

**Representative Craig A. Frank** proposes the following substitute bill:

**CAMPAIGN FINANCE AMENDMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ben C. Ferry**

Senate Sponsor: \_\_\_\_\_

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**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;
- ▶ prohibits cash contributions in excess of \$100;
- ▶ 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;
- ▶ requires a person sponsoring certain electioneering communications to file a report;
- ▶ repeals a provision requiring a political action committee or political issues



- 26 committee to disclose the occupation of a person who makes a contribution;
- 27       ▶ establishes additional filing deadlines for some filing entities;
- 28       ▶ prohibits earmarking contributions made to a political party or a political action
- 29 committee;
- 30       ▶ prohibits making a campaign contribution in another's name;
- 31       ▶ repeals provisions that allow the aggregate reporting of contributions less than \$50;
- 32       ▶ requires a filing entity to report an expenditure:
  - 33           • made by a vendor on the filing entity's behalf; and
  - 34           • for transactions on a financial transaction card;
- 35       ▶ establishes reporting requirements for labor organizations; and
- 36       ▶ makes technical changes.

**37 Monies Appropriated in this Bill:**

38       None

**39 Other Special Clauses:**

40       This bill takes effect on January 1, 2011.

**41 Utah Code Sections Affected:**

42       AMENDS:

- 43       **20A-11-101**, as last amended by Laws of Utah 2009, Chapters 60 and 361
- 44       **20A-11-103**, as last amended by Laws of Utah 2008, Chapters 14 and 49
- 45       **20A-11-201**, as last amended by Laws of Utah 2009, Chapters 227 and 361
- 46       **20A-11-203**, as last amended by Laws of Utah 2009, Chapter 361
- 47       **20A-11-204**, as last amended by Laws of Utah 2009, Chapter 361
- 48       **20A-11-206**, as last amended by Laws of Utah 2009, Chapter 202
- 49       **20A-11-301**, as last amended by Laws of Utah 2009, Chapters 227 and 361
- 50       **20A-11-302**, as last amended by Laws of Utah 2009, Chapter 361
- 51       **20A-11-303**, as last amended by Laws of Utah 2009, Chapter 361
- 52       **20A-11-305**, as last amended by Laws of Utah 2009, Chapter 202
- 53       **20A-11-401**, as last amended by Laws of Utah 2009, Chapter 361
- 54       **20A-11-403**, as repealed and reenacted by Laws of Utah 1997, Chapter 355
- 55       **20A-11-506**, as last amended by Laws of Utah 2008, Chapters 14 and 225
- 56       **20A-11-507**, as last amended by Laws of Utah 2008, Chapter 14

- 57           **20A-11-508**, as last amended by Laws of Utah 2008, Chapter 14
- 58           **20A-11-602**, as last amended by Laws of Utah 2008, Chapters 14 and 49
- 59           **20A-11-603**, as last amended by Laws of Utah 2008, Chapter 14
- 60           **20A-11-701**, as last amended by Laws of Utah 2008, Chapter 14
- 61           **20A-11-702**, as last amended by Laws of Utah 2008, Chapter 14
- 62           **20A-11-703**, as enacted by Laws of Utah 1997, Chapter 355
- 63           **20A-11-802**, as last amended by Laws of Utah 2008, Chapters 14 and 49
- 64           **20A-11-901**, as enacted by Laws of Utah 1995, Chapter 1
- 65           **20A-11-1001**, as last amended by Laws of Utah 1997, Chapter 355
- 66           **20A-11-1002**, as last amended by Laws of Utah 2002, Chapter 317
- 67           **20A-11-1301**, as last amended by Laws of Utah 2009, Chapters 227 and 361
- 68           **20A-11-1302**, as last amended by Laws of Utah 2009, Chapter 361
- 69           **20A-11-1303**, as last amended by Laws of Utah 2009, Chapter 361
- 70           **20A-11-1305**, as last amended by Laws of Utah 2008, Chapter 14
- 71           **20A-11-1402**, as last amended by Laws of Utah 2004, Chapter 220
- 72           **20A-12-303**, as enacted by Laws of Utah 2001, Chapter 166
- 73           **20A-12-304**, as last amended by Laws of Utah 2008, Chapter 14
- 74           **20A-12-305**, as enacted by Laws of Utah 2001, Chapter 166
- 75           **20A-12-306**, as enacted by Laws of Utah 2001, Chapter 166

76 ENACTS:

- 77           **20A-11-104**, Utah Code Annotated 1953
- 78           **20A-11-509**, Utah Code Annotated 1953
- 79           **20A-11-510**, Utah Code Annotated 1953
- 80           **20A-11-604**, Utah Code Annotated 1953
- 81           **20A-11-904**, Utah Code Annotated 1953
- 82           **20A-11-1005**, Utah Code Annotated 1953
- 83           **20A-11-1501**, 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) "Coordinated with" means that goods or services provided for the benefit of a  
135 candidate or political party are provided:

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

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

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

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

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

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

146 (ii) the purpose of expressly advocating the approval or the defeat of any ballot  
147 proposition.

148 (b) "Corporation" does not mean:

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

- 150 (ii) a business entity organized as a partnership or a sole proprietorship.
- 151 (9) "Detailed listing" means:
- 152 (a) for each contribution or public service assistance:
- 153 (i) the name and address of the individual or source making the contribution or public
- 154 service assistance;
- 155 (ii) the amount or value of the contribution or public service assistance; and
- 156 (iii) the date the contribution or public service assistance was made; [~~and~~]
- 157 (b) for each expenditure:
- 158 (i) the amount of the expenditure;
- 159 (ii) the person or entity to whom [~~it~~] the expenditure was disbursed, including a
- 160 transaction on a financial transaction card, as defined in Section 76-6-506;
- 161 (iii) the specific purpose, item, or service acquired by the expenditure; and
- 162 (iv) the date the expenditure was made[-]; and
- 163 (c) for each expenditure made by a vendor that benefits the filing entity:
- 164 (i) the amount of the expenditure;
- 165 (ii) the person or entity to whom the expenditure was disbursed;
- 166 (iii) the specific purpose, item, or service acquired by the expenditure; and
- 167 (iv) the date the expenditure was made.
- 168 (10) "Election" means each:
- 169 (a) regular general election;
- 170 (b) regular primary election; and
- 171 (c) special election at which candidates are eliminated and selected.
- 172 (11) "Electioneering communication" means a communication that:
- 173 (a) has at least a value of \$10,000;
- 174 (b) clearly identifies a candidate or judge; and
- 175 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
- 176 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
- 177 identified candidate's or judge's election date.
- 178 [~~(11)~~] (12) (a) "Expenditure" means:
- 179 (i) any disbursement from contributions, receipts, or from the separate bank account
- 180 required by this chapter;

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

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

186 (iv) compensation paid by ~~[a corporation or]~~ a filing entity for personal services  
187 rendered by a person without charge to a reporting entity;

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

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

192 (b) "Expenditure" does not include:

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

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

197 (iii) anything listed in Subsection ~~[(11)]~~ (12)(a) that is given by ~~[a corporation or]~~ a  
198 reporting entity to candidates for office or officeholders in states other than Utah.

