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THIS DOCUMENT INCLUDES BOTH THE BILL AND ALSO A TRANSMITTAL LETTER  
THAT CONTAINS PASSED AMENDMENTS BUT NOT INCORPORATED INTO THE  
BILL.



# UTAH STATE SENATE

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March 10, 2011

Madam Speaker:

The Senate passed **H.B. 304**, CAMPAIGN FINANCE REVISIONS, by Representative G. Hughes, with the following amendments:

1. *Page 2, Lines 35 through 37:*

35            { ~~20A-12-302, as enacted by Laws of Utah 2001, Chapter 166~~  
36    — ~~20A-12-304, as last amended by Laws of Utah 2010, Chapter 389~~  
37    — ~~20A-12-305, as last amended by Laws of Utah 2010, Chapter 389~~ }

2. *Page 17, Line 515 through Page 20, Line 601:* Delete Lines 515 through 601.

and it is transmitted to the House for consideration.

Respectfully,

A handwritten signature in cursive script that reads "Annette B. Moore".

Annette B. Moore  
Secretary of the Senate



- 28           **20A-11-302**, as last amended by Laws of Utah 2010, Chapter 389
- 29           **20A-11-303**, as last amended by Laws of Utah 2010, Chapter 389
- 30           **20A-11-401**, as last amended by Laws of Utah 2009, Chapter 361
- 31           **20A-11-601**, as last amended by Laws of Utah 2008, Chapters 14 and 225
- 32           **20A-11-1301**, as last amended by Laws of Utah 2010, Chapters 246 and 389
- 33           **20A-11-1302**, as last amended by Laws of Utah 2010, Chapter 389
- 34           **20A-11-1303**, as last amended by Laws of Utah 2010, Chapter 389
- 35           **20A-12-302**, as enacted by Laws of Utah 2001, Chapter 166
- 36           **20A-12-304**, as last amended by Laws of Utah 2010, Chapter 389
- 37           **20A-12-305**, as last amended by Laws of Utah 2010, Chapter 389



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

40           Section 1. Section **20A-11-202** is amended to read:

41           **20A-11-202. State office candidate -- Personal campaign committee required.**

42           (1) (a) (i) Each state office candidate shall select no more than one personal campaign  
43 committee, consisting of one or more persons, to receive contributions, make expenditures, and  
44 file reports connected with the candidate's campaign.

45           (ii) A state office candidate may serve as his own campaign committee.

46           (iii) A state office candidate may be designated by a political action committee as an  
47 officer who has primary decision-making authority as described in Section 20A-11-601.

48           (b) Except for expenses made by a registered political party to benefit a party's  
49 candidates generally, a state office candidate or other person acting in concert with or with the  
50 knowledge of the state office candidate may not receive any contributions or make any  
51 expenditures on behalf of a state office candidate other than through:

52           (i) a personal campaign committee established under this section[-]; and

53           (ii) a political action committee established under Part 6, Political Action Committee  
54 Registration and Financial Reporting Requirements.

55           (2) (a) The state office candidate shall file a written statement signed by the candidate  
56 or authorized member of the candidate's personal campaign committee with the lieutenant  
57 governor that:

58           (i) informs the lieutenant governor that the state office candidate's personal campaign

59 committee has been selected; and

60 (ii) provides the name and address of each member and the secretary of the committee.

61 (b) A state office candidate or the candidate's personal campaign committee may not  
62 make any expenditures on behalf of the candidate until the statement has been filed.

63 (c) A state office candidate may revoke the selection of any member of the campaign  
64 committee by:

65 (i) revoking that person's appointment or election in writing;

66 (ii) personally serving the written revocation on the member whose selection is  
67 revoked; and

68 (iii) filing a copy of the written revocation with the lieutenant governor.

69 (d) (i) The state office candidate may select a replacement to fill any vacancy on the  
70 campaign committee.

71 (ii) The state office candidate shall file that replacement's name and address with the  
72 lieutenant governor.

73 (3) A member of a state office candidate's personal campaign committee may not make  
74 an expenditure of more than \$1,000 unless the state office candidate or the secretary of the  
75 personal campaign committee authorizes the expenditure in writing.

76 (4) A state office candidate or the candidate's personal campaign committee may not  
77 make any expenditures prohibited by law.

78 Section 2. Section **20A-11-203** is amended to read:

79 **20A-11-203. State office candidate -- Financial reporting requirements --**  
80 **Year-end summary report.**

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

83 (b) In addition to the requirements of Subsection (1)(a), a former state office candidate  
84 that has not filed the statement of dissolution and final summary report required under Section  
85 20A-11-205 shall continue to file a summary report on January 10 of each year.

