

**Representative Keith Grover** proposes the following substitute bill:

**CAMPAIGN AND FINANCIAL REPORTING AMENDMENTS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keith Grover**

Senate Sponsor: Margaret Dayton

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**LONG TITLE**

**General Description:**

This bill amends provisions in Title 20A, Election Code, that are related to campaign and financial reporting.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires a county political party to file financial statements;
- ▶ requires a political party to file a statement of dissolution;
- ▶ requires a state political party and a county political party to deposit a contribution in a separate account;
- ▶ amends provisions regarding candidate disqualification for failure to file an interim report;
- ▶ requires a political issue committee to file a financial disclosure report as of five days before the report is due;
- ▶ amends a provision related to legal costs as campaign expenditures;
- ▶ amends a provision relating to a corporation reporting a contract with the state; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **20A-1-611**, as enacted by Laws of Utah 1993, Chapter 1

32 **20A-8-402**, as last amended by Laws of Utah 1999, Chapter 49

33 **20A-11-101**, as last amended by Laws of Utah 2010, Chapters 197, 246, and 389

34 **20A-11-103**, as last amended by Laws of Utah 2010, Chapter 389

35 **20A-11-206**, as last amended by Laws of Utah 2010, Chapter 389

36 **20A-11-305**, as last amended by Laws of Utah 2010, Chapter 389

37 **20A-11-701**, as last amended by Laws of Utah 2010, Chapters 235 and 389

38 **20A-11-802**, as last amended by Laws of Utah 2010, Chapters 235 and 389

39 **20A-11-901**, as last amended by Laws of Utah 2010, Chapter 389

40 **20A-11-1001**, as last amended by Laws of Utah 2010, Chapter 389

41 **20A-11-1305**, as last amended by Laws of Utah 2010, Chapter 389

42 **20A-11-1503**, as enacted by Laws of Utah 2010, Chapter 389

43 **20A-12-303**, as last amended by Laws of Utah 2010, Chapter 389

44 **20A-12-305**, as last amended by Laws of Utah 2010, Chapter 389

45 ENACTS:

46 **20A-11-505.7**, Utah Code Annotated 1953

47 **20A-11-509**, Utah Code Annotated 1953

48 **20A-11-510**, Utah Code Annotated 1953

49 **20A-11-511**, Utah Code Annotated 1953

50 **20A-11-512**, Utah Code Annotated 1953

51 **20A-11-513**, Utah Code Annotated 1953



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

54 Section 1. Section **20A-1-611** is amended to read:

55 **20A-1-611. Cost of defense of action.**

56 [(+)] Nothing contained in this chapter prevents any candidate from employing counsel

57 to represent him in any action or proceeding affecting his rights as a candidate or from paying  
58 all costs and disbursements arising from that representation.

59 ~~[(2) Expenses paid or incurred for that representation may not be considered part of the~~  
60 ~~campaign expenses of any candidate.]~~

61 Section 2. Section **20A-8-402** is amended to read:

62 **20A-8-402. Political party officers -- Submission of officers to the lieutenant**  
63 **governor.**

64 (1) Each state political party shall:

65 (a) designate a party officer to act as liaison with the lieutenant governor's office; and

66 (b) within seven days of any change in the party liaison, submit the name of the new  
67 liaison to the lieutenant governor.

68 (2) Each state political party and each county political party shall:

69 (a) submit the ~~[names of its officers]~~ name, address, and phone number of each officer  
70 to the lieutenant governor within seven days after the officers are selected; and

71 (b) within seven days of any change in party officers, submit the ~~[names of the new~~  
72 ~~officers]~~ name, address, and phone number of each new officer to the lieutenant governor.

73 Section 3. Section **20A-11-101** is amended to read:

74 **20A-11-101. Definitions.**

75 As used in this chapter:

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

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

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

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

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

86 (4) "Chief election officer" means:

87 (a) the lieutenant governor for state office candidates, legislative office candidates,

88 officeholders, political parties, political action committees, corporations, political issues  
89 committees, state school board candidates, judges, and labor organizations, as defined in  
90 Section 20A-11-1501; and

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

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

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

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

98 (iii) any transfer of funds from another reporting entity to the filing entity;

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

101 (v) remuneration from:

102 (A) any organization or its directly affiliated organization that has a registered lobbyist;

103 or

104 (B) any agency or subdivision of the state, including school districts; and

105 (vi) goods or services provided to or for the benefit of the filing entity at less than fair  
106 market value.