199 ~~[(12)]~~ (13) "Filing entity" means the reporting entity that is ~~[filing]~~ required to file a  
200 financial statement required by this chapter or Title 20A, Chapter 12, Part 2, Judicial Retention  
201 Elections.

202 ~~[(13)]~~ (14) "Financial statement" includes any summary report, interim report, verified  
203 financial statement, or other statement disclosing contributions, expenditures, receipts,  
204 donations, or disbursements that is required by this chapter or Title 20A, Chapter 12, Part 2,  
205 Judicial Retention Elections.

206 ~~[(14)]~~ (15) "Governing board" means the individual or group of individuals that  
207 determine the candidates and committees that will receive expenditures from a political action  
208 committee, political party, or corporation.

209 ~~[(15)]~~ (16) "Incorporation" means the process established by Title 10, Chapter 2, Part  
210 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

211 ~~[(16)]~~ (17) "Incorporation election" means the election authorized by Section 10-2-111.

212 [(17)] (18) "Incorporation petition" means a petition authorized by Section 10-2-109.

213 [(18)] (19) "Individual" means a natural person.

214 [(19)] (20) "Interim report" means a report identifying the contributions received and  
215 expenditures made since the last report.

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

220 (b) Except as provided in Subsection (21)(c), "labor organization" includes each  
221 employee association and union for employees of public and private sector employers.

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

225 [(20)] (22) "Legislative office" means the office of state senator, state representative,  
226 speaker of the House of Representatives, president of the Senate, and the leader, whip, and  
227 assistant whip of any party caucus in either house of the Legislature.

228 [(21)] (23) "Legislative office candidate" means a person who:

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

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

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

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

239 [(23)] (24) "Officeholder" means a person who holds a public office.

240 [(24)] (25) "Party committee" means any committee organized by or authorized by the  
241 governing board of a registered political party.

242 [(25)] (26) "Person" means both natural and legal persons, including individuals,



243 business organizations, personal campaign committees, party committees, political action  
244 committees, political issues committees, labor unions, and labor organizations.

245 ~~[(26)]~~ (27) "Personal campaign committee" means the committee appointed by a  
246 candidate to act for the candidate as provided in this chapter.

247 ~~[(27)]~~ (28) (a) "Political action committee" means an entity, or any group of  
248 individuals or entities within or outside this state, a major purpose of which is to:

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

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

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

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

258 (i) a party committee;

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

261 (iii) an individual;

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

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

266 (vi) a personal campaign committee.

267 ~~[(28)]~~ (29) "Political convention" means a county or state political convention held by  
268 a registered political party to select candidates.

269 ~~[(29)]~~ (30) (a) "Political issues committee" means an entity, or any group of individuals  
270 or entities within or outside this state, a major purpose of which is to:

271 (i) solicit or receive donations from any other person, group, or entity to assist in  
272 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or  
273 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

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

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

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

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

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

283 (iii) an individual;

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

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

288 [~~(30)~~] (31) (a) "Political issues contribution" means any of the following:

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

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

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

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

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

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

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

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

304 [~~(31)~~] (32) (a) "Political issues expenditure" means any of the following:

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

307 (A) a ballot proposition; or

308 (B) an incorporation petition or incorporation election;

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

311 (A) a ballot proposition; or

312 (B) an incorporation petition or incorporation election;

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

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

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

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

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

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

324 [~~(32)~~] (33) "Political purposes" means an act done with the intent or in a way to  
325 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote  
326 for or against any candidate [~~for public office~~] or a person seeking a municipal or county office  
327 at any caucus, political convention, [~~primary~~] or election.

328 [~~(33)~~] (34) "Primary election" means any regular primary election held under the  
329 election laws.

330 [~~(34)~~] (35) "Public office" means the office of governor, lieutenant governor, state  
331 auditor, state treasurer, attorney general, state or local school board member, state senator, state  
332 representative, speaker of the House of Representatives, president of the Senate, and the leader,  
333 whip, and assistant whip of any party caucus in either house of the Legislature.

334 [~~(35)~~] (36) (a) "Public service assistance" means the following when given or provided  
335 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to

336 communicate with the officeholder's constituents:

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

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

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

342 (i) anything provided by the state;

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

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

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

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

351 [~~36~~] (37) "Publicly identified class of individuals" means a group of 50 or more  
352 individuals sharing a common occupation, interest, or association that contribute to a political  
353 action committee or political issues committee and whose names can be obtained by contacting  
354 the political action committee or political issues committee upon whose financial [~~report they~~]  
355 statement the individuals are listed.

356 [~~37~~] (38) "Receipts" means contributions and public service assistance.

357 [~~38~~] (39) "Registered lobbyist" means a person registered under Title 36, Chapter 11,  
358 Lobbyist Disclosure and Regulation Act.

359 [~~39~~] (40) "Registered political action committee" means any political action  
360 committee that is required by this chapter to file a statement of organization with the lieutenant  
361 governor's office.

362 [~~40~~] (41) "Registered political issues committee" means any political issues  
363 committee that is required by this chapter to file a statement of organization with the lieutenant  
364 governor's office.

365 [~~41~~] (42) "Registered political party" means an organization of voters that:

366 (a) participated in the last regular general election and polled a total vote equal to 2%

367 or more of the total votes cast for all candidates for the United States House of Representatives  
368 for any of its candidates for any office; or

369 (b) has complied with the petition and organizing procedures of [~~this chapter~~] Chapter  
370 8, Political Party Formation and Procedures.

371 (43) (a) "Remuneration" means a payment:

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

373 (ii) that is approximately equivalent to an amount a legislator would have earned  
374 during the period the Legislature is session in the legislator's ordinary course of business.

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

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

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

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

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

380 [~~(42)~~] (44) "Reporting entity" means a candidate, a candidate's personal campaign

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

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

383 labor organization.

384 [~~(43)~~] (45) "School board office" means the office of state school board or local school  
385 board.

386 [~~(44)~~] (46) (a) "Source" means the person or entity that is the legal owner of the  
387 tangible or intangible asset that comprises the contribution.

