political action committee shall report to the lieutenant governor each
956 contribution received within 24 hours if the contribution is:
- 957 (a) in excess of \$1,000; and

958 (b) within the political action committee's possession within seven days of an election
959 or municipal election.

960 Section 17. Section **20A-11-603** is amended to read:

961 **20A-11-603. Criminal penalties.**

962 (1) (a) Each political action committee that fails to file the statement due before the
963 regular primary election, on August 31 or before the regular general session is:

964 (i) subject to a fine imposed in accordance with Section 20A-11-1006; and

965 (ii) guilty of a class B misdemeanor.

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

968 (2) Within 30 days after a deadline for the filing of the January 10 statement required
969 by this part, the lieutenant governor shall review each filed statement to ensure that:

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

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

972 (3) If it appears that any political action committee has failed to file the January 10
973 statement, if it appears that a filed statement does not conform to the law, or if the lieutenant
974 governor has received a written complaint alleging a violation of the law or the falsity of any
975 statement, the lieutenant governor shall, within five days of discovery of a violation or receipt
976 of a written complaint, notify the political action committee of the violation or written
977 complaint and direct the political action committee to file a statement correcting the problem.

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

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

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

984 Section 18. Section **20A-11-604** is enacted to read:

985 **20A-11-604. Limits on contributions by political action committees.**

986 (1) (a) A political action committee may not make contributions totaling more than the
987 following amounts per contribution cycle:

988 (i) \$10,000 to one state office candidate;

989 (ii) \$5,000 to one legislative office candidate;

990 (iii) \$5,000 to one school board office candidate;

991 (iv) \$5,000 to one judge;

992 (v) \$40,000 to one registered political party;

993 (vi) \$10,000 to one political action committee; or

994 (vii) \$50,000 in the aggregate to one or more:

995 (A) registered political parties;

996 (B) labor organizations; and

997 (C) political action committees.

998 (b) A political action committee may make a contribution to more than one candidate

999 or judge, or multiple contributions to one candidate or judge, except that the total contributions

1000 by the political action committee to one candidate or judge in a contribution cycle may not

1001 exceed the amounts described in Subsections (1)(a)(i) through (iv).

1002 (2) The chief election officer shall adjust the dollar amounts listed in Subsection (1) for

1003 inflation as provided by Section 20A-11-1005.

1004 (3) Solicitation or administrative costs incurred by a political action committee are

1005 excluded from the contribution limits specified in Subsection (1).

1006 (4) A political action committee may not make a cash contribution in excess of \$50.

1007 Section 19. Section **20A-11-605** is enacted to read:

1008 **20A-11-605. Designation of contribution's use prohibited.**

1009 A person making a contribution to a political action committee may not request that the

1010 political action committee expend the contribution in a way to benefit a specific candidate.

1011 Section 20. Section **20A-11-701** is amended to read:

1012 **20A-11-701. Campaign financial reporting of candidate campaign contributions**

1013 **by corporations -- Filing requirements -- Statement contents.**

1014 (1) (a) Each corporation that has made expenditures for political purposes that total at

1015 least \$750 during a calendar year shall file a verified financial statement with the lieutenant

1016 governor's office [on]:

1017 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1018 (ii) seven days before the regular primary election date;

1019 [~~it~~] (iii) on August 31; and

1020 [~~(iii)~~] (iv) seven days before the regular general election date.

1021 (b) The corporation shall report:

1022 (i) a detailed listing of all expenditures made since the last statement; [~~and~~]

1023 (ii) for financial statements filed [~~on August 31 and before the general election~~] under

1024 Subsections (1)(a)(ii) through (iv), all expenditures as of three days before the required filing

1025 date of the financial statement[~~;~~]; and

1026 (iii) whether the corporation, including an officer, director, spouse, or person with at

1027 least 10% ownership in the corporation:

1028 (A) has bid since the last financial statement on a contract, as defined in Section

1029 63G-6-103, in excess of \$100,000;

1030 (B) is currently bidding on a contract, as defined in Section 63G-6-103, in excess of

1031 \$100,000; or

1032 (C) is a party to a contract, as defined in Section 63G-6-103, in excess of \$100,000.

1033 (c) The corporation need not file a statement under this section if it made no

1034 expenditures during the reporting period.

1035 (2) That statement shall include:

1036 (a) the name and address of each reporting entity that received an expenditure from the

1037 corporation, and the amount of each expenditure;

1038 (b) the total amount of expenditures disbursed by the corporation; and

1039 (c) [~~a paragraph signed~~] a statement by the corporation's [~~or the political action~~

1040 ~~committee's~~] treasurer or chief financial officer [~~verifying~~] certifying the accuracy of the

1041 financial report.

1042 Section 21. Section **20A-11-702** is amended to read:

1043 **20A-11-702. Campaign financial reporting of political issues expenditures by**

1044 **corporations -- Financial reporting.**

1045 (1) (a) Each corporation that has made political issues expenditures on current or

1046 proposed ballot issues that total at least \$750 during a calendar year shall file a verified

1047 financial statement with the lieutenant governor's office [~~on~~]:

1048 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1049 (ii) seven days before the regular primary election date;

1050 [~~(i)~~] (iii) on August 31; and

1051 [~~(iii)~~] (iv) seven days before the regular general election date.