107 (b) "Contribution" does not include:

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

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

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

115 (6) "Coordinated with" means that goods or services provided for the benefit of a  
116 candidate or political party are provided:

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

- 119 (b) by agreement with the candidate or political party;
- 120 (c) in coordination with the candidate or political party; or
- 121 (d) using official logos, slogans, and similar elements belonging to a candidate or
- 122 political party.

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

- 126 (i) the purpose of expressly advocating for political purposes; or
- 127 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
- 128 proposition.

129 (b) "Corporation" does not mean:

- 130 (i) a business organization's political action committee or political issues committee; or
- 131 (ii) a business entity organized as a partnership or a sole proprietorship.

132 (8) "County political party" means, for each registered political party, all of the persons  
133 within a single county who, under definitions established by the political party, are members of  
134 the registered political party.

135 (9) "County political party officer" means a person whose name is required to be  
136 submitted by a county political party to the lieutenant governor in accordance with Section  
137 20A-8-402.

138 [~~8~~] (10) "Detailed listing" means:

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

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

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

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

144 (b) for each expenditure:

145 (i) the amount of the expenditure;

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

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

148 (iv) the date the expenditure was made.

149 [~~9~~] (11) "Election" means each:

- 150 (a) regular general election;
- 151 (b) regular primary election; and
- 152 (c) special election at which candidates are eliminated and selected.
- 153 [~~(10)~~] (12) "Electioneering communication" means a communication that:
- 154 (a) has at least a value of \$10,000;
- 155 (b) clearly identifies a candidate or judge; and
- 156 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
- 157 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
- 158 identified candidate's or judge's election date.
- 159 [~~(11)~~] (13) (a) "Expenditure" means:
- 160 (i) any disbursement from contributions, receipts, or from the separate bank account
- 161 required by this chapter;
- 162 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
- 163 or anything of value made for political purposes;
- 164 (iii) an express, legally enforceable contract, promise, or agreement to make any
- 165 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
- 166 value for political purposes;
- 167 (iv) compensation paid by a filing entity for personal services rendered by a person
- 168 without charge to a reporting entity;
- 169 (v) a transfer of funds between the filing entity and a candidate's personal campaign
- 170 committee; or
- 171 (vi) goods or services provided by the filing entity to or for the benefit of another
- 172 reporting entity for political purposes at less than fair market value.
- 173 (b) "Expenditure" does not include:
- 174 (i) services provided without compensation by individuals volunteering a portion or all
- 175 of their time on behalf of a reporting entity;
- 176 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
- 177 business; or
- 178 (iii) anything listed in Subsection [~~(11)~~] (13)(a) that is given by a reporting entity to
- 179 candidates for office or officeholders in states other than Utah.
- 180 [~~(12)~~] (14) "Filing entity" means the reporting entity that is required to file a financial

181 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

182 ~~[(13)]~~ (15) "Financial statement" includes any summary report, interim report, verified  
183 financial statement, or other statement disclosing contributions, expenditures, receipts,  
184 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial  
185 Retention Elections.

186 ~~[(14)]~~ (16) "Governing board" means the individual or group of individuals that  
187 determine the candidates and committees that will receive expenditures from a political action  
188 committee, political party, or corporation.

189 ~~[(15)]~~ (17) "Incorporation" means the process established by Title 10, Chapter 2, Part  
190 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

191 ~~[(16)]~~ (18) "Incorporation election" means the election authorized by Section 10-2-111.

192 ~~[(17)]~~ (19) "Incorporation petition" means a petition authorized by Section 10-2-109.

193 ~~[(18)]~~ (20) "Individual" means a natural person.

194 ~~[(19)]~~ (21) "Interim report" means a report identifying the contributions received and  
195 expenditures made since the last report.

196 ~~[(20)]~~ (22) "Legislative office" means the office of state senator, state representative,  
197 speaker of the House of Representatives, president of the Senate, and the leader, whip, and  
198 assistant whip of any party caucus in either house of the Legislature.

199 ~~[(21)]~~ (23) "Legislative office candidate" means a person who:

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

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

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

207 ~~[(22)]~~ (24) "Officeholder" means a person who holds a public office.

