

1 **CAMPAIGN CONTRIBUTION AMENDMENTS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Kraig Powell**

5 Senate Sponsor: Peter C. Knudson

6

7 **LONG TITLE**

8 **Committee Note:**

9 The Government Operations Interim Committee recommended this bill.

10 **General Description:**

11 This bill amends campaign finance provisions related to anonymous cash contributions
12 and aggregate reporting of cash contributions.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ amends definitions;
- 16 ▶ prohibits an anonymous cash contribution over ~~Ⓢ→ [\$100]~~ [\$25] \$50 ←Ⓢ ;
- 17 ▶ requires a candidate to disburse an anonymous cash contribution or public service

18 assistance over ~~Ⓢ→ [\$100]~~ [\$25] \$50 ←Ⓢ to:

- 19 • the state or political subdivision for deposit into its general fund; or
- 20 • an organization that is exempt from federal income taxation under Section
- 21 501(c)(3), Internal Revenue Code;

22 ▶ prohibits a filing entity, other than a candidate, from using an anonymous cash
23 contribution for a political purpose or as a political issues expenditure;

24 ▶ allows a filing entity to aggregate on a report contributions that do not exceed ~~Ⓢ→ [-\$100]~~
24a [\$25] \$50 ←Ⓢ ;

25 ▶ increases the amount at which certain filing entities must report the recipient of an
26 expenditure; and

- 27 ▶ makes technical changes.

H.B. 38



- 59 **20A-12-301**, as enacted by Laws of Utah 2001, Chapter 166
 60 **20A-12-303**, as last amended by Laws of Utah 2011, Chapter 396
 61 **20A-12-304**, as last amended by Laws of Utah 2010, Chapter 389
 62 **20A-12-305**, as last amended by Laws of Utah 2011, Chapter 396

63

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

65 Section 1. Section **10-3-208** is amended to read:

66 **10-3-208. Campaign finance disclosure in municipal election.**

67 (1) As used in this section:

68 (a) "Reporting date" means:

69 (i) 10 days before a municipal general election, for a campaign finance statement

70 required to be filed no later than seven days before a municipal general election; and

71 (ii) the day of filing, for a campaign finance statement required to be filed no later than

72 30 days after a municipal primary or general election.

73 (b) "Reporting limit" means for each calendar year:

74 (i) [~~\$50~~] ~~\$~~→ [**\$100**] [~~\$25~~] ~~\$50~~ ←~~\$~~ ; or

75 (ii) an amount lower than [~~\$50~~] ~~\$~~→ [**\$100**] [~~\$25~~] ~~\$50~~ ←~~\$~~ that is specified in an ordinance

75a of the

76 municipality.

77 (2) (a) (i) Each candidate for municipal office:

78 (A) shall deposit a campaign contribution in a separate campaign account in a financial

79 institution; and

80 (B) may not deposit or mingle any campaign contributions received into a personal or

81 business account.

82 (ii) Each candidate for municipal office who is not eliminated at a municipal primary

83 election shall file with the municipal clerk or recorder a campaign finance statement:

84 (A) no later than seven days before the date of the municipal general election; and

85 (B) no later than 30 days after the date of the municipal general election.

86 (iii) Each candidate for municipal office who is eliminated at a municipal primary

87 election shall file with the municipal clerk or recorder a campaign finance statement no later

88 than 30 days after the date of the municipal primary election.

89 (b) Each campaign finance statement under Subsection (2)(a) shall:

121 (b) A municipal office candidate shall include on any campaign finance statement filed
122 in accordance with this section:

123 (i) a contribution deposited in an account:

124 (A) since the last campaign finance statement was filed; or

125 (B) that has not been reported under a statute or ordinance that governs the account; or

126 (ii) an expenditure made from an account:

127 (A) since the last campaign finance statement was filed; or

128 (B) that has not been reported under a statute or ordinance that governs the account.

129 (4) (a) A municipality may, by ordinance:

130 (i) provide a reporting limit lower than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ ;

131 (ii) require greater disclosure of campaign contributions and expenditures than is
132 required in this section; and

133 (iii) impose additional penalties on candidates who fail to comply with the applicable
134 requirements beyond those imposed by this section.

135 (b) A candidate for municipal office is subject to the provisions of this section and not
136 the provisions of an ordinance adopted by the municipality under Subsection (4)(a) if:

137 (i) the municipal ordinance establishes requirements or penalties that differ from those
138 established in this section; and

139 (ii) the municipal clerk or recorder fails to notify the candidate of the provisions of the
140 ordinance as required in Subsection (5).

141 (5) Each municipal clerk or recorder shall, at the time the candidate for municipal
142 office files a declaration of candidacy, and again 14 days before each municipal general
143 election, notify the candidate in writing of:

144 (a) the provisions of statute or municipal ordinance governing the disclosure of
145 campaign contributions and expenditures;

146 (b) the dates when the candidate's campaign finance statement is required to be filed;
147 and

148 (c) the penalties that apply for failure to file a timely campaign finance statement,
149 including the statutory provision that requires removal of the candidate's name from the ballot
150 for failure to file the required campaign finance statement when required.

151 (6) Notwithstanding any provision of Title 63G, Chapter 2, Government Records

183 provisions of this section or an ordinance adopted under this section.