1052 (b) The corporation shall report:

1053 (i) a detailed listing of all expenditures made since the last statement; and

1054 (ii) for financial statements [~~filed on August 31 and before the primary and general~~
1055 ~~elections~~] under Subsections (1)(a)(ii) through (iv), expenditures as of five days before the
1056 required filing date of the financial statement.

1057 (c) The corporation need not file a statement under this section if it made no
1058 expenditures during the reporting period.

1059 (2) That statement shall include:

1060 (a) the name and address of each individual, entity, or group of individuals or entities
1061 that received a political issues expenditure of more than \$50 from the corporation, and the
1062 amount of each political issues expenditure;

1063 (b) the total amount of political issues expenditures disbursed by the corporation; and

1064 (c) [~~a paragraph signed~~] a statement by the corporation's treasurer or chief financial
1065 officer [~~verifying~~] certifying the accuracy of the verified financial statement.

1066 Section 22. Section **20A-11-703** is amended to read:

1067 **20A-11-703. Criminal penalties -- Fines.**

1068 (1) Within 30 days after a deadline for the filing of any statement required by this part,
1069 the lieutenant governor shall review each filed statement to ensure that:

1070 (a) each corporation that is required to file a statement has filed one; and

1071 (b) each statement contains the information required by this part.

1072 (2) If it appears that any corporation has failed to file any statement, if it appears that a
1073 filed statement does not conform to the law, or if the lieutenant governor has received a written
1074 complaint alleging a violation of the law or the falsity of any statement, the lieutenant governor
1075 shall[;]:

1076 (a) impose a fine against the corporation in accordance with Section 20A-11-1006; and

1077 (b) within five days of discovery of a violation or receipt of a written complaint, notify
1078 the corporation of the violation or written complaint and direct the corporation to file a
1079 statement correcting the problem.

1080 (3) (a) It is unlawful for any corporation to fail to file or amend a statement within 14
1081 days after receiving notice from the lieutenant governor under this section.

1082 (b) Each corporation who violates Subsection (3)(a) is guilty of a class B misdemeanor.

1083 (c) The lieutenant governor shall report all violations of this Subsection (3)(a) to the
1084 attorney general.

1085 Section 23. Section **20A-11-705** is enacted to read:

1086 **20A-11-705. Limits on contributions by corporations.**

1087 (1) (a) A corporation may not make contributions totaling more than the following
1088 amounts per contribution cycle:

1089 (i) \$10,000 to one state office candidate;

1090 (ii) \$5,000 to one legislative office candidate;

1091 (iii) \$5,000 to one school board office candidate;

1092 (iv) \$5,000 to one judge;

1093 (v) \$40,000 to one registered political party;

1094 (vi) \$10,000 to one political action committee; or

1095 (vii) \$50,000 in the aggregate to one or more:

1096 (A) registered political parties;

1097 (B) labor organizations; and

1098 (C) political action committees.

1099 (b) A corporation may make a contribution to more than one candidate or judge, or
1100 multiple contributions to one candidate or judge, except that the total contributions by the
1101 corporation to one candidate or judge in a contribution cycle may not exceed the amounts
1102 described in Subsections (1)(a)(i) through (iv).

1103 (2) (a) The chief election officer shall adjust the dollar amounts listed in Subsection (1)
1104 for inflation as provided by Section 20A-11-1005.

1105 (b) Solicitation or administrative costs incurred by a corporation are excluded from the
1106 contribution limits specified in Subsection (1).

1107 (3) A corporation may not make a cash contribution in excess of \$50.

1108 Section 24. Section **20A-11-802** is amended to read:

1109 **20A-11-802. Political issues committees -- Financial reporting.**

1110 (1) (a) Each registered political issues committee that has received political issues
1111 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least
1112 \$50, during a calendar year, shall file a verified financial statement with the lieutenant

1113 governor's office:

1114 (i) on January 10, reporting contributions and expenditures as of December 31 of the
1115 previous year;

1116 (ii) seven days before the date of an incorporation election, if the political issues
1117 committee has received donations or made disbursements to affect an incorporation;

1118 (iii) at least three days before the first public hearing held as required by Section
1119 20A-7-204.1;

1120 (iv) if the political issues committee has received or expended funds in relation to an
1121 initiative or referendum, at the time the initiative or referendum sponsors submit:

1122 (A) the verified and certified initiative packets as required by Section 20A-7-206; or

1123 (B) the signed and verified referendum packets as required by Section 20A-7-306;

1124 (v) on August 31; and

1125 (vi) seven days before the regular general election.

1126 (b) The political issues committee shall report:

1127 (i) a detailed listing of all contributions received and expenditures made since the last
1128 statement; and

1129 (ii) for financial statements filed on August 31 and before the general election, all
1130 contributions and expenditures as of three days before the required filing date of the financial
1131 statement.

1132 (c) The political issues committee need not file a statement under this section if it
1133 received no contributions and made no expenditures during the reporting period.