208 ~~[(23)]~~ (25) "Party committee" means any committee organized by or authorized by the  
209 governing board of a registered political party.

210 ~~[(24)]~~ (26) "Person" means both natural and legal persons, including individuals,  
211 business organizations, personal campaign committees, party committees, political action

212 committees, political issues committees, and labor organizations, as defined in Section  
213 20A-11-1501.

214 [~~25~~] (27) "Personal campaign committee" means the committee appointed by a  
215 candidate to act for the candidate as provided in this chapter.

216 [~~26~~] (28) "Personal use expenditure" has the same meaning as provided under Section  
217 20A-11-104.

218 [~~27~~] (29) (a) "Political action committee" means an entity, or any group of  
219 individuals or entities within or outside this state, a major purpose of which is to:

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

222 (ii) make expenditures to expressly advocate for any person to refrain from voting or to  
223 vote for or against any candidate or person seeking election to a municipal or county office.

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

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

228 (i) a party committee;

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

231 (iii) an individual;

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

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

236 (vi) a personal campaign committee.

237 [~~28~~] (30) "Political convention" means a county or state political convention held by  
238 a registered political party to select candidates.

239 [~~29~~] (31) (a) "Political issues committee" means an entity, or any group of individuals  
240 or entities within or outside this state, a major purpose of which is to:

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



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

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

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

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

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

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

253 (iii) an individual;

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

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

258 [~~(30)~~] (32) (a) "Political issues contribution" means any of the following:

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

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

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

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

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

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

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

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

274 [~~(31)~~] (33) (a) "Political issues expenditure" means any of the following:

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

277 (A) a ballot proposition; or

278 (B) an incorporation petition or incorporation election;

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

281 (A) a ballot proposition; or

282 (B) an incorporation petition or incorporation election;

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

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

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

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

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

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

294 [~~(32)~~] (34) "Political purposes" means an act done with the intent or in a way to  
295 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote  
296 for or against any candidate or a person seeking a municipal or county office at any caucus,  
297 political convention, or election.

298 [~~(33)~~] (35) "Primary election" means any regular primary election held under the  
299 election laws.

300 [~~(34)~~] (36) "Public office" means the office of governor, lieutenant governor, state  
301 auditor, state treasurer, attorney general, state or local school board member, state senator, state  
302 representative, speaker of the House of Representatives, president of the Senate, and the leader,  
303 whip, and assistant whip of any party caucus in either house of the Legislature.

304 [~~(35)~~] (37) (a) "Public service assistance" means the following when given or provided

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

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

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

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

312 (i) anything provided by the state;

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

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

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

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

321 ~~[(36)]~~ (38) "Publicly identified class of individuals" means a group of 50 or more  
322 individuals sharing a common occupation, interest, or association that contribute to a political  
323 action committee or political issues committee and whose names can be obtained by contacting  
324 the political action committee or political issues committee upon whose financial statement the  
325 individuals are listed.

326 ~~[(37)]~~ (39) "Receipts" means contributions and public service assistance.

327 ~~[(38)]~~ (40) "Registered lobbyist" means a person registered under Title 36, Chapter 11,  
328 Lobbyist Disclosure and Regulation Act.

329 ~~[(39)]~~ (41) "Registered political action committee" means any political action  
330 committee that is required by this chapter to file a statement of organization with the lieutenant  
331 governor's office.

332 ~~[(40)]~~ (42) "Registered political issues committee" means any political issues  
333 committee that is required by this chapter to file a statement of organization with the lieutenant  
334 governor's office.

335 ~~[(41)]~~ (43) "Registered political party" means an organization of voters that:

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

339 (b) has complied with the petition and organizing procedures of Chapter 8, Political  
340 Party Formation and Procedures.

341 [~~(42)~~] (44) (a) "Remuneration" means a payment:

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

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

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

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

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

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

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

350 [~~(43)~~] (45) "Reporting entity" means a candidate, a candidate's personal campaign

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

352 committee, a political action committee, a political issues committee, a corporation, or a labor  
353 organization, as defined in Section 20A-11-1501.

354 [~~(44)~~] (46) "School board office" means the office of state school board or local school  
355 board.

356 [~~(45)~~] (47) (a) "Source" means the person or entity that is the legal owner of the  
357 tangible or intangible asset that comprises the contribution.