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

88 (i) the net balance of the last financial statement, if any;

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

90 if any;

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

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

95 (v) for each nonmonetary contribution:

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

98 (B) a specific description of the contribution;

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

101 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; [~~and~~]

102 (viii) a net balance for the year consisting of the net balance from the last summary  
103 report, if any, plus all receipts minus all expenditures[-]; and

104 (ix) the name of a political action committee for which the state office candidate is  
105 designated as an officer who has primary decision-making authority under Section  
106 20A-11-601.

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

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

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

113 (d) A check or negotiable instrument received by a state office candidate or a state  
114 office candidate's personal campaign committee on or before December 31 of the previous year  
115 shall be included in the summary report.

116 (3) An authorized member of the state office candidate's personal campaign committee  
117 or the state office candidate shall certify in the summary report that, to the best of the person's  
118 knowledge, all receipts and all expenditures have been reported as of December 31 of the  
119 previous year and that there are no bills or obligations outstanding and unpaid except as set  
120 forth in that report.

121 Section 3. Section **20A-11-204** is amended to read:

122 **20A-11-204. State office candidate -- Financial reporting requirements -- Interim**  
123 **reports.**

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

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

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

128 (c) August 31; and

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

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

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

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

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

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

138 (e) for each nonmonetary contribution:

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

141 (ii) a specific description of the contribution;

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

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

145 (h) a net balance for the year consisting of the net balance from the last summary  
146 report, if any, plus all receipts since the last summary report minus all expenditures since the  
147 last summary report; [~~and~~]

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

149 (i) beginning balance;

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

151 (iii) total contributions to date;

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

153 (v) total expenditures to date[-]; and

154 (j) the name of a political action committee for which the state office candidate is

155 designated as an officer who has primary decision-making authority under Section

156 20A-11-601.

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

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

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

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

166 Section 4. Section **20A-11-301** is amended to read:

167 **20A-11-301. Legislative office candidate -- Campaign requirements.**

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

171 (ii) A legislative office candidate may:

172 (A) receive a contribution or public service assistance from a political action  
173 committee registered under Section 20A-11-601; and

174 (B) be designated by a political action committee as an officer who has primary  
175 decision-making authority as described in Section 20A-11-601.

176 (b) A legislative office candidate or the candidate's personal campaign committee may  
177 not use money deposited in an account described in Subsection (1)(a) for:

178 (i) a personal use expenditure; or

179 (ii) an expenditure prohibited by law.

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

182 (3) If a person who is no longer a legislative candidate chooses not to expend the

183 money remaining in a campaign account, the person shall continue to file the year-end  
184 summary report required by Section 20A-11-302 until the statement of dissolution and final  
185 summary report required by Section 20A-11-304 are filed with the lieutenant governor.

186 (4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who  
187 is no longer a legislative office candidate may not expend or transfer the money in a campaign  
188 account in a manner that would cause the former legislative office candidate to recognize the  
189 money as taxable income under federal tax law.

190 (b) A person who is no longer a legislative office candidate may transfer the money in  
191 a campaign account in a manner that would cause the former legislative office candidate to  
192 recognize the money as taxable income under federal tax law if the transfer is made to a  
193 campaign account for federal office.

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

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

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

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

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

204 Section 5. Section **20A-11-302** is amended to read:

205 **20A-11-302. Legislative office candidate -- Financial reporting requirements --**  
206 **Year-end summary report.**

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

209 (b) In addition to the requirements of Subsection (1)(a), a former legislative office  
210 candidate that has not filed the statement of dissolution and final summary report required  
211 under Section 20A-11-304 shall continue to file a summary report on January 10 of each year.

