

Representative Kraig Powell proposes the following substitute bill:

CAMPAIGN FINANCE DISCLOSURE AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill amends campaign finance provisions related to an electioneering communication.

Highlighted Provisions:

This bill:

- ▶ amends the scope of an electioneering communication reporting requirement.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-11-901, as last amended by Laws of Utah 2011, Chapter 396

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

Section 1. Section **20A-11-901** is amended to read:

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



26 **endorsements.**

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

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

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

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

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

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

43 (ii) bumper stickers;

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

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

46 (2) (a) A person who is not a reporting entity and pays for an electioneering
47 communication shall file a report with the lieutenant governor within 24 hours of making the
48 payment or entering into a contract to make the payment.

49 (b) The report shall include:

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

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

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

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

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

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

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

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