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

391 [~~(45)~~] (47) "State office" means the offices of governor, lieutenant governor, attorney  
392 general, state auditor, and state treasurer.

393 [~~(46)~~] (48) "State office candidate" means a person who:

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

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

398           ~~[(47)]~~ (49) "Summary report" means the year end report containing the summary of a  
399 reporting entity's contributions and expenditures.

400           ~~[(48)]~~ (50) "Supervisory board" means the individual or group of individuals that  
401 allocate expenditures from a political issues committee.

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

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

406           **20A-11-103. Notice of pending interim and summary reports -- Form of**  
407 **submission -- Public availability -- Notice of local filings.**

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

416           (i) that the financial statement is due;

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

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

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

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

428           ~~[(v) if the notification is in reference to a summary report, that the candidate,~~

429 ~~officeholder, party, committee, or judge may be guilty of a class B misdemeanor for failing to~~  
430 ~~file the report.]~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

474 (iii) for a financial statement required by Subsections 20A-11-201(5)(b),  
475 20A-11-301(6)(a), 20A-11-901(2), 20A-11-1301(6)(b), and 20A-12-303(3)(b), and Section  
476 20A-11-510, no later than one business day after the date the statement is electronically filed.

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

481 Section 3. Section **20A-11-104** is enacted to read:

482 **20A-11-104. Cash Contributions.**

483 A person may not make a cash contribution in excess of \$100.

484 Section 4. Section **20A-11-201** is amended to read:

485 **20A-11-201. State office candidate -- Separate bank account for campaign funds.**

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

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



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

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

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

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

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

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

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

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

512 (b) Each state office candidate shall report to the lieutenant governor each contribution  
513 and public service assistance [~~to the lieutenant governor~~]:

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

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

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

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

519 Section 5. Section **20A-11-203** is amended to read:

520 **20A-11-203. State office candidate -- Financial reporting requirements --**

521 **Year-end summary report.**

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

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

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

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

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

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

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

537 (v) for each nonmonetary contribution:

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

540 (B) a specific description of the contribution;

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

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

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

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

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

550 [~~(c)~~] (b) In preparing the report, all receipts and expenditures shall be reported as of  
551 December 31 of the previous year.

552 (c) A check or negotiable instrument within the possession of a state office candidate

553 or the state office candidate's personal campaign committee on or before December 31 of the  
554 previous year shall be negotiated and included in the summary report.

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

561 Section 6. Section **20A-11-204** is amended to read:

562 **20A-11-204. State office candidate -- Financial reporting requirements -- Interim**  
563 **reports.**

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

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

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

568 (c) August 31; and

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

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

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

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

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

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

578 (e) for each nonmonetary contribution:

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

581 (ii) a specific description of the contribution;

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

584 (g) for each nonmonetary expenditure, the fair market value of the expenditure;  
585 (h) a net balance for the year consisting of the net balance from the last summary  
586 report, if any, plus all receipts since the last summary report minus all expenditures since the  
587 last summary report; and

588 (i) a summary page in the form required by the lieutenant governor that identifies:  
589 (i) beginning balance;  
590 (ii) total contributions during the period since the last statement;  
591 (iii) total contributions to date;  
592 (iv) total expenditures during the period since the last statement; and  
593 (v) total expenditures to date.

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

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

598 ~~[(4) (3) (a) In preparing each interim report, all receipts and expenditures shall be~~  
599 ~~reported as of five days before the required filing date of the report.~~

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

604 Section 7. Section **20A-11-206** is amended to read:

605 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

606 (1) (a) If a state office candidate fails to file an interim report due before the regular  
607 primary election, on August 31, or before the regular general election, the lieutenant governor  
608 shall, after making a reasonable attempt to discover if the report was timely ~~[mailed, inform the~~  
609 ~~county clerk and other appropriate election officials who:]~~ filed, impose a fine against the filing  
610 entity in accordance with Section 20A-11-1005.

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

613 ~~[(ii) shall, if removing the candidate's name from the ballot is not practicable, inform~~  
614 ~~the voters by any practicable method that the candidate has been disqualified and that votes~~

615 ~~cast for the candidate will not be counted; and]~~

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

617  ~~[(b) Any state office candidate who fails to file timely a financial statement required by~~

618  ~~Section 20A-11-204 is disqualified and the vacancy on the ballot may be filled as provided in~~

619  ~~Section 20A-1-501.]~~

620  ~~[(c) Notwithstanding Subsections (1)(a) and (1)(b), a state office candidate is not~~

621  ~~disqualified if:]~~

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

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

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

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

630 (A) an amended report; or ~~[in]~~

631 (B) the next scheduled report.

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

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

635 and

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

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

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

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

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

650 Section 8. Section **20A-11-301** is amended to read:

651 **20A-11-301. Legislative office candidate -- Campaign requirements.**

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

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

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

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

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

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

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

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

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

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

677 inures to the legislative office candidate.

678 (b) Each legislative office candidate shall report to the lieutenant governor each  
679 contribution and public service assistance [~~to the lieutenant governor~~]:

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

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

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

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

685 Section 9. Section **20A-11-302** is amended to read:

686 **20A-11-302. Legislative office candidate -- Financial reporting requirements --**  
687 **Year-end summary report.**

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

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

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

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

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

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

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

703 (v) for each nonmonetary contribution:

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

706 (B) a specific description of the contribution;

707 (vi) a detailed listing of each expenditure made since the last summary report that has

708 not been reported in detail on an interim report;

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

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

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

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

716 [~~(c)~~ (b) In preparing the report, all receipts and expenditures shall be reported as of  
717 December 31 of the previous year.

718 (c) A check or negotiable instrument within the legislative office candidate's  
719 possession on or before December 31 of the previous year shall be negotiated and included in  
720 the summary report.