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

- 214 (i) the net balance of the last financial statement, if any;
- 215 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
- 216 if any, during the calendar year in which the summary report is due;
- 217 (iii) a single figure equal to the total amount of expenditures reported on all interim
- 218 reports, if any, filed during the previous year;
- 219 (iv) a detailed listing of each receipt, contribution, and public service assistance since
- 220 the last summary report that has not been reported in detail on an interim report;
- 221 (v) for each nonmonetary contribution:
- 222 (A) the fair market value of the contribution with that information provided by the
- 223 contributor; and
- 224 (B) a specific description of the contribution;
- 225 (vi) a detailed listing of each expenditure made since the last summary report that has
- 226 not been reported in detail on an interim report;
- 227 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; [~~and~~]
- 228 (viii) a net balance for the year consisting of the net balance from the last summary
- 229 report, if any, plus all receipts minus all expenditures[-]; and
- 230 (ix) the name of a political action committee for which the legislative office candidate
- 231 is designated as an officer who has primary decision-making authority under Section
- 232 20A-11-601.
- 233 (b) (i) For all individual contributions or public service assistance of \$50 or less, a
- 234 single aggregate figure may be reported without separate detailed listings.
- 235 (ii) Two or more contributions from the same source that have an aggregate total of
- 236 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 237 (c) In preparing the report, all receipts and expenditures shall be reported as of
- 238 December 31 of the previous year.
- 239 (d) A check or negotiable instrument received by a legislative office candidate on or
- 240 before December 31 of the previous year shall be included in the summary report.
- 241 (3) The legislative office candidate shall certify in the summary report that to the best
- 242 of the candidate's knowledge, all receipts and all expenditures have been reported as of
- 243 December 31 of the previous year and that there are no bills or obligations outstanding and
- 244 unpaid except as set forth in that report.

245 Section 6. Section **20A-11-303** is amended to read:

246 **20A-11-303. Legislative office candidate -- Financial reporting requirements --**

247 **Interim reports.**

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

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

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

252 (c) August 31; and

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

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

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

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

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

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

262 (e) for each nonmonetary contribution:

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

265 (ii) a specific description of the contribution;

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

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

269 (h) a net balance for the year consisting of the net balance from the last summary  
270 report, if any, plus all receipts since the last summary report minus all expenditures since the

271 last summary report; ~~and~~

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

273 (i) beginning balance;

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

275 (iii) total contributions to date;

276 (iv) total expenditures during the period since the last statement; and  
277 (v) total expenditures to date[-]; and  
278 (j) the name of a political action committee for which the legislative office candidate is  
279 designated as an officer who has primary decision-making authority under Section  
280 20A-11-601.

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

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

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

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

290 Section 7. Section **20A-11-401** is amended to read:

291 **20A-11-401. Officeholder financial reporting requirements -- Year-end summary**  
292 **report -- Officeholder as a political action committee officer.**

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

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

298 (i) this section; and

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

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

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

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

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

307 summary report, if any;

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

310 (v) for each nonmonetary contribution:

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

313 (B) a specific description of the contribution;

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

315 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; [~~and~~]

316 (viii) a net balance for the year consisting of the net balance from the last summary  
317 report plus all receipts minus all expenditures[-]; and

318 (ix) the name of a political action committee for which the officeholder is designated  
319 as an officer who has primary decision-making authority under Section 20A-11-601.

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

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

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

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

330 (4) An officeholder may:

331 (a) receive public service assistance from a political action committee registered under  
332 Section 20A-11-601; and

333 (b) be designated by a political action committee as an officer who has primary  
334 decision-making authority as described in Section 20A-11-601.

335 Section 8. Section **20A-11-601** is amended to read:

336 **20A-11-601. Political action committees -- Registration -- Criminal penalty for**  
337 **providing false information or accepting unlawful contribution.**

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

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

- 344 (i) receiving contributions totaling at least \$750; or
- 345 (ii) distributing expenditures for political purposes totaling at least \$50.

346 (2) (a) Each political action committee shall designate two officers [~~that~~] who have  
347 primary decision-making authority for the political action committee.

348 (b) A person may not exercise primary decision-making authority for a political action  
349 committee who is not designated under Subsection (2)(a).

350 (3) The statement of organization shall include:

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

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

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

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

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

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

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

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

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

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

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

373 (i) be filed within 10 days of the date of the change; and

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

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

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

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

383 (ii) at the time the political action committee accepts the contribution, has failed to file  
384 a statement of organization with the lieutenant governor's office as required by Section  
385 20A-11-704.

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

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

388 **20A-11-1301. School board office candidate -- Campaign requirements.**

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

392 (ii) A school board office candidate may:

393 (A) receive a contribution or public service assistance from a political action  
394 committee registered under Section 20A-11-601; and

395 (B) be designated by a political action committee as an officer who has primary  
396 decision-making authority as described in Section 20A-11-601.

397 (b) A school board office candidate may not use money deposited in an account  
398 described in Subsection (1)(a) for:

399 (i) a personal use expenditure; or

400 (ii) an expenditure prohibited by law.