1134 (2) (a) That statement shall include:

1135 (i) the name[;] and address[~~,-and-occupation~~] of any individual that makes a political
1136 issues contribution to the reporting political issues committee, and the amount of the political
1137 issues contribution;

1138 (ii) the identification of any publicly identified class of individuals that makes a
1139 political issues contribution to the reporting political issues committee, and the amount of the
1140 political issues contribution;

1141 (iii) the name and address of any political issues committee, group, or entity that makes
1142 a political issues contribution to the reporting political issues committee, and the amount of the
1143 political issues contribution;

1144 (iv) the name and address of each reporting entity that makes a political issues
1145 contribution to the reporting political issues committee, and the amount of the political issues
1146 contribution;

1147 (v) for each nonmonetary contribution, the fair market value of the contribution;

1148 (vi) except as provided in Subsection (2)(c), the name and address of each individual,
1149 entity, or group of individuals or entities that received a political issues expenditure of more
1150 than \$50 from the reporting political issues committee, and the amount of each political issues
1151 expenditure;

1152 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

1153 (viii) the total amount of political issues contributions received and political issues
1154 expenditures disbursed by the reporting political issues committee;

1155 (ix) ~~a paragraph signed~~ a statement by the political issues committee's treasurer or
1156 chief financial officer ~~verifying~~ certifying that, to the best of the ~~signer's~~ person's
1157 knowledge, the financial statement is accurate; and

1158 (x) a summary page in the form required by the lieutenant governor that identifies:

1159 (A) beginning balance;

1160 (B) total contributions during the period since the last statement;

1161 (C) total contributions to date;

1162 (D) total expenditures during the period since the last statement; and

1163 (E) total expenditures to date.

1164 (b) (i) Political issues contributions received by a political issues committee that have a
1165 value of \$50 or less need not be reported individually, but shall be listed on the report as an
1166 aggregate total.

1167 (ii) Two or more political issues contributions from the same source that have an
1168 aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported
1169 separately.

1170 (c) When reporting political issue expenditures made to circulators of initiative
1171 petitions, the political issues committee:

1172 (i) need only report the amount paid to each initiative petition circulator; and

1173 (ii) need not report the name or address of the circulator.

1174 (3) A registered political issues committee shall report to the lieutenant governor each

1175 contribution received within 24 hours if the contribution is:

1176 (a) in excess of \$1,000; and

1177 (b) within the political issues committee's possession within seven days of an election

1178 or a municipal election.

1179 Section 25. Section **20A-11-901** is amended to read:

1180 **20A-11-901. Political advertisements -- Requirement that ads designate**

1181 **responsibility and authorization -- Unauthorized use of endorsements.**

1182 (1) (a) Whenever any person makes an expenditure for the purpose of financing an
1183 advertisement expressly advocating the election or defeat of a clearly identified candidate, or
1184 solicits any contribution through any broadcasting station, newspaper, magazine, outdoor
1185 advertising facility, direct mailing, or any other type of general public political advertising, the
1186 advertisement:

1187 (i) if paid for and authorized by a candidate or the candidate's campaign committee,
1188 shall clearly state that the advertisement has been paid for by the candidate or the campaign
1189 committee;

1190 (ii) if paid for by another person but authorized by a candidate or the candidate's
1191 campaign committee, shall clearly state who paid for the advertisement and that the candidate
1192 or the campaign committee authorized the advertisement; or

1193 (iii) if not authorized by a candidate or his campaign committee, shall clearly state the
1194 name of the person who paid for the advertisement and state that the advertisement is not
1195 authorized by any candidate or candidate's committee.

1196 (b) The requirements of Subsection (1)(a) do not apply to:

1197 (i) lawn signs with dimensions of four by eight feet or smaller;

1198 (ii) bumper stickers;

1199 (iii) campaign pins, buttons, and pens; and

1200 (iv) similar small items upon which the disclaimer cannot be conveniently printed.

1201 (2) (a) A person who pays for an electioneering communication shall file a report with
1202 the lieutenant governor within 24 hours of making the payment or promising to make the
1203 payment.

1204 (b) The report shall include:

1205 (i) the name and street address of the person described in Subsection (2)(a);

1206 (ii) the name and address of each person contributing at least \$100 to the person
 1207 described in Subsection (2)(a) for the purpose of disseminating the electioneering
 1208 communication;

1209 (iii) the amount spent on the electioneering communication;

1210 (iv) the name of the identified referenced candidate; and

1211 (v) the medium used to disseminate the electioneering communication.

1212 ~~[(2)]~~ (3) A person may not, in order to promote the success of any candidate for
 1213 nomination or election to any public office, or in connection with any question submitted to the
 1214 voters, include or cause to be included the name of any person as endorser or supporter in any
 1215 political advertisement, circular, poster, or publication without the express consent of that
 1216 person.

1217 ~~[(3)]~~ (4) (a) It is unlawful for a person to pay the owner, editor, publisher, or agent of
 1218 any newspaper or other periodical to induce him to advocate or oppose editorially any
 1219 candidate for nomination or election.

1220 (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to
 1221 advocate or oppose editorially any candidate for nomination or election.

1222 Section 26. Section **20A-11-904** is enacted to read:

1223 **20A-11-904. Contribution given in another's name prohibited.**

1224 A person may not:

1225 (1) make a contribution in the name of another;

1226 (2) knowingly permit another to make a contribution in the person's name; or

1227 (3) knowingly accept a contribution made by one person in the name of another.

1228 Section 27. Section **20A-11-1001** is amended to read:

1229 **20A-11-1001. Electronic form prepared by chief election officer.**

1230 The chief election officer shall:

1231 (1) develop and prepare ~~[forms for all]~~ an electronic form for all financial statements
 1232 required by this chapter; and

1233 (2) provide ~~[copies of the forms]~~ access to the electronic form to the secretary of every
 1234 committee, to every candidate, and to all others who request them.