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

726 Section 10. Section **20A-11-303** is amended to read:

727 **20A-11-303. Legislative office candidate -- Financial reporting requirements --**  
728 **Interim reports.**

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

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

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

733 (c) August 31; and

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

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

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

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



- 739 (c) a single figure equal to the total amount of expenditures reported on all prior  
 740 interim reports, if any, filed during the calendar year in which the interim report is due;
- 741 (d) a detailed listing of each contribution and public service assistance received since  
 742 the last summary report that has not been reported in detail on a prior interim report;
- 743 (e) for each nonmonetary contribution:
- 744 (i) the fair market value of the contribution with that information provided by the  
 745 contributor; and
- 746 (ii) a specific description of the contribution;
- 747 (f) a detailed listing of each expenditure made since the last summary report that has  
 748 not been reported in detail on a prior interim report;
- 749 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 750 (h) a net balance for the year consisting of the net balance from the last summary  
 751 report, if any, plus all receipts since the last summary report minus all expenditures since the  
 752 last summary report; and
- 753 (i) a summary page in the form required by the lieutenant governor that identifies:
- 754 (i) beginning balance;
- 755 (ii) total contributions during the period since the last statement;
- 756 (iii) total contributions to date;
- 757 (iv) total expenditures during the period since the last statement; and
- 758 (v) total expenditures to date.
- 759 ~~[(3) (a) For all individual contributions or public service assistance of \$50 or less, a~~  
 760 ~~single aggregate figure may be reported without separate detailed listings.]~~
- 761 ~~[(b) Two or more contributions from the same source that have an aggregate total of~~  
 762 ~~more than \$50 may not be reported in the aggregate, but shall be reported separately.]~~
- 763 [(4)] (3) (a) In preparing each interim report, all receipts and expenditures shall be  
 764 reported as of five days before the required filing date of the report.
- 765 (b) Any negotiable instrument or check ~~[received by]~~ within the possession of a  
 766 legislative office candidate more than five days before the required filing date of a report  
 767 required by this section shall be negotiated and included in the interim report.
- 768 Section 11. Section **20A-11-305** is amended to read:
- 769 **20A-11-305. Legislative office candidate -- Failure to file report.**

770 (1) (a) If a legislative office candidate fails to file an interim report due before the  
771 regular primary election, on August 31, or before the regular general election, the lieutenant  
772 governor shall, after making a reasonable attempt to discover if the report was timely [~~mailed,~~  
773 ~~inform the county clerk and other appropriate election officials who:] filed, impose a fine  
774 against the filing entity in accordance with Section 20A-11-1005.~~

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

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

780 [~~(iii) may not count any votes for that candidate:]~~

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

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

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

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

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

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

794 (A) an amended report; or [~~in~~]

795 (B) the next scheduled report.

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

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

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

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

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

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

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

815 Section 12. Section **20A-11-401** is amended to read:

816 **20A-11-401. Officeholder financial reporting requirements -- Year-end summary**  
817 **report.**

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

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

823 (i) this section; and

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

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

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

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

831 (iii) a single figure equal to the total amount of expenditures made since the last

832 summary report, if any;

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

835 (v) for each nonmonetary contribution:

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

838 (B) a specific description of the contribution;

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

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

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

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

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

847 ~~[(c)]~~ (b) In preparing the report, all receipts and expenditures shall be reported as of  
848 December 31 of the previous year.

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

853 Section 13. Section **20A-11-403** is amended to read:

854 **20A-11-403. Failure to file -- Penalties.**

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

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

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

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

863 (a) impose a fine against the filing entity in accordance with Section 20A-11-1005; and

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

867 (3) (a) It is unlawful for any officeholder to fail to file or amend a summary report  
868 within 14 days after receiving notice from the lieutenant governor under this section.

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

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

873 Section 14. Section **20A-11-506** is amended to read:

874 **20A-11-506. Political party financial reporting requirements -- Year-end**  
875 **summary report.**

876 (1) The party committee of each registered political party shall file a summary report by  
877 January 10 of each year.

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

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

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

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

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

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

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

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

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

893 ~~[(b) (i) For all individual contributions or public service assistance of \$50 or less, a~~

894 ~~single aggregate figure may be reported without separate detailed listings.]~~

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

897 ~~[(c)]~~ (b) In preparing the report, all receipts and expenditures shall be reported as of  
898 December 31 of the previous year.

899 (3) The summary report shall contain a paragraph signed by the treasurer of the party  
900 committee certifying that, to the best of the treasurer's knowledge, all receipts and all  
901 expenditures have been reported as of December 31 of the previous year and that there are no  
902 bills or obligations outstanding and unpaid except as set forth in that report.

903 Section 15. Section **20A-11-507** is amended to read:

904 **20A-11-507. Political party financial reporting requirements -- Interim reports.**

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

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

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

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

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

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

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

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

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

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

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

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

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

923 (h) a net balance for the year consisting of the net balance from the last summary

924 report, if any, plus all receipts since the last summary report minus all expenditures since the

925 last summary report; and

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

927 (i) beginning balance;

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

929 (iii) total contributions to date;

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

931 (v) total expenditures to date.

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

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

936 [~~(4)~~ (3) In preparing each interim report, all receipts and expenditures shall be  
937 reported as of five days before the required filing date of the report.

938 Section 16. Section **20A-11-508** is amended to read:

939 **20A-11-508. Political party reporting requirements -- Criminal penalties.**

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

942 (i) subject to a fine imposed in accordance with Section 20A-11-1005; and

943 (ii) guilty of a class B misdemeanor.

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

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

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

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

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

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

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

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

962 Section 17. Section **20A-11-509** is enacted to read:

963 **20A-11-509. Designation of contribution's use prohibited.**

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

966 Section 18. Section **20A-11-510** is enacted to read:

967 **20A-11-510. Reporting of contributions over \$1,000.**

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

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

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

972 Section 19. Section **20A-11-602** is amended to read:

973 **20A-11-602. Political action committees -- Financial reporting.**

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

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

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

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

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

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

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

985 (ii) for financial statements filed ~~[on August 31 and before the general election]~~ under  
986 Subsections (1)(a)(ii) through (iv), all contributions and expenditures as of five days before the



987 required filing date of the financial statement.

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

990 (2) ~~[(a)]~~ The verified financial statement shall include:

991 ~~[(i)]~~ (a) the name~~[-];~~ and address~~[-;and occupation]~~ of any individual that makes a  
992 contribution to the reporting political action committee, and the amount of the contribution;

993 ~~[(ii)]~~ (b) the identification of any publicly identified class of individuals that makes a  
994 contribution to the reporting political action committee, and the amount of the contribution;

995 ~~[(iii)]~~ (c) the name and address of any political action committee, group, or entity that  
996 makes a contribution to the reporting political action committee, and the amount of the  
997 contribution;

998 ~~[(iv)]~~ (d) for each nonmonetary contribution, the fair market value of the contribution;

999 ~~[(v)]~~ (e) the name and address of each reporting entity that received an expenditure  
1000 from the reporting political action committee, and the amount of each expenditure;

1001 ~~[(vi)]~~ (f) for each nonmonetary expenditure, the fair market value of the expenditure;

1002 ~~[(vii)]~~ (g) the total amount of contributions received and expenditures disbursed by the  
1003 reporting political action committee;

1004 ~~[(viii) a paragraph signed]~~ (h) a statement by the political action committee's treasurer  
1005 or chief financial officer ~~[verifying]~~ certifying that, to the best of the ~~[signer's]~~ person's  
1006 knowledge, the financial report is accurate; and

1007 ~~[(ix)]~~ (i) a summary page in the form required by the lieutenant governor that  
1008 identifies:

1009 ~~[(A)]~~ (i) beginning balance;

1010 ~~[(B)]~~ (ii) total contributions during the period since the last statement;

1011 ~~[(C)]~~ (iii) total contributions to date;

1012 ~~[(D)]~~ (iv) total expenditures during the period since the last statement; and

1013 ~~[(E)]~~ (v) total expenditures to date.