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

361 [~~(46)~~] (48) "State office" means the offices of governor, lieutenant governor, attorney  
362 general, state auditor, and state treasurer.

363 [~~(47)~~] (49) "State office candidate" means a person who:

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

365 (b) receives contributions, makes expenditures, or gives consent for any other person to  
366 receive contributions or make expenditures to bring about the person's nomination or election

367 to a state office.

368 [~~(48)~~] (50) "Summary report" means the year end report containing the summary of a  
369 reporting entity's contributions and expenditures.

370 [~~(49)~~] (51) "Supervisory board" means the individual or group of individuals that  
371 allocate expenditures from a political issues committee.

372 Section 4. Section **20A-11-103** is amended to read:

373 **20A-11-103. Notice of pending interim and summary reports -- Form of**  
374 **submission -- Public availability.**

375 (1) (a) Except as provided under Subsection (1)(b), 10 days before an interim report or  
376 summary report is due under this chapter or Chapter 12, Part 2, Judicial Retention Elections,  
377 the chief election officer shall inform the filing entity by postal mail or, if requested by the  
378 filing entity, by electronic mail:

- 379 (i) that the financial statement is due;  
380 (ii) of the date that the financial statement is due; and  
381 (iii) of the penalty for failing to file the financial statement.

382 (b) Notwithstanding the provisions of Subsection (1)(a), under this section the chief  
383 election officer is not required to provide notice:

- 384 (i) to a candidate or political party of the financial statement that is due before the  
385 candidate's or political party's political convention;  
386 (ii) of a financial statement due in connection with a public hearing for an initiative  
387 under the requirements of Section 20A-7-204.1; or  
388 (iii) to a corporation or labor organization, as defined in Section 20A-11-1501.

389 (2) A filing entity shall electronically file a financial statement via electronic mail or  
390 the Internet according to specifications established by the chief election officer.

391 (3) A financial statement is considered timely filed if it is received by the chief election  
392 officer's office before the close of regular office hours on the date that it is due.

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

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

397 (b) post an electronic copy or the contents of each financial statement in a searchable

398 format on a website established by the lieutenant governor:

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

402 (ii) for a summary report or interim report filed under the requirements of this chapter  
403 or Chapter 12, Part 2, Judicial Retention Elections, no later than three business days after the  
404 date the ~~[statement]~~ summary report or interim report is electronically filed.

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

409 Section 5. Section **20A-11-206** is amended to read:

410 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

411 (1) (a) If a state office candidate fails to file an interim report due before the regular  
412 primary election, on August 31, or before the regular general election, the lieutenant governor  
413 shall, after making a reasonable attempt to discover if the report was timely filed:

414 (i) inform the county clerk and other appropriate election officials who:

415 (A) (I) shall, if practicable, remove the name of the candidate from the ballots before  
416 the ballots are delivered to voters; or

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

420 (B) may not count any votes for that candidate; and

421 (ii) impose a fine against the filing entity in accordance with Section 20A-11-1005.

422 (b) Any state office candidate who fails to file timely a financial statement required by  
423 ~~[Section]~~ Subsection 20A-11-204(1)(b), (c), or (d) is disqualified and the vacancy on the ballot  
424 may be filled as provided in Section 20A-1-501.

425 (c) Notwithstanding Subsections (1)(a) and (1)(b), a state office candidate is not  
426 disqualified and the lieutenant governor may not impose a fine if:

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

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

432 (iii) the omissions, errors, or inaccuracies described in Subsection (1)(c)(ii) are  
433 corrected in:

- 434 (A) an amended report; or
- 435 (B) the next scheduled report.

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

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

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

441 (b) If it appears that any state office candidate has failed to file the summary report  
442 required by law, if it appears that a filed summary report does not conform to the law, or if the  
443 lieutenant governor has received a written complaint alleging a violation of the law or the  
444 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a  
445 violation or receipt of a written complaint, notify the state office candidate of the violation or  
446 written complaint and direct the state office candidate to file a summary report correcting the  
447 problem.