1235 Section 28. Section **20A-11-1002** is amended to read:

1236 **20A-11-1002. Retention and public inspection of financial statements -- Written**

1237 **complaint if statement is false or unlawful.**

1238 (1) The chief election officer shall:

1239 (a) make each financial statement required by this chapter or Chapter 12, Part 2,

1240 Judicial Retention Elections:

1241 (i) open to public inspection in the office of the chief election officer; and

1242 (ii) available for viewing on the Internet [~~at the lieutenant governor's website within~~
1243 ~~seven calendar days after the report is received by the chief election officer]~~ in accordance with
1244 Section 20A-11-103;

1245 (b) preserve those statements for at least five years; and

1246 (c) provide certified copies of the financial statements in the same manner as for other
1247 public records.

1248 (2) Any candidate or voter may file a written complaint with the chief election officer
1249 alleging that a filed financial statement does not conform to law or to the truth.

1250 Section 29. Section **20A-11-1005** is enacted to read:

1251 **20A-11-1005. Calculation of inflation.**

1252 (1) For a contribution cycle beginning on January 1, the chief election officer shall
1253 increase the dollar amounts listed in Subsections 20A-11-604(1), 20A-11-705(1),
1254 20A-11-1501(1), and 20A-11-1602(1) by a percentage equal to the percentage difference
1255 between the consumer price index for the preceding calendar year and the consumer price
1256 index for calendar year 2010.

1257 (2) After the chief election officer increases the dollar amounts described in Subsection
1258 (1), the chief election officer shall round the dollar amounts to the nearest multiple of \$100.

1259 (3) For purposes of Subsection (1), the chief election officer shall calculate the
1260 consumer price index as provided in Sections 1(f)(4) and 1(f)(5), Internal Revenue Code.

1261 (4) The chief election officer shall publish the dollar amounts adjusted for inflation as
1262 provided by this section on the chief election officer's website.

1263 Section 30. Section **20A-11-1006** is enacted to read:

1264 **20A-11-1006. Fines for failing to file a financial statement -- Enforcement of**
1265 **contribution limits.**

1266 (1) The chief election officer shall fine a filing entity:

1267 (a) \$300 for failing to file a financial statement by the filing deadline; and

1268 **(b) \$500 for each month after the filing deadline in which the filing entity fails to file**
1269 **the report.**

1270 **(2) If a filing entity is unable to pay the fine and files an affidavit of impecuniosity in a**
1271 **manner similar to Subsection 20A-9-201(5)(d), the chief elections officer shall impose the fine**
1272 **against the candidate or treasurer, as appropriate.**

1273 **(3) The chief election officer shall deposit fines collected under this chapter in the**
1274 **General Fund.**

1275 **(4) The lieutenant governor shall enforce the contribution limits established in Sections**
1276 **20A-11-604, 20A-11-705, 20A-11-1501, and 20A-11-1602 by:**

1277 **(a) conducting an informal adjudicative proceeding in accordance with Title 63G,**
1278 **Chapter 4, Administrative Procedures Act; and**

1279 **(b) if necessary, issuing a signed order requiring a filing entity to return the portion of a**
1280 **contribution in excess of the contribution limit to the person who made the contribution.**

1281 Section 31. Section **20A-11-1301** is amended to read:

1282 **20A-11-1301. School board office candidate -- Campaign requirements.**

1283 (1) Each school board office candidate shall deposit each contribution and public
1284 service assistance received in one or more separate accounts in a financial institution that are
1285 dedicated only to that purpose.

1286 (2) A school board office candidate may not deposit or mingle any contributions or
1287 public service assistance received into a personal or business account.

1288 (3) A school board office candidate may not make any political expenditures prohibited
1289 by law.

1290 (4) If a person who is no longer a school board candidate chooses not to expend the
1291 monies remaining in a campaign account, the person shall continue to file the year-end
1292 summary report required by Section 20A-11-1302 until the statement of dissolution and final
1293 summary report required by Section 20A-11-1304 are filed with:

1294 (a) the lieutenant governor in the case of a state school board candidate; and

1295 (b) the county clerk, in the case of a local school board candidate.

1296 (5) (a) Except as provided in Subsection (5)(b) and Section 20A-11-402, a person who
1297 is no longer a school board candidate may not expend or transfer the monies in a campaign
1298 account in a manner that would cause the former school board candidate to recognize the

1299 monies as taxable income under federal tax law.

1300 (b) A person who is no longer a school board candidate may transfer the monies in a
 1301 campaign account in a manner that would cause the former school board candidate to recognize
 1302 the monies as taxable income under federal tax law if the transfer is made to a campaign
 1303 account for federal office.

1304 (6) (a) As used in this Subsection (6) and Section 20A-11-1303, "received" means:

1305 (i) for a cash contribution, that the cash is given to a ~~[legislative]~~ school board office
 1306 candidate or a member of the candidate's personal campaign committee;

1307 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
 1308 instrument or check is negotiated; and

1309 (iii) for any other type of contribution, that any portion of the contribution's benefit
 1310 inures to the ~~[legislative]~~ school board office candidate.

1311 (b) Each school board office candidate shall report to the chief election officer each
 1312 contribution and public service assistance ~~[to the lieutenant governor]~~;

1313 (i) within 30 days after the contribution or public service assistance is received[-]; and

1314 (ii) within 24 hours if the contribution or public service assistance is:

1315 (A) in excess of \$1,000; and

1316 (B) within the school board office candidate's possession within seven days of an
 1317 election.