1014 ~~[(b) (i) Contributions received by a political action committee that have a value of \$50~~  
1015 ~~or less need not be reported individually, but shall be listed on the report as an aggregate total.]~~

1016 ~~[(ii) Two or more contributions from the same source that have an aggregate total of~~  
1017 ~~more than \$50 may not be reported in the aggregate, but shall be reported separately.]~~

1018 (3) A group or entity may not divide or separate into units, sections, or smaller groups  
1019 for the purpose of avoiding the financial reporting requirements of this chapter, and substance  
1020 shall prevail over form in determining the scope or size of a political action committee.

1021 (4) A registered political action committee shall report to the lieutenant governor each  
1022 contribution received within 24 hours if the contribution is:

1023 (a) in excess of \$1,000; and

1024 (b) within the political action committee's possession within seven days of an election  
1025 or municipal election.

1026 Section 20. Section **20A-11-603** is amended to read:

1027 **20A-11-603. Criminal penalties.**

1028 (1) (a) Each political action committee that fails to file the statement due before the  
1029 regular primary election, on August 31 or before the regular general session is;

1030 (i) subject to a fine imposed in accordance with Section 20A-11-1005; and

1031 (ii) guilty of a class B misdemeanor.

1032 (b) The lieutenant governor shall report all violations of Subsection (1)(a) to the  
1033 attorney general.

1034 (2) Within 30 days after a deadline for the filing of the January 10 statement required  
1035 by this part, the lieutenant governor shall review each filed statement to ensure that:

1036 (a) each political action committee that is required to file a statement has filed one; and

1037 (b) each statement contains the information required by this part.

1038 (3) If it appears that any political action committee has failed to file the January 10  
1039 statement, if it appears that a filed statement does not conform to the law, or if the lieutenant  
1040 governor has received a written complaint alleging a violation of the law or the falsity of any  
1041 statement, the lieutenant governor shall, within five days of discovery of a violation or receipt  
1042 of a written complaint, notify the political action committee of the violation or written  
1043 complaint and direct the political action committee to file a statement correcting the problem.

1044 (4) (a) It is unlawful for any political action committee to fail to file or amend a  
1045 statement within 14 days after receiving notice from the lieutenant governor under this section.

1046 (b) Each political action committee who violates Subsection (4)(a) is guilty of a class B  
1047 misdemeanor.

1048 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the

1049 attorney general.

1050 Section 21. Section **20A-11-604** is enacted to read:

1051 **20A-11-604. Designation of contribution's use prohibited.**

1052 A person making a contribution to a political action committee may not request that the  
1053 political action committee expend the contribution in a way to benefit a specific candidate.

1054 Section 22. Section **20A-11-701** is amended to read:

1055 **20A-11-701. Campaign financial reporting of candidate campaign contributions**  
1056 **by corporations -- Filing requirements -- Statement contents.**

1057 (1) (a) Each corporation that has made expenditures for political purposes that total at  
1058 least \$750 during a calendar year shall file a verified financial statement with the lieutenant  
1059 governor's office ~~[on]~~:

1060 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1061 (ii) seven days before the regular primary election date;

1062 ~~[(ii)]~~ (iii) on August 31; and

1063 ~~[(iii)]~~ (iv) seven days before the regular general election date.

1064 (b) The corporation shall report:

1065 (i) a detailed listing of all expenditures made since the last statement; ~~[and]~~

1066 (ii) for financial statements filed ~~[on August 31 and before the general election]~~ under  
1067 Subsections (1)(a)(ii) through (iv), all expenditures as of three days before the required filing  
1068 date of the financial statement[-]; and

1069 (iii) whether the corporation, including an officer, director, spouse, or person with at  
1070 least 10% ownership in the corporation:

1071 (A) has bid since the last financial statement on a contract, as defined in Section  
1072 63G-6-103, in excess of \$100,000;

1073 (B) is currently bidding on a contract, as defined in Section 63G-6-103, in excess of  
1074 \$100,000; or

1075 (C) is a party to a contract, as defined in Section 63G-6-103, in excess of \$100,000.

1076 (c) The corporation need not file a statement under this section if it made no  
1077 expenditures during the reporting period.

1078 (2) That statement shall include:

1079 (a) the name and address of each reporting entity that received an expenditure from the

1080 corporation, and the amount of each expenditure;

1081 (b) the total amount of expenditures disbursed by the corporation; and

1082 (c) ~~[a paragraph signed]~~ a statement by the corporation's ~~[or the political action~~  
1083 ~~committee's]~~ treasurer or chief financial officer ~~[verifying]~~ certifying the accuracy of the  
1084 financial report.

1085 Section 23. Section **20A-11-702** is amended to read:

1086 **20A-11-702. Campaign financial reporting of political issues expenditures by**  
1087 **corporations -- Financial reporting.**

1088 (1) (a) Each corporation that has made political issues expenditures on current or  
1089 proposed ballot issues that total at least \$750 during a calendar year shall file a verified  
1090 financial statement with the lieutenant governor's office ~~[on]~~:

1091 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1092 (ii) seven days before the regular primary election date;

1093 ~~[(i)]~~ (iii) on August 31; and

1094 ~~[(iii)]~~ (iv) seven days before the regular general election date.

1095 (b) The corporation shall report:

1096 (i) a detailed listing of all expenditures made since the last statement; and

1097 (ii) for financial statements ~~[filed on August 31 and before the primary and general~~  
1098 ~~elections]~~ under Subsections (1)(a)(ii) through (iv), expenditures as of five days before the  
1099 required filing date of the financial statement.

1100 (c) The corporation need not file a statement under this section if it made no  
1101 expenditures during the reporting period.

1102 (2) That statement shall include:

1103 (a) the name and address of each individual, entity, or group of individuals or entities  
1104 that received a political issues expenditure ~~[of more than \$50]~~ from the corporation, and the  
1105 amount of each political issues expenditure;

1106 (b) the total amount of political issues expenditures disbursed by the corporation; and

1107 (c) ~~[a paragraph signed]~~ a statement by the corporation's treasurer or chief financial  
1108 officer ~~[verifying]~~ certifying the accuracy of the verified financial statement.