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

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

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

454 Section 6. Section **20A-11-305** is amended to read:

455 **20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.**

456 (1) (a) If a legislative office candidate fails to file an interim report due before the  
457 regular primary election, on August 31, or before the regular general election, the lieutenant  
458 governor shall, after making a reasonable attempt to discover if the report was timely filed:

459 (i) inform the county clerk and other appropriate election officials who:

460 (A) (I) shall, if practicable, remove the name of the candidate from the ballots before  
461 the ballots are delivered to voters; or

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

465 (B) may not count any votes for that candidate; and

466 (ii) impose a fine against the filing entity in accordance with Section 20A-11-1005.

467 (b) Any legislative office candidate who fails to file timely a financial statement  
468 required by ~~[Section]~~ Subsection 20A-11-303(1)(b), (c), or (d) is disqualified and the vacancy  
469 on the ballot may be filled as provided in Section 20A-1-501.

470 (c) Notwithstanding Subsections (1)(a) and (1)(b), a legislative office candidate is not  
471 disqualified and the lieutenant governor may not impose a fine if:

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

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

477 (iii) the omissions, errors, or inaccuracies described in Subsection (1)(c)(ii) are  
478 corrected in:

479 (A) an amended report; or

480 (B) the next scheduled report.

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

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

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

486 (b) If it appears that any legislative office candidate has failed to file the summary  
487 report required by law, if it appears that a filed summary report does not conform to the law, or  
488 if the lieutenant governor has received a written complaint alleging a violation of the law or the  
489 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a  
490 violation or receipt of a written complaint, notify the legislative office candidate of the



491 violation or written complaint and direct the legislative office candidate to file a summary  
492 report correcting the problem.

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

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

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

500 Section 7. Section **20A-11-505.7** is enacted to read:

501 **20A-11-505.7. Registered political party separate account for contributions.**

502 (1) A registered political party shall deposit a contribution received in one or more  
503 separate campaign accounts in a financial institution.

504 (2) A registered political party may not deposit or mingle a contribution received into a  
505 personal or business account.

506 Section 8. Section **20A-11-509** is enacted to read:

507 **20A-11-509. County political party separate account for contributions.**

508 (1) A county political party officer shall deposit a contribution received in one or more  
509 separate campaign accounts in a financial institution.

510 (2) A county political party officer may not deposit or mingle a contribution received  
511 into a personal or business account.

512 Section 9. Section **20A-11-510** is enacted to read:

513 **20A-11-510. County political party financial reporting requirements -- Year-end**  
514 **summary report.**

515 (1) A county political party officer of a county political party that has received  
516 contributions totaling at least \$750, or disbursed expenditures totaling at least \$50, during a  
517 calendar year shall file a summary report by January 10 of the following year.

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

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

521 (ii) a single figure equal to the total amount of receipts reported on all interim reports,

522 if any, filed during the previous year;

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

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

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

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

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

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

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

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

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

539 (3) The county political party officer shall certify in the summary report that, to the  
540 best of the officer's knowledge, all receipts and all expenditures have been reported as of  
541 December 31 of the previous year and that there are no bills or obligations outstanding and  
542 unpaid except as set forth in that report.

543 Section 10. Section **20A-11-511** is enacted to read:

544 **20A-11-511. County political party financial reporting requirements -- Interim**  
545 **reports.**

546 (1) (a) A county political party officer of a county political party that has received  
547 contributions totaling at least \$750, or disbursed expenditures totaling at least \$50, during a  
548 calendar year shall file an interim report at the following times in any year in which there is a  
549 regular general election:

550 (i) seven days before the county political party's convention;