1318 Section 32. Section **20A-11-1302** is amended to read:

1319 **20A-11-1302. School board office candidate -- Financial reporting requirements**
 1320 **-- Year-end summary report.**

1321 (1) (a) Each school board office candidate shall file a summary report by January 10 of
 1322 the year after the regular general election year.

1323 (b) ~~[Beginning with the 2008 regular general election and in]~~ In addition to the
 1324 requirements of Subsection (1)(a), a former school board office candidate that has not filed the
 1325 statement of dissolution and final summary report required under Section 20A-11-1304 shall
 1326 continue to file a summary report on January 10 of each year.

1327 (2) (a) Each summary report shall include the following information as of December 31
 1328 of the previous year:

1329 (i) the net balance of the last ~~[summary report]~~ financial statement, if any;

1330 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
1331 if any, during the previous year;

1332 (iii) a single figure equal to the total amount of expenditures reported on all interim
1333 reports, if any, filed during the previous year;

1334 (iv) a detailed listing of each receipt, contribution, and public service assistance since
1335 the last summary report that has not been reported in detail on an interim report;

1336 (v) for each nonmonetary contribution:

1337 (A) the fair market value of the contribution with that information provided by the
1338 contributor; and

1339 (B) a specific description of the contribution;

1340 (vi) a detailed listing of each expenditure made since the last summary report that has
1341 not been reported in detail on an interim report;

1342 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

1343 (viii) a net balance for the year consisting of the net balance from the last summary
1344 report, if any, plus all receipts minus all expenditures.

1345 (b) (i) For all individual contributions or public service assistance of \$50 or less, a
1346 single aggregate figure may be reported without separate detailed listings.

1347 (ii) Two or more contributions from the same source that have an aggregate total of
1348 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1349 (c) In preparing the report, all receipts and expenditures shall be reported as of
1350 December 31 of the previous year.

1351 (d) A check or negotiable instrument within the possession of a school board office
1352 candidate on or before December 31 of the previous year shall be negotiated and included in
1353 the summary report.

1354 (3) [~~The summary report shall contain a paragraph signed by the~~] The school board
1355 office candidate [certifying] shall certify in the summary report that, to the best of the school
1356 board office candidate's knowledge, all receipts and all expenditures have been reported as of
1357 December 31 of the previous year and that there are no bills or obligations outstanding and
1358 unpaid except as set forth in that report.

1359 Section 33. Section **20A-11-1303** is amended to read:

1360 **20A-11-1303. School board office candidate -- Financial reporting requirements**

1361 -- **Interim reports.**

1362 (1) Each school board office candidate shall file an interim report at the following
1363 times in any year in which the candidate has filed a declaration of candidacy for a public office:

- 1364 (a) May 15, for state school board office candidates;
1365 (b) seven days before the regular primary election date;
1366 (c) August 31; and
1367 (d) seven days before the regular general election date.

1368 (2) Each interim report shall include the following information:

- 1369 (a) the net balance of the last [~~summary report~~] financial statement, if any;
1370 (b) a single figure equal to the total amount of receipts reported on all prior interim
1371 reports, if any, during the calendar year in which the interim report is due;
1372 (c) a single figure equal to the total amount of expenditures reported on all prior
1373 interim reports, if any, filed during the calendar year in which the interim report is due;
1374 (d) a detailed listing of each contribution and public service assistance received since
1375 the last summary report that has not been reported in detail on a prior interim report;
1376 (e) for each nonmonetary contribution:
1377 (i) the fair market value of the contribution with that information provided by the
1378 contributor; and
1379 (ii) a specific description of the contribution;
1380 (f) a detailed listing of each expenditure made since the last summary report that has
1381 not been reported in detail on a prior interim report;
1382 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
1383 (h) a net balance for the year consisting of the net balance from the last summary
1384 report, if any, plus all receipts since the last summary report minus all expenditures since the
1385 last summary report; and
1386 (i) a summary page in the form required by the lieutenant governor that identifies:
1387 (i) beginning balance;
1388 (ii) total contributions during the period since the last statement;
1389 (iii) total contributions to date;
1390 (iv) total expenditures during the period since the last statement; and
1391 (v) total expenditures to date.

1392 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
1393 single aggregate figure may be reported without separate detailed listings.

1394 (b) Two or more contributions from the same source that have an aggregate total of
1395 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1396 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
1397 as of five days before the required filing date of the report.

1398 (b) Any negotiable instrument or check ~~[received by]~~ within the possession of a school
1399 board office candidate more than five days before the required filing date of a report required
1400 by this section shall be negotiated and included in the interim report.

1401 Section 34. Section **20A-11-1305** is amended to read:

1402 **20A-11-1305. School board office candidate -- Failure to file statement.**

1403 (1) (a) If a school board office candidate fails to file an interim report due before the
1404 regular primary election, on August 31, and before the regular general election, the chief
1405 election officer shall, after making a reasonable attempt to discover if the report was timely
1406 ~~[mailed]~~ filed, ~~[inform the county clerk and other appropriate election officials who:]~~ impose a
1407 fine against the filing entity in accordance with Section 20A-11-1006.