1109 Section 24. Section **20A-11-703** is amended to read:

1110 **20A-11-703. Criminal penalties -- Fines.**

1111 (1) Within 30 days after a deadline for the filing of any statement required by this part,  
1112 the lieutenant governor shall review each filed statement to ensure that:

- 1113 (a) each corporation that is required to file a statement has filed one; and
- 1114 (b) each statement contains the information required by this part.

1115 (2) If it appears that any corporation has failed to file any statement, if it appears that a  
1116 filed statement does not conform to the law, or if the lieutenant governor has received a written  
1117 complaint alleging a violation of the law or the falsity of any statement, the lieutenant governor  
1118 shall[;]:

- 1119 (a) impose a fine against the corporation in accordance with Section 20A-11-1005; and
- 1120 (b) within five days of discovery of a violation or receipt of a written complaint, notify  
1121 the corporation of the violation or written complaint and direct the corporation to file a  
1122 statement correcting the problem.

1123 (3) (a) It is unlawful for any corporation to fail to file or amend a statement within 14  
1124 days after receiving notice from the lieutenant governor under this section.

1125 (b) Each corporation who violates Subsection (3)(a) is guilty of a class B misdemeanor.

1126 (c) The lieutenant governor shall report all violations of this Subsection (3)(a) to the  
1127 attorney general.

1128 Section 25. Section **20A-11-802** is amended to read:

1129 **20A-11-802. Political issues committees -- Financial reporting.**

1130 (1) (a) Each registered political issues committee that has received political issues  
1131 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least  
1132 \$50, during a calendar year, shall file a verified financial statement with the lieutenant  
1133 governor's office:

1134 (i) on January 10, reporting contributions and expenditures as of December 31 of the  
1135 previous year;

1136 (ii) seven days before the date of an incorporation election, if the political issues  
1137 committee has received donations or made disbursements to affect an incorporation;

1138 (iii) at least three days before the first public hearing held as required by Section  
1139 20A-7-204.1;

1140 (iv) if the political issues committee has received or expended funds in relation to an  
1141 initiative or referendum, at the time the initiative or referendum sponsors submit:

- 1142 (A) the verified and certified initiative packets as required by Section 20A-7-206; or
- 1143 (B) the signed and verified referendum packets as required by Section 20A-7-306;
- 1144 (v) on August 31; and
- 1145 (vi) seven days before the regular general election.

1146 (b) The political issues committee shall report:

1147 (i) a detailed listing of all contributions received and expenditures made since the last  
1148 statement; and

1149 (ii) for financial statements filed on August 31 and before the general election, all  
1150 contributions and expenditures as of three days before the required filing date of the financial  
1151 statement.

1152 (c) The political issues committee need not file a statement under this section if it  
1153 received no contributions and made no expenditures during the reporting period.

1154 (2) (a) That statement shall include:

1155 (i) the name[-] and address[-, ~~and occupation~~] of any individual that makes a political  
1156 issues contribution to the reporting political issues committee, and the amount of the political  
1157 issues contribution;

1158 (ii) the identification of any publicly identified class of individuals that makes a  
1159 political issues contribution to the reporting political issues committee, and the amount of the  
1160 political issues contribution;

1161 (iii) the name and address of any political issues committee, group, or entity that makes  
1162 a political issues contribution to the reporting political issues committee, and the amount of the  
1163 political issues contribution;

1164 (iv) the name and address of each reporting entity that makes a political issues  
1165 contribution to the reporting political issues committee, and the amount of the political issues  
1166 contribution;

1167 (v) for each nonmonetary contribution, the fair market value of the contribution;

1168 (vi) [~~except as provided in Subsection (2)(c);~~] the name and address of each individual,  
1169 entity, or group of individuals or entities that received a political issues expenditure [~~of more~~  
1170 ~~than \$50~~] from the reporting political issues committee, and the amount of each political issues  
1171 expenditure;

1172 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

1173 (viii) the total amount of political issues contributions received and political issues  
1174 expenditures disbursed by the reporting political issues committee;

1175 (ix) ~~[a paragraph signed]~~ a statement by the political issues committee's treasurer or  
1176 chief financial officer ~~[verifying]~~ certifying that, to the best of the ~~[signer's]~~ person's  
1177 knowledge, the financial statement is accurate; and

1178 (x) a summary page in the form required by the lieutenant governor that identifies:

1179 (A) beginning balance;

1180 (B) total contributions during the period since the last statement;

1181 (C) total contributions to date;

1182 (D) total expenditures during the period since the last statement; and

1183 (E) total expenditures to date.

1184 ~~[(b) (i) Political issues contributions received by a political issues committee that have  
1185 a value of \$50 or less need not be reported individually, but shall be listed on the report as an  
1186 aggregate total.]~~

1187 ~~[(ii) Two or more political issues contributions from the same source that have an  
1188 aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported  
1189 separately.]~~

1190 ~~[(c)]~~ (b) When reporting political issue expenditures made to circulators of initiative  
1191 petitions, the political issues committee:

1192 (i) need only report the amount paid to each initiative petition circulator; and

1193 (ii) need not report the name or address of the circulator.

1194 (3) A registered political issues committee shall report to the lieutenant governor each  
1195 contribution received within 24 hours if the contribution is:

1196 (a) in excess of \$1,000; and

1197 (b) within the political issues committee's possession within seven days of an election  
1198 or a municipal election.

1199 Section 26. Section **20A-11-901** is amended to read:

1200 **20A-11-901. Political advertisements -- Requirement that ads designate**

1201 **responsibility and authorization -- Unauthorized use of endorsements.**

1202 (1) (a) Whenever any person makes an expenditure for the purpose of financing an  
1203 advertisement expressly advocating the election or defeat of a clearly identified candidate, or

1204 solicits any contribution through any broadcasting station, newspaper, magazine, outdoor  
1205 advertising facility, direct mailing, or any other type of general public political advertising, the  
1206 advertisement:

1207 (i) if paid for and authorized by a candidate or the candidate's campaign committee,  
1208 shall clearly state that the advertisement has been paid for by the candidate or the campaign  
1209 committee;

1210 (ii) if paid for by another person but authorized by a candidate or the candidate's  
1211 campaign committee, shall clearly state who paid for the advertisement and that the candidate  
1212 or the campaign committee authorized the advertisement; or

1213 (iii) if not authorized by a candidate or his campaign committee, shall clearly state the  
1214 name of the person who paid for the advertisement and state that the advertisement is not  
1215 authorized by any candidate or candidate's committee.