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

552 (iii) August 31; and

- 553 (iv) seven days before the general election date.
- 554 (b) A county political party officer need not file an interim report if it received no  
555 contributions or made no expenditures during the reporting period.
- 556 (2) Each interim report shall include the following information:
- 557 (a) the net balance of the last financial statement, if any;
- 558 (b) a single figure equal to the total amount of receipts reported on all prior interim  
559 reports, if any, during the calendar year in which the interim report is due;
- 560 (c) a single figure equal to the total amount of expenditures reported on all prior  
561 interim reports, if any, filed during the calendar year in which the interim report is due;
- 562 (d) a detailed listing of each contribution and public service assistance received since  
563 the last summary report that has not been reported in detail on a prior interim report;
- 564 (e) for each nonmonetary contribution, the fair market value of the contribution;
- 565 (f) a detailed listing of each expenditure made since the last summary report that has  
566 not been reported in detail on a prior interim report;
- 567 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 568 (h) a net balance for the year consisting of the net balance from the last summary  
569 report, if any, plus all receipts since the last summary report minus all expenditures since the  
570 last summary report; and
- 571 (i) a summary page in the form required by the lieutenant governor that identifies:
- 572 (i) beginning balance;
- 573 (ii) total contributions during the period since the last statement;
- 574 (iii) total contributions to date;
- 575 (iv) total expenditures during the period since the last statement; and
- 576 (v) total expenditures to date.
- 577 (3) (a) For all individual contributions or public service assistance of \$50 or less, a  
578 single aggregate figure may be reported without separate detailed listings.
- 579 (b) Two or more contributions from the same source that have an aggregate total of  
580 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 581 (4) In preparing each interim report, all receipts and expenditures shall be reported as  
582 of five days before the required filing date of the report.
- 583 Section 11. Section **20A-11-512** is enacted to read:

584 20A-11-512. County political party -- Criminal penalties -- Fines.

585 (1) ~~§→ [(a)] ←§~~ A county political party ~~§→ [officer who] that ←§~~ fails to file the interim  
585a report due before the

586 regular primary election, on August 31, or before the regular general election is ~~§→ [:~~

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

588 ~~—— (ii) guilty of a class B misdemeanor] subject to a fine of \$1,000, which the chief election~~  
588a ~~officer shall deposit in the General Fund ←§ .~~

589 ~~§→ [(b) The lieutenant governor shall report all violations of Subsection (1)(a) to the~~  
590 ~~attorney general:] ←§~~

591 (2) Within 30 days after a deadline for the filing of the January 10 statement required  
592 by Section 20A-11-510, the lieutenant governor shall review each filed statement to ensure  
593 that:

594 (a) a county political party officer who is required to file a statement has filed one; and

595 (b) each statement contains the information required by Section 20A-11-510.

596 (3) If it appears that any county political party officer has failed to file a financial  
597 statement, if it appears that a filed financial statement does not conform to the law, or if the  
598 lieutenant governor has received a written complaint alleging a violation of the law or the  
599 falsity of any financial statement, the lieutenant governor shall, within five days of discovery of  
600 a violation or receipt of a written complaint, notify the county political party officer of the  
601 violation or written complaint and direct the county political party officer to file a financial  
602 statement correcting the problem.

603 (4) (a) ~~§→ [It is unlawful for a] A ←§~~ county political party ~~§→ [officer to fail] that fails ←§~~ to  
603a file or amend a

604 financial statement within 14 days after receiving notice from the lieutenant governor under

605 this section ~~§→ is subject to a fine of \$1,000, which the chief election officer shall deposit in the~~  
605a ~~General Fund ←§ .~~

606 ~~§→ [(b) A county political party officer who violates Subsection (4)(a) is guilty of a class B~~  
607 ~~misdemeanor:~~

608 ~~—— (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the~~  
609 ~~attorney general:] ←§~~

610 Section 12. Section 20A-11-513 is enacted to read:

611 20A-11-513. Termination of duty to report.

612 (1) A registered political party or county political party is subject to year-end summary  
613 reporting requirements until the registered political party or county political party has filed a

614 statement of dissolution with the lieutenant governor stating that:

615 (a) the political party is no longer receiving contributions and is no longer making  
616 expenditures;

617 (b) the ending balance on the last summary report filed is zero; and

618 (c) a final summary report in the form required by this part showing a zero balance is  
619 filed with the statement of dissolution.

620 (2) A statement of dissolution and a final summary report may be filed at any time.

621 (3) A registered political party or county political party shall continue to file the  
622 year-end summary report required by this part until the statement of dissolution and final  
623 summary report required by this section are filed with the lieutenant governor.

624 Section 13. Section **20A-11-701** is amended to read:

625 **20A-11-701. Campaign financial reporting by corporations -- Filing requirements**  
626 **-- Statement contents.**

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

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

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

632 (iii) on August 31; and

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

634 (b) The corporation shall report:

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

636 (ii) for financial statements filed under Subsections (1)(a)(ii) through (iv), all  
637 expenditures as of five days before the required filing date of the financial statement; and

638 (iii) whether the corporation, including an officer~~[-director, spouse]~~ of the corporation,  
639 director of the corporation, or person with at least 10% ownership in the corporation:

640 (A) has bid since the last financial statement on a contract, as defined in Section  
641 63G-6-103, in excess of \$100,000;

642 (B) is currently bidding on a contract, as defined in Section 63G-6-103, in excess of  
643 \$100,000; or

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

645 (c) The corporation need not file a financial statement under this section if the

646 corporation made no expenditures during the reporting period.