1408 ~~[(i) shall, if practicable, remove the name of the candidate by blacking out the~~
1409 ~~candidate's name before the ballots are delivered to voters; or]~~

1410 ~~[(ii) shall, if removing the candidate's name from the ballot is not practicable, inform~~
1411 ~~the voters by any practicable method that the candidate has been disqualified and that votes~~
1412 ~~cast for candidate will not be counted; and]~~

1413 ~~[(iii) may not count any votes for that candidate.]~~

1414 ~~[(b) Any school board office candidate who fails to file timely a financial statement~~
1415 ~~required by this part is disqualified and the vacancy on the ballot may be filled as provided in~~
1416 ~~Section 20A-1-501.]~~

1417 ~~[(c) Notwithstanding Subsections (1)(a) and (1)(b), a school board office candidate is~~
1418 ~~not disqualified if:]~~

1419 (b) The chief election officer may not impose the fine if:

1420 (i) the candidate timely files the reports required by this section in accordance with
1421 Section 20A-11-103;

1422 (ii) those reports are completed, detailing accurately and completely the information

1423 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
1424 and

1425 (iii) those omissions, errors, or inaccuracies [~~are~~] described in Subsection (1)(b)(ii) are
1426 explained, clearly shown, and corrected in an amended report or in the next scheduled report.

1427 (2) (a) Within 30 days after a deadline for the filing of a summary report by a candidate
1428 for state school board, the lieutenant governor shall review each filed summary report to ensure
1429 that:

1430 (i) each state school board candidate that is required to file a summary report has filed
1431 one; and

1432 (ii) each summary report contains the information required by this part.

1433 (b) If it appears that any state school board candidate has failed to file the summary
1434 report required by law, if it appears that a filed summary report does not conform to the law, or
1435 if the lieutenant governor has received a written complaint alleging a violation of the law or the
1436 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1437 violation or receipt of a written complaint, notify the state school board candidate of the
1438 violation or written complaint and direct the state school board candidate to file a summary
1439 report correcting the problem.

1440 (c) (i) It is unlawful for any state school board candidate to fail to file or amend a
1441 summary report within 14 days after receiving notice from the lieutenant governor under this
1442 section.

1443 (ii) Each state school board candidate who violates Subsection (2)(c)(i) is guilty of a
1444 class B misdemeanor.

1445 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
1446 attorney general.

1447 (3) (a) Within 30 days after a deadline for the filing of a summary report, the county
1448 clerk shall review each filed summary report to ensure that:

1449 (i) each local school board candidate that is required to file a summary report has filed
1450 one; and

1451 (ii) each summary report contains the information required by this part.

1452 (b) If it appears that any local school board candidate has failed to file the summary
1453 report required by law, if it appears that a filed summary report does not conform to the law, or

1454 if the county clerk has received a written complaint alleging a violation of the law or the falsity
1455 of any summary report, the county clerk shall, within five days of discovery of a violation or
1456 receipt of a written complaint, notify the local school board candidate of the violation or
1457 written complaint and direct the local school board candidate to file a summary report
1458 correcting the problem.

1459 (c) (i) It is unlawful for any local school board candidate to fail to file or amend a
1460 summary report within 14 days after receiving notice from the county clerk under this section.

1461 (ii) Each local school board candidate who violates Subsection (3)(c)(i) is guilty of a
1462 class B misdemeanor.

1463 (iii) The county clerk shall report all violations of Subsection (3)(c)(i) to the district or
1464 county attorney.

1465 Section 35. Section **20A-11-1402** is amended to read:

1466 **20A-11-1402. Definitions.**

1467 (1) As used in this part:

1468 (a) "Ballot proposition" includes constitutional amendments, initiatives, referenda,
1469 judicial retention questions, opinion questions, or other questions submitted to the voters for
1470 their approval or rejection.

1471 [~~(b) (i) "Labor organization" means a lawful organization of any kind that is composed,~~
1472 ~~in whole or in part, of employees and that exists for the purpose, in whole or in part, of dealing~~
1473 ~~with employers concerning grievances, labor disputes, wages, rates of pay, hours of~~
1474 ~~employment, or other terms and conditions of employment.]~~

1475 [~~(ii) Except as provided in Subsection (1)(b)(iii), "labor organization" includes each~~
1476 ~~employee association and union for employees of public and private sector employers.]~~

1477 [~~(iii) "Labor organization" does not include organizations governed by the National~~
1478 ~~Labor Relations Act, 29 U.S.C. Sec. 151 et seq. or the Railroad Labor Act, 45 U.S.C. Sec. 151~~
1479 ~~et seq.]~~

1480 [~~(c) (b)~~ (b) "Political fund" means a separate segregated fund established by a labor
1481 organization for political purposes that meets the requirements of this part.

1482 [~~(c) (c)~~ (c) "Political purposes" means an act done with the intent or in a way to influence
1483 or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or
1484 against any candidate for public office at any caucus, political convention, [primary:] or

1485 election.

1486 ~~[(e)]~~ (d) "Union dues" means dues, fees, monies, or other assessments required as a
1487 condition of membership or participation in a labor organization.

1488 (2) Other terms defined in Section 20A-11-101 apply to this part.

1489 Section 36. Section **20A-11-1501** is enacted to read:

1490 **Part 15. Contribution Limits**

1491 **20A-11-1501. Limits on contributions by an individual.**

1492 (1) (a) An individual may not make contributions totaling more than the following
1493 amounts per contribution cycle:

1494 (i) \$10,000 to one state office candidate;

1495 (ii) \$5,000 to one legislative office candidate;

1496 (iii) \$5,000 to one school board office candidate;

1497 (iv) \$5,000 to one judge;

1498 (v) \$40,000 to one registered political party; or

1499 (vi) \$10,000 to one political action committee.