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

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

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

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

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

411 (5) (a) Except as provided in Subsection (5)(b) and Section 20A-11-402, a person who  
412 is no longer a school board candidate may not expend or transfer the money in a campaign  
413 account in a manner that would cause the former school board candidate to recognize the  
414 money as taxable income under federal tax law.

415 (b) A person who is no longer a school board candidate may transfer the money in a  
416 campaign account in a manner that would cause the former school board candidate to recognize  
417 the money as taxable income under federal tax law if the transfer is made to a campaign  
418 account for federal office.

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

420 (i) for a cash contribution, that the cash is given to a school board office candidate or a  
421 member of the candidate's personal campaign committee;

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

424 (iii) for any other type of contribution, that any portion of the contribution's benefit  
425 inures to the school board office candidate.

426 (b) Each school board office candidate shall report to the chief election officer each  
427 contribution and public service assistance within 30 days after the contribution or public  
428 service assistance is received.

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

430 **20A-11-1302. School board office candidate -- Financial reporting requirements**

## 431 -- Year-end summary report.

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

434 (b) In addition to the requirements of Subsection (1)(a), a former school board office  
435 candidate that has not filed the statement of dissolution and final summary report required  
436 under Section 20A-11-1304 shall continue to file a summary report on January 10 of each year.

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

439 (i) the net balance of the last financial statement, if any;

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

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

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

446 (v) for each nonmonetary contribution:

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

449 (B) a specific description of the contribution;

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

452 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; [~~and~~]

453 (viii) a net balance for the year consisting of the net balance from the last summary  
454 report, if any, plus all receipts minus all expenditures[-]; and

455 (ix) the name of a political action committee for which the school board office  
456 candidate is designated as an officer who has primary decision-making authority under Section  
457 20A-11-601.

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

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

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

464 (d) A check or negotiable instrument received by a school board office candidate on or  
465 before December 31 of the previous year shall be included in the summary report.

466 (3) The school board office candidate shall certify in the summary report that, to the  
467 best of the school board office candidate's knowledge, all receipts and all expenditures have  
468 been reported as of December 31 of the previous year and that there are no bills or obligations  
469 outstanding and unpaid except as set forth in that report.

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

471 **20A-11-1303. School board office candidate -- Financial reporting requirements**  
472 **-- Interim reports.**

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

- 475 (a) May 15, for state school board office candidates;
- 476 (b) seven days before the regular primary election date;
- 477 (c) August 31; and
- 478 (d) seven days before the regular general election date.

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

- 480 (a) the net balance of the last summary report, if any;
- 481 (b) a single figure equal to the total amount of receipts reported on all prior interim  
482 reports, if any, during the calendar year in which the interim report is due;
- 483 (c) a single figure equal to the total amount of expenditures reported on all prior  
484 interim reports, if any, filed during the calendar year in which the interim report is due;
- 485 (d) a detailed listing of each contribution and public service assistance received since  
486 the last summary report that has not been reported in detail on a prior interim report;
- 487 (e) for each nonmonetary contribution:
  - 488 (i) the fair market value of the contribution with that information provided by the  
489 contributor; and
  - 490 (ii) a specific description of the contribution;
- 491 (f) a detailed listing of each expenditure made since the last summary report that has  
492 not been reported in detail on a prior interim report;

493 (g) for each nonmonetary expenditure, the fair market value of the expenditure;  
494 (h) a net balance for the year consisting of the net balance from the last summary  
495 report, if any, plus all receipts since the last summary report minus all expenditures since the  
496 last summary report; [~~and~~]

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

498 (i) beginning balance;

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

500 (iii) total contributions to date;

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

502 (v) total expenditures to date[-]; and

503 (j) the name of a political action committee for which the school board office candidate  
504 is designated as an officer who has primary decision-making authority under Section  
505 20A-11-601.

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

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

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

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

515 Section 12. Section **20A-12-302** is amended to read:

516 **20A-12-302. Campaign committee required.**

517 (1) (a) When permitted to do so by the Code of Judicial Conduct promulgated by the  
518 Utah Supreme Court, and if the judge chooses to solicit contributions or make expenditures to  
519 promote his retention, the judge may:

520 (i) establish no more than one retention election personal campaign committee,  
521 consisting of one or more persons, to receive contributions, make expenditures, and shall file  
522 reports connected with the judge's retention election campaign[-]; and

523 (ii) be designated by a political action committee as an officer who has primary

524 decision-making authority as described in Section 20A-11-601.