647 (2) The financial statement shall include:

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

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

651 (c) a statement by the corporation's treasurer or chief financial officer certifying the  
652 accuracy of the financial statement.

653 Section 14. Section **20A-11-802** is amended to read:

654 **20A-11-802. Political issues committees -- Financial reporting.**

655 (1) (a) Each registered political issues committee that has received political issues  
656 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least  
657 \$50, during a calendar year, shall file a verified financial statement with the lieutenant  
658 governor's office:

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

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

663 (iii) at least three days before the first public hearing held as required by Section  
664 20A-7-204.1;

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

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

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

669 (v) on August 31; and

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

671 (b) The political issues committee shall report:

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

674 (ii) [~~for financial statements filed on August 31 and before the general election;~~] all  
675 contributions and expenditures as of five days before the required filing date of the financial  
676 statement, except for a financial statement filed on January 10.

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

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

680 (i) the name and address of any individual that makes a political issues contribution to  
681 the reporting political issues committee, and the amount of the political issues contribution;

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

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

688 (iv) the name and address of each reporting entity that makes a political issues  
689 contribution to the reporting political issues committee, and the amount of the political issues  
690 contribution;

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

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

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

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

699 (ix) a statement by the political issues committee's treasurer or chief financial officer  
700 certifying that, to the best of the person's knowledge, the financial statement is accurate; and

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

702 (A) beginning balance;

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

704 (C) total contributions to date;

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

706 (E) total expenditures to date.

707 (b) (i) Political issues contributions received by a political issues committee that have a



708 value of \$50 or less need not be reported individually, but shall be listed on the report as an  
709 aggregate total.

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

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

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

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

717 Section 15. Section **20A-11-901** is amended to read:

718 **20A-11-901. Political advertisements -- Requirement that ads designate**  
719 **responsibility and authorization -- Report to lieutenant governor -- Unauthorized use of**  
720 **endorsements.**

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

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

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

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

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

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

737 (ii) bumper stickers;

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

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

740 (2) (a) A person who pays for an electioneering communication shall file a report with  
741 the lieutenant governor within 24 hours of making the payment or entering into a contract to  
742 make the payment.

743 (b) The report shall include:

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

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

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

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

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

751 (3) A person may not, in order to promote the success of any candidate for nomination  
752 or election to any public office, or in connection with any question submitted to the voters,  
753 include or cause to be included the name of any person as endorser or supporter in any political  
754 advertisement, circular, poster, or publication without the express consent of that person.

755 (4) (a) It is unlawful for a person to pay the owner, editor, publisher, or agent of any  
756 newspaper or other periodical to induce him to advocate or oppose editorially any candidate for  
757 nomination or election.

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

760 Section 16. Section **20A-11-1001** is amended to read:

761 **20A-11-1001. Electronic form prepared by chief election officer.**

762 The chief election officer shall:

763 (1) develop and prepare an electronic form for all financial statements required by this  
764 chapter and Chapter 12, Part 2, Judicial Retention Elections; and

765 (2) provide access to the electronic form to the secretary of every committee, to every  
766 candidate, and to all others who request [them] a form.

767 Section 17. Section **20A-11-1305** is amended to read:

768 **20A-11-1305. School board office candidate -- Failure to file statement --**

769 **Penalties.**

770 (1) (a) If a school board office candidate fails to file an interim report due before the  
771 regular primary election, on August 31, ~~and~~ or before the regular general election, the chief  
772 election officer shall, after making a reasonable attempt to discover if the report was timely  
773 filed:

774 (i) inform the county clerk and other appropriate election officials who:

775 (A) (I) shall, if practicable, remove the name of the candidate from the ballots before  
776 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 candidate will not be counted; and

780 (B) may not count any votes for that candidate; and

781 (ii) impose a fine against the filing entity in accordance with Section 20A-11-1005.