1500 (b) An individual may make a contribution to more than one candidate or judge, or
1501 multiple contributions to one candidate or judge, except that the total contributions by the
1502 individual to one candidate or judge in a contribution cycle may not exceed the amounts
1503 described in Subsections (1)(a)(i) through (iv).

1504 (2) An individual may not make a cash contribution in excess of \$50.

1505 (3) The chief election officer shall adjust the dollar amounts listed in Subsection (1) for
1506 inflation as provided by Section 20A-11-1005.

1507 Section 37. Section **20A-11-1601** is enacted to read:

1508 **Part 16. Labor Organizations**

1509 **20A-11-1601. Campaign financial reporting of contributions -- Filing**
1510 **requirements -- Statement contents.**

1511 (1) (a) Each labor organization that has made expenditures for political purposes that
1512 total at least \$750 during a calendar year shall file a verified financial statement with the
1513 lieutenant governor's office:

1514 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1515 (ii) seven days before the regular primary election date;

- 1516 (iii) on August 31; and
1517 (iv) seven days before the regular general election date.
1518 (b) The labor organization shall report:
1519 (i) a detailed listing of all expenditures made since the last statement; and
1520 (ii) for financial statements filed under Subsections (1)(a)(ii) through (iv), all
1521 expenditures as of five days before the required filing date of the financial statement.
1522 (c) The labor organization need not file a statement under this section if it made no
1523 expenditures during the reporting period.
1524 (2) That statement shall include:
1525 (a) the name and address of each reporting entity that received an expenditure from the
1526 labor organization, and the amount of each expenditure;
1527 (b) the total amount of expenditures disbursed by the labor organization; and
1528 (c) a statement by the labor organization's treasurer or chief financial officer certifying
1529 the accuracy of the financial report.
1530 Section 38. Section **20A-11-1602** is enacted to read:
1531 **20A-11-1602. Limits on contributions by a labor organization.**
1532 (1) (a) A labor organization may not make contributions totaling more than the
1533 following amounts per contribution cycle:
1534 (i) \$10,000 to one state office candidate;
1535 (ii) \$5,000 to one legislative office candidate;
1536 (iii) \$5,000 to one school board office candidate;
1537 (iv) \$5,000 to one judge;
1538 (v) \$40,000 to one registered political party;
1539 (vi) \$10,000 to one political action committee; or
1540 (vii) \$50,000 in the aggregate to one or more:
1541 (A) registered political parties;
1542 (B) labor organizations; and
1543 (C) political action committees.
1544 (b) A labor organization may make a contribution to more than one candidate or judge,
1545 or multiple contributions to one candidate or judge, except that the total contributions by the
1546 labor organization to one candidate or judge in a contribution cycle may not exceed the

1547 amounts described in Subsections (1)(a)(i) through (iv).

1548 (2) (a) The chief election officer shall adjust the dollar amounts listed in Subsection (1)
1549 for inflation as provided by Section 20A-11-1005.

1550 (b) Solicitation or administrative costs incurred by a labor organization are excluded
1551 from the contribution limits specified in Subsection (1).

1552 (3) A labor organization may not make a cash contribution in excess of \$50.

1553 Section 39. Section **20A-12-303** is amended to read:

1554 **20A-12-303. Separate account for campaign funds -- Reporting contributions.**

1555 (1) The judge or the judge's personal campaign committee shall deposit each
1556 contribution in one or more separate personal campaign accounts in a financial institution.

1557 (2) The judge or the judge's personal campaign committee may not deposit or mingle
1558 any contributions received into a personal or business account.

1559 (3) (a) As used in this Subsection (3), "received" means:

1560 (i) for a cash contribution, that the cash is given to a judge or the judge's personal
1561 campaign committee;

1562 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
1563 instrument or check is negotiated; and

1564 (iii) for any other type of contribution, that any portion of the contribution's benefit
1565 inures to the judge.

1566 (b) The judge or the judge's personal campaign committee shall report to the lieutenant
1567 governor each contribution:

1568 (i) within 30 days after the contribution is received; and

1569 (ii) within 24 hours if the contribution is:

1570 (A) in excess of \$1,000; and

1571 (B) within the possession of the judge or the judge's personal campaign committee
1572 within seven days of an election.

1573 Section 40. Section **20A-12-304** is amended to read:

1574 **20A-12-304. Judicial retention election candidates -- Financial reporting**
1575 **requirements -- Year-end summary report.**

1576 (1) The judge's personal campaign committee shall file a summary report with the
1577 lieutenant governor by January 10 of the year after the regular general election year.

1578 (2) (a) Each summary report shall include the following information as of December 31
1579 of the last regular general election year:

1580 (i) a single figure equal to the total amount of contributions reported on the interim
1581 report;

1582 (ii) a single figure equal to the total amount of expenditures reported on the interim
1583 report;

1584 (iii) a detailed listing of each contribution received since the last summary report that
1585 has not been reported in detail on the interim report;

1586 (iv) for each nonmonetary contribution, the fair market value of the contribution;

1587 (v) a detailed listing of each expenditure made since the last summary report that has
1588 not been reported in detail on the interim report;

1589 (vi) for each nonmonetary expenditure, the fair market value of the expenditure; and

1590 (vii) the net balance for the year, consisting of all contributions minus all expenditures.

1591 (b) (i) For all single contributions of \$50 or less, an aggregate figure may be reported
1592 without a separate detailed listing.

1593 (ii) Two or more contributions from the same source for a total of more than \$50 may
1594 not be reported in the aggregate, but shall be reported in the detailed listing.