1216 (b) The requirements of Subsection (1)(a) do not apply to:

1217 (i) lawn signs with dimensions of four by eight feet or smaller;

1218 (ii) bumper stickers;

1219 (iii) campaign pins, buttons, and pens; and

1220 (iv) similar small items upon which the disclaimer cannot be conveniently printed.

1221 (2) (a) A person who pays for an electioneering communication shall file a report with  
1222 the lieutenant governor within 24 hours of making the payment or promising to make the  
1223 payment.

1224 (b) The report shall include:

1225 (i) the name and street address of the person described in Subsection (2)(a);

1226 (ii) the name and address of each person contributing at least \$100 to the person  
1227 described in Subsection (2)(a) for the purpose of disseminating the electioneering  
1228 communication;

1229 (iii) the amount spent on the electioneering communication;

1230 (iv) the name of the identified referenced candidate; and

1231 (v) the medium used to disseminate the electioneering communication.

1232 [~~2~~] (3) A person may not, in order to promote the success of any candidate for  
1233 nomination or election to any public office, or in connection with any question submitted to the  
1234 voters, include or cause to be included the name of any person as endorser or supporter in any



1235 political advertisement, circular, poster, or publication without the express consent of that  
1236 person.

1237 ~~[(3)]~~ (4) (a) It is unlawful for a person to pay the owner, editor, publisher, or agent of  
1238 any newspaper or other periodical to induce him to advocate or oppose editorially any  
1239 candidate for nomination or election.

1240 (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to  
1241 advocate or oppose editorially any candidate for nomination or election.

1242 Section 27. Section **20A-11-904** is enacted to read:

1243 **20A-11-904. Contribution given in another's name prohibited.**

1244 A person may not:

1245 (1) make a contribution in the name of another;

1246 (2) knowingly permit another to make a contribution in the person's name; or

1247 (3) knowingly accept a contribution made by one person in the name of another.

1248 Section 28. Section **20A-11-1001** is amended to read:

1249 **20A-11-1001. Electronic form prepared by chief election officer.**

1250 The chief election officer shall:

1251 (1) develop and prepare ~~[forms for all]~~ an electronic form for all financial statements  
1252 required by this chapter; and

1253 (2) provide ~~[copies of the forms]~~ access to the electronic form to the secretary of every  
1254 committee, to every candidate, and to all others who request them.

1255 Section 29. Section **20A-11-1002** is amended to read:

1256 **20A-11-1002. Retention and public inspection of financial statements -- Written**  
1257 **complaint if statement is false or unlawful.**

1258 (1) The chief election officer shall:

1259 (a) make each financial statement required by this chapter or Chapter 12, Part 2,

1260 Judicial Retention Elections:

1261 (i) open to public inspection in the office of the chief election officer; and

1262 (ii) available for viewing on the Internet ~~[at the lieutenant governor's website within~~  
1263 ~~seven calendar days after the report is received by the chief election officer]~~ in accordance with

1264 Section 20A-11-103;

1265 (b) preserve those statements for at least five years; and

1266 (c) provide certified copies of the financial statements in the same manner as for other  
1267 public records.

1268 (2) Any candidate or voter may file a written complaint with the chief election officer  
1269 alleging that a filed financial statement does not conform to law or to the truth.

1270 Section 30. Section **20A-11-1005** is enacted to read:

1271 **20A-11-1005. Fines for failing to file a financial statement.**

1272 (1) The chief election officer shall fine a filing entity:

1273 (a) \$300 for failing to file a financial statement by the filing deadline; and

1274 (b) \$500 for each month after the filing deadline in which the filing entity fails to file  
1275 the report.

1276 (2) If a filing entity is unable to pay the fine and files an affidavit of impecuniosity in a  
1277 manner similar to Subsection 20A-9-201(5)(d), the chief elections officer shall impose the fine  
1278 against the candidate or treasurer, as appropriate.

1279 (3) The chief election officer shall deposit fines collected under this chapter in the  
1280 General Fund.

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 ~~[(e)]~~ (b) In preparing the report, all receipts and expenditures shall be reported as of
- 1350 December 31 of the previous year.
- 1351 (c) 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)]~~ (3) (a) In preparing each interim report, all receipts and expenditures shall be  
1397 reported 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-11-1005.

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 [~~(e)~~] (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 [~~(d)~~] (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. Labor Organizations**

1491 **20A-11-1501. Campaign financial reporting of contributions -- Filing**  
1492 **requirements -- Statement contents.**

1493 (1) (a) Each labor organization that has made expenditures for political purposes that  
1494 total at least \$750 during a calendar year shall file a verified financial statement with the  
1495 lieutenant governor's office:

1496 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1497 (ii) seven days before the regular primary election date;

1498 (iii) on August 31; and

1499 (iv) seven days before the regular general election date.

1500 (b) The labor organization shall report:

1501 (i) a detailed listing of all expenditures made since the last statement; and

1502 (ii) for financial statements filed under Subsections (1)(a)(i) through (iv), all

1503 expenditures as of five days before the required filing date of the financial statement.

1504 (c) The labor organization need not file a statement under this section if it made no  
1505 expenditures during the reporting period.

1506 (2) That statement shall include:

1507 (a) the name and address of each reporting entity that received an expenditure from the  
1508 labor organization, and the amount of each expenditure;

1509 (b) the total amount of expenditures disbursed by the labor organization; and

1510 (c) a statement by the labor organization's treasurer or chief financial officer certifying  
1511 the accuracy of the financial report.

1512 Section 37. Section **20A-12-303** is amended to read:

1513 **20A-12-303. Separate account for campaign funds -- Reporting contributions.**

1514 (1) The judge or the judge's personal campaign committee shall deposit each  
1515 contribution in one or more separate personal campaign accounts in a financial institution.

1516 (2) The judge or the judge's personal campaign committee may not deposit or mingle  
1517 any contributions received into a personal or business account.

1518 (3) (a) As used in this Subsection (3), "received" means:

1519 (i) for a cash contribution, that the cash is given to a judge or the judge's personal  
1520 campaign committee;

1521 (ii) for a contribution that is a negotiable instrument or check, that the negotiable  
1522 instrument or check is negotiated; and

1523 (iii) for any other type of contribution, that any portion of the contribution's benefit  
1524 inures to the judge.

1525 (b) The judge or the judge's personal campaign committee shall report to the lieutenant  
1526 governor each contribution:

1527 (i) within 30 days after the contribution is received; and

1528 (ii) within 24 hours if the contribution is:

1529 (A) in excess of \$1,000; and

1530 (B) within the possession of the judge or the judge's personal campaign committee  
1531 within seven days of an election.