782 (b) Any school board office candidate who fails to file timely a financial statement  
783 required by ~~this part~~ Subsection 20A-11-1303(1)(b), (c), or (d) is disqualified and the vacancy  
784 on the ballot may be filled as provided in Section 20A-1-501.

785 (c) Notwithstanding Subsections (1)(a) and (1)(b), a school board office candidate is  
786 not disqualified and the chief election officer may not impose a fine if:

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

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

792 (iii) those omissions, errors, or inaccuracies described in Subsection (1)(c)(ii) are  
793 corrected in:

794 (A) an amended report; or

795 (B) the next scheduled report.

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

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

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

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

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

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

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

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

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

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

821 (b) If it appears that any local school board candidate has failed to file the summary  
822 report required by law, if it appears that a filed summary report does not conform to the law, or  
823 if the county clerk has received a written complaint alleging a violation of the law or the falsity  
824 of any summary report, the county clerk shall, within five days of discovery of a violation or  
825 receipt of a written complaint, notify the local school board candidate of the violation or  
826 written complaint and direct the local school board candidate to file a summary report  
827 correcting the problem.

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

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

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

834 Section 18. Section **20A-11-1503** is amended to read:

835 **20A-11-1503. Criminal penalties -- Fines.**

836 (1) Within 30 days after a deadline for the filing of [~~any~~] a financial statement required  
837 by this part, the lieutenant governor shall review each filed financial statement to ensure that:

838 (a) each labor organization that is required to file a financial statement has filed one;  
839 and

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

841 (2) If it appears that any labor organization has failed to file [~~any~~] a financial statement,  
842 if it appears that a filed financial statement does not conform to the law, or if the lieutenant  
843 governor has received a written complaint alleging a violation of the law or the falsity of [~~any~~]  
844 a financial statement, the lieutenant governor shall:

845 (a) impose a fine against the labor organization in accordance with Section  
846 20A-11-1005; and

847 (b) within five days of discovery of a violation or receipt of a written complaint, notify  
848 the labor organization of the violation or written complaint and direct the labor organization to  
849 file a financial statement correcting the problem.

850 (3) (a) It is unlawful for any labor organization to fail to file or amend a financial  
851 statement within 14 days after receiving notice from the lieutenant governor under this section.

852 (b) Each labor organization that violates Subsection (3)(a) is guilty of a class B  
853 misdemeanor.

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

856 Section 19. Section **20A-12-303** is amended to read:

857 **20A-12-303. Separate account for campaign funds -- Reporting contributions.**

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

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

862 (3) (a) As used in this Subsection (3) and Section 20A-12-305, "received" means:

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

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

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

869 (b) The judge or the judge's personal campaign committee shall report to the lieutenant  
870 governor each contribution within 30 days after the contribution is received.

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

872 **20A-12-305. Judicial retention election candidates -- Financial reporting**  
873 **requirements -- Interim report.**

874 (1) The judge's personal campaign committee shall file an interim report with the  
875 lieutenant governor before the close of [~~normal~~] regular office hours on the date seven days  
876 before the regular general election date.

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

878 (a) a detailed listing of each contribution received since the last financial statement;

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

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

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

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

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

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

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

890 (5) A negotiable instrument or check received by a judge or the judge's personal  
891 campaign committee more than five days before the required filing date of a report required by  
892 this section shall be included in the interim report.

# FISCAL NOTE

H.B. 32 1st Sub. (Buff)

SHORT TITLE: Campaign and Financial Reporting Amendments - As Amended

SPONSOR: Grover, K.

2011 GENERAL SESSION, STATE OF UTAH

## STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill will cost the Lt. Governor's Office \$24,700 from the General Fund for a half-time employee to monitor and enforce the bill's reporting requirements. The amount of any revenue to the General Fund will depend on the number of county party officers who fail to file the required interim reports.

### STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue	\$0	\$0	\$0
Expenditure:			
General Fund	\$0	\$24,700	\$24,700
Total Expenditure	\$0	\$24,700	\$24,700
Net Impact, All Funds (Rev.-Exp.)	\$0	(\$24,700)	(\$24,700)
Net Impact, General/Education Funds	\$0	(\$24,700)	(\$24,700)

## LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

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

## DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

A county political party officer who fails to file the required interim reports on time would be subject to a fine of \$1,000, which would be deposited in the General Fund.