1595 (c) A check or negotiable instrument within the possession of a judge or the judge's
1596 personal campaign committee on or before December 31 of the previous year shall be
1597 negotiated and included in the summary report.

1598 (3) [~~The summary report shall contain a statement signed by the~~] The judge [certifying]
1599 shall certify in the summary report that, to the best of the judge's knowledge, all contributions
1600 and all expenditures have been reported as of December 31 of the last regular general election
1601 year and that there are no financial obligations outstanding except as set forth in the report.

1602 Section 41. Section **20A-12-305** is amended to read:

1603 **20A-12-305. Judicial retention election candidates -- Financial reporting**
1604 **requirements -- Interim report.**

1605 (1) The judge's personal campaign committee shall file an interim report with the
1606 lieutenant governor [~~no later than 5 p.m.~~] before the close of normal office hours on the date
1607 seven days before the regular general election date.

1608 (2) Each interim report shall include the following information:

1609 (a) a detailed listing of each contribution received since the last [summary report]
 1610 financial statement;

1611 (b) for each nonmonetary contribution, the fair market value of the contribution;

1612 (c) a detailed listing of each expenditure made since the last summary report;

1613 (d) for each nonmonetary expenditure, the fair market value of the expenditure; and

1614 (e) a net balance for the year consisting of all contributions since the last summary
 1615 report minus all expenditures since the last summary report.

1616 (3) (a) For all individual contributions of \$50 or less, a single aggregate figure may be
 1617 reported without separate detailed listings.

1618 (b) Two or more contributions from the same source that have an aggregate total of
 1619 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1620 (4) In preparing each interim report, all contributions and expenditures shall be
 1621 reported as of five days before the required filing date of the report.

1622 (5) A negotiable instrument or check within the possession of a judge or the judge's
 1623 personal campaign committee more than five days before the required filing date of a report
 1624 required by this section shall be negotiated and included in the interim report.

1625 Section 42. Section **20A-12-306** is amended to read:

1626 **20A-12-306. Judges -- Failure to file reports -- Penalties.**

1627 (1) (a) If a judge's personal campaign committee fails to file the interim report due
 1628 before the regular general election, the lieutenant governor shall, after making a reasonable
 1629 attempt to discover if the report was timely [~~mailed, inform the county clerk and other~~
 1630 ~~appropriate election officials who:~~] filed, impose a fine against the judge's personal campaign
 1631 committee in accordance with Section 20A-11-1006.

1632 [~~(i) shall, if practicable, remove the name of the judge by blacking out the judge's name~~
 1633 ~~before the ballots are delivered to voters; or]~~

1634 [~~(ii) shall, if removing the judge's name from the ballot is not practicable, inform the~~
 1635 ~~voters by any practicable method that the judge has been disqualified and that votes cast for the~~
 1636 ~~judge will not be counted; and]~~

1637 [~~(iii) may not count any votes for that judge.]~~

1638 [~~(b) Any judge who fails to file timely a financial statement required by this part is~~
 1639 ~~disqualified.]~~

1640 [~~(c) Notwithstanding Subsections (1)(a) and (1)(b), a judge is not disqualified if:~~]

1641 (b) The lieutenant governor may not impose a fine if:

1642 (i) the candidate timely files the reports required by this section in accordance with
1643 Section 20A-11-103;

1644 (ii) [~~those~~] the reports are completed, detailing accurately and completely the
1645 information required by this part except for inadvertent omissions or insignificant errors or
1646 inaccuracies; and

1647 (iii) [~~those~~] the omissions, errors, or inaccuracies [~~are~~] described in Subsection
1648 (1)(b)(ii) are explained, clearly shown, and corrected in an amended report or in the next
1649 scheduled report.

1650 (2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant
1651 governor shall review each filed summary report to ensure that:

1652 (i) each judge that is required to file a summary report has filed one; and

1653 (ii) each summary report contains the information required by this part.

1654 (b) If it appears that any judge has failed to file the summary report required by law, if
1655 it appears that a filed summary report does not conform to the law, or if the lieutenant governor
1656 has received a written complaint alleging a violation of the law or the falsity of any summary
1657 report, the lieutenant governor shall, within five days of discovery of a violation or receipt of a
1658 written complaint, notify the judge of the violation or written complaint and direct the judge to
1659 file a summary report correcting the problem.

1660 (c) (i) It is unlawful for any judge to fail to file or amend a summary report within 14
1661 days after receiving notice from the lieutenant governor under this section.

1662 (ii) Each judge who violates Subsection (2)(c)(i) is guilty of a class B misdemeanor.

1663 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
1664 attorney general.

1665 Section 43. **Effective date.**

1666 This bill takes effect on January 1, 2011.

Legislative Review Note

as of 2-24-10 11:41 AM

Office of Legislative Research and General Counsel

H.B. 329 - Campaign Finance Amendments

Fiscal Note

2010 General Session
State of Utah

State Impact

Provisions of this bill will require a one-time FY 2011 General Fund appropriation of \$140,000 for computer programming.

	<u>FY 2010 Approp.</u>	<u>FY 2011 Approp.</u>	<u>FY 2012 Approp.</u>	<u>FY 2010 Revenue</u>	<u>FY 2011 Revenue</u>	<u>FY 2012 Revenue</u>
General Fund, One-Time	\$0	\$140,000	\$0	\$0	\$0	\$0
Total	\$0	\$140,000	\$0	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.