1532 Section 38. Section **20A-12-304** is amended to read:

1533 **20A-12-304. Judicial retention election candidates -- Financial reporting**

1534 **requirements -- Year-end summary report.**

1535 (1) The judge's personal campaign committee shall file a summary report with the  
1536 lieutenant governor by January 10 of the year after the regular general election year.

1537 (2) (a) Each summary report shall include the following information as of December 31  
1538 of the last regular general election year:

1539 (i) a single figure equal to the total amount of contributions reported on the interim  
1540 report;

1541 (ii) a single figure equal to the total amount of expenditures reported on the interim  
1542 report;

1543 (iii) a detailed listing of each contribution received since the last summary report that  
1544 has not been reported in detail on the interim report;

- 1545 (iv) for each nonmonetary contribution, the fair market value of the contribution;  
 1546 (v) a detailed listing of each expenditure made since the last summary report that has  
 1547 not been reported in detail on the interim report;  
 1548 (vi) for each nonmonetary expenditure, the fair market value of the expenditure; and  
 1549 (vii) the net balance for the year, consisting of all contributions minus all expenditures.

1550 ~~[(b) (i) For all single contributions of \$50 or less, an aggregate figure may be reported~~  
 1551 ~~without a separate detailed listing.]~~

1552 ~~[(ii) Two or more contributions from the same source for a total of more than \$50 may~~  
 1553 ~~not be reported in the aggregate, but shall be reported in the detailed listing.]~~

1554 (b) A check or negotiable instrument within the possession of a judge or the judge's  
 1555 personal campaign committee on or before December 31 of the previous year shall be  
 1556 negotiated and included in the summary report.

1557 (3) ~~[The summary report shall contain a statement signed by the]~~ The judge [certifying]  
 1558 shall certify in the summary report that, to the best of the judge's knowledge, all contributions  
 1559 and all expenditures have been reported as of December 31 of the last regular general election  
 1560 year and that there are no financial obligations outstanding except as set forth in the report.

1561 Section 39. Section **20A-12-305** is amended to read:

1562 **20A-12-305. Judicial retention election candidates -- Financial reporting**  
 1563 **requirements -- Interim report.**

1564 (1) The judge's personal campaign committee shall file an interim report with the  
 1565 lieutenant governor ~~[no later than 5 p.m.]~~ before the close of normal office hours on the date  
 1566 seven days before the regular general election date.

1567 (2) Each interim report shall include the following information:

1568 (a) a detailed listing of each contribution received since the last ~~[summary report]~~  
 1569 financial statement;

1570 (b) for each nonmonetary contribution, the fair market value of the contribution;

1571 (c) a detailed listing of each expenditure made since the last summary report;

1572 (d) for each nonmonetary expenditure, the fair market value of the expenditure; and

1573 (e) a net balance for the year consisting of all contributions since the last summary  
 1574 report minus all expenditures since the last summary report.

1575 ~~[(3) (a) For all individual contributions of \$50 or less, a single aggregate figure may be~~

1576 ~~reported without separate detailed listings.]~~

1577 ~~[(b) Two or more contributions from the same source that have an aggregate total of~~  
1578 ~~more than \$50 may not be reported in the aggregate, but shall be reported separately.]~~

1579 ~~[(4)] (3)~~ In preparing each interim report, all contributions and expenditures shall be  
1580 reported as of five days before the required filing date of the report.

1581 (4) A negotiable instrument or check within the possession of a judge or the judge's  
1582 personal campaign committee more than five days before the required filing date of a report  
1583 required by this section shall be negotiated and included in the interim report.

1584 Section 40. Section **20A-12-306** is amended to read:

1585 **20A-12-306. Judges -- Failure to file reports -- Penalties.**

1586 (1) (a) If a judge's personal campaign committee fails to file the interim report due  
1587 before the regular general election, the lieutenant governor shall, after making a reasonable  
1588 attempt to discover if the report was timely ~~[mailed, inform the county clerk and other~~  
1589 ~~appropriate election officials who:]~~ filed, impose a fine against the judge's personal campaign  
1590 committee in accordance with Section 20A-11-1005.

1591 ~~[(i) shall, if practicable, remove the name of the judge by blacking out the judge's name~~  
1592 ~~before the ballots are delivered to voters; or]~~

1593 ~~[(ii) shall, if removing the judge's name from the ballot is not practicable, inform the~~  
1594 ~~voters by any practicable method that the judge has been disqualified and that votes cast for the~~  
1595 ~~judge will not be counted; and]~~

1596 ~~[(iii) may not count any votes for that judge.]~~

1597 ~~[(b) Any judge who fails to file timely a financial statement required by this part is~~  
1598 ~~disqualified.]~~

1599 ~~[(c) Notwithstanding Subsections (1)(a) and (1)(b), a judge is not disqualified if:]~~

1600 (b) The lieutenant governor may not impose a fine if:

1601 (i) the candidate timely files the reports required by this section in accordance with  
1602 Section 20A-11-103;

1603 (ii) ~~[those]~~ the reports are completed, detailing accurately and completely the  
1604 information required by this part except for inadvertent omissions or insignificant errors or  
1605 inaccuracies; and

1606 (iii) ~~[those]~~ the omissions, errors, or inaccuracies ~~[are]~~ described in Subsection

1607 (1)(b)(ii) are explained, clearly shown, and corrected in an amended report or in the next  
1608 scheduled report.

1609 (2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant  
1610 governor shall review each filed summary report to ensure that:

1611 (i) each judge that is required to file a summary report has filed one; and

1612 (ii) each summary report contains the information required by this part.

1613 (b) If it appears that any judge has failed to file the summary report required by law, if  
1614 it appears that a filed summary report does not conform to the law, or if the lieutenant governor  
1615 has received a written complaint alleging a violation of the law or the falsity of any summary  
1616 report, the lieutenant governor shall, within five days of discovery of a violation or receipt of a  
1617 written complaint, notify the judge of the violation or written complaint and direct the judge to  
1618 file a summary report correcting the problem.

1619 (c) (i) It is unlawful for any judge to fail to file or amend a summary report within 14  
1620 days after receiving notice from the lieutenant governor under this section.

1621 (ii) Each judge who violates Subsection (2)(c)(i) is guilty of a class B misdemeanor.

1622 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the  
1623 attorney general.

1624 Section 41. **Effective date.**

1625 This bill takes effect on January 1, 2011.

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**H.B. 329 2nd Sub. (Gray) - Campaign Finance Amendments**

**Fiscal Note**

2010 General Session  
State of Utah

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**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
<b>Total</b>	<b>\$0</b>	<b>\$140,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**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.