525 (b) A judge or person acting in concert with or with the knowledge of the judge may  
526 not receive any contributions or make any expenditures other than through:

527 (i) the personal campaign committee established under this section[-]; and

528 (ii) a political action committee established under Title 20A, Chapter 11, Part 6,  
529 Political Action Committee Registration and Financial Reporting Requirements.

530 (2) (a) The judge shall file with the lieutenant governor a signed written statement  
531 containing the name and address of each member and the secretary of the judge's personal  
532 campaign committee.

533 (b) The judge may change the membership of the personal campaign committee at any  
534 time by filing with the lieutenant governor a signed statement containing the name and address  
535 of any additional members and identifying any members that have been removed from the  
536 committee.

537 (c) The judge or the judge's personal campaign committee may not make any  
538 expenditures on behalf of the judge until the statement has been filed.

539 (3) (a) The judge's personal campaign committee may not make an expenditure of more  
540 than \$1,000 unless the judge or the secretary of the personal campaign committee authorizes  
541 the expenditure in writing.

542 (b) A judge or the judge's personal campaign committee may not make any  
543 expenditures prohibited by law.

544 (4) A judge's personal campaign committee is dissolved on the date that the summary  
545 report required by Section 20A-12-304 is filed.

546 Section 13. Section **20A-12-304** is amended to read:

547 **20A-12-304. Judicial retention election candidates -- Financial reporting**  
548 **requirements -- Year-end summary report.**

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

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

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

- 555 (ii) a single figure equal to the total amount of expenditures reported on the interim  
 556 report;
- 557 (iii) a detailed listing of each contribution received since the last summary report that  
 558 has not been reported in detail on the interim report;
- 559 (iv) for each nonmonetary contribution, the fair market value of the contribution;
- 560 (v) a detailed listing of each expenditure made since the last summary report that has  
 561 not been reported in detail on the interim report;
- 562 (vi) for each nonmonetary expenditure, the fair market value of the expenditure; [~~and~~]
- 563 (vii) the net balance for the year, consisting of all contributions minus all  
 564 expenditures ~~and~~ [f] . [f] [~~and~~]
- 565 ~~— (viii) the name of a political action committee for which the judge is designated as an~~  
 566 ~~officer who has primary decision-making authority under Section 20A-11-601.] ←H~~

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

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

571 (c) A check or negotiable instrument received by a judge or the judge's personal  
 572 campaign committee on or before December 31 of the previous year shall be reported in the  
 573 summary report.

574 (3) The judge shall certify in the summary report that, to the best of the judge's  
 575 knowledge, all contributions and all expenditures have been reported as of December 31 of the  
 576 last regular general election year and that there are no financial obligations outstanding except  
 577 as set forth in the report.

578 Section 14. Section **20A-12-305** is amended to read:

579 **20A-12-305. Judicial retention election candidates -- Financial reporting**  
 580 **requirements -- Interim report.**

581 (1) The judge's personal campaign committee shall file an interim report with the  
 582 lieutenant governor before the close of normal office hours on the date seven days before the  
 583 regular general election date.

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

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

- 586 (b) for each nonmonetary contribution, the fair market value of the contribution;
- 587 (c) a detailed listing of each expenditure made since the last summary report;
- 588 (d) for each nonmonetary expenditure, the fair market value of the expenditure; [~~and~~]
- 589 (e) a net balance for the year consisting of all contributions since the last summary
- 590 report minus all expenditures since the last summary report ~~H→ [f] . [h] [;and~~
- 591 ~~—— (f) the name of a political action committee for which the judge is designated as an~~
- 592 ~~officer who has primary decision-making authority under Section 20A-11-601.] ←H~~
- 593 (3) (a) For all individual contributions of \$50 or less, a single aggregate figure may be
- 594 reported without separate detailed listings.
- 595 (b) Two or more contributions from the same source that have an aggregate total of
- 596 more than \$50 may not be reported in the aggregate, but shall be reported separately.
- 597 (4) In preparing each interim report, all contributions and expenditures shall be
- 598 reported as of five days before the required filing date of the report.
- 599 (5) A negotiable instrument or check received by a judge or the judge's personal
- 600 campaign committee more than five days before the required filing date of a report required by
- 601 this section shall be included in the interim report.

**Legislative Review Note**  
as of 2-25-11 3:33 PM

**Office of Legislative Research and General Counsel**

# FISCAL NOTE

H.B. 304

SHORT TITLE: **Campaign Finance Revisions**

SPONSOR: **Hughes, G.**

2011 GENERAL SESSION, STATE OF UTAH

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

Enactment of this bill likely will not materially impact the state budget.

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

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

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

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.