184 (b) In a civil action under Subsection (9)(a), the court may award costs and attorney
185 fees to the prevailing party.

186 Section 2. Section **17-16-6.5** is amended to read:

187 **17-16-6.5. Campaign financial disclosure in county elections.**

188 (1) (a) A county shall adopt an ordinance establishing campaign finance disclosure
189 requirements for candidates for county office.

190 (b) The ordinance required by Subsection (1)(a) shall include:

191 (i) a requirement that each candidate for county office report the candidate's itemized
192 and total campaign contributions and expenditures at least once within the two weeks before
193 the election and at least once within two months after the election;

194 (ii) a definition of "contribution" and "expenditure" that requires reporting of
195 nonmonetary contributions such as in-kind contributions and contributions of tangible things;

196 (iii) a requirement that the financial reports identify:

197 (A) for each contribution of more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ , the name of the
197a donor of the

198 contribution, if known, and the amount of the contribution; and

199 (B) for each expenditure, the name of the recipient and the amount of the expenditure;

200 (iv) a requirement that a candidate for county office deposit a contribution in a separate
201 campaign account in a financial institution; [~~and~~]

202 (v) a prohibition against a candidate for county office depositing or mingling any
203 contributions received into a personal or business account[-];

204 (vi) a requirement that a person who makes a cash contribution that exceeds ~~\$~~→ [~~\$100~~]
204a [~~\$25~~] \$50 ←~~\$~~

205 disclose the person's name to the candidate who receives the contribution; and

206 (vii) a requirement that a candidate for county office who receives a cash contribution
207 that exceeds ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ from a donor whose name is unknown shall, within 30 days
207a after receiving

208 the contribution, disburse the amount of the contribution to:

209 (A) the treasurer of the state or a political subdivision for deposit into the state's or
210 political subdivision's General Fund; or

211 (B) an organization that is exempt from federal income taxation under Section
212 501(c)(3), Internal Revenue Code.

213 (c) (i) As used in this Subsection (1)(c), "account" means an account in a financial

214 institution:

215 (A) that is not described in Subsection (1)(b)(iv); and

216 (B) into which or from which a person who, as a candidate for an office, other than a
217 county office for which the person files a declaration of candidacy or federal office, or as a
218 holder of an office, other than a county office for which the person files a declaration of
219 candidacy or federal office, deposits a contribution or makes an expenditure.

220 (ii) The ordinance required by Subsection (1)(a) shall include a requirement that a
221 candidate for county office include on a financial report filed in accordance with the ordinance
222 a contribution deposited in or an expenditure made from an account:

223 (A) since the last financial report was filed; or

224 (B) that has not been reported under a statute or ordinance that governs the account.

225 (2) If any county fails to adopt a campaign finance disclosure ordinance described in
226 Subsection (1), candidates for county office, other than community council office, shall comply
227 with the financial reporting requirements contained in Subsections (3) through ~~(7)~~ (8).

228 (3) A candidate for elective office in a county:

229 (a) shall deposit a contribution in a separate campaign account in a financial institution;
230 and

231 (b) may not deposit or mingle any contributions received into a personal or business
232 account.

233 (4) Each candidate for elective office in any county who is not required to submit a
234 campaign financial statement to the lieutenant governor shall file a signed campaign financial
235 statement with the county clerk:

236 (a) seven days before the date of the regular general election, reporting each
237 contribution of more than [\$50] ~~\$~~→ [\$100] ~~[\$25]~~ \$50 ←~~\$~~ and each expenditure as of 10 days
237a before the date of the
238 regular general election; and

239 (b) no later than 30 days after the date of the regular general election.

240 (5) (a) The statement filed seven days before the regular general election shall include:

241 (i) a list of each contribution of more than [\$50] ~~\$~~→ [\$100] ~~[\$25]~~ \$50 ←~~\$~~ received by the
241a candidate, and
242 the name of the donor, if known;

243 (ii) an aggregate total of all contributions of [\$50] ~~\$~~→ [\$100] ~~[\$25]~~ \$50 ←~~\$~~ or less
243a received by the
244 candidate; and

245 (iii) a list of each expenditure for political purposes made during the campaign period,
246 and the recipient of each expenditure.

247 (b) The statement filed 30 days after the regular general election shall include:

248 (i) a list of each contribution of more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] ~~\$50~~ ←~~\$~~ received after
248a the cutoff date for
249 the statement filed seven days before the election, and the name of the donor;

250 (ii) an aggregate total of all contributions of [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] ~~\$50~~ ←~~\$~~ or less
250a received by the

251 candidate after the cutoff date for the statement filed seven days before the election; and

252 (iii) a list of all expenditures for political purposes made by the candidate after the
253 cutoff date for the statement filed seven days before the election, and the recipient of each
254 expenditure.

255 (6) (a) As used in this Subsection (6), "account" means an account in a financial
256 institution:

257 (i) that is not described in Subsection (3)(a); and

258 (ii) into which or from which a person who, as a candidate for an office, other than a
259 county office for which the person filed a declaration of candidacy or federal office, or as a
260 holder of an office, other than a county office for which the person filed a declaration of
261 candidacy or federal office, deposits a contribution or makes an expenditure.

262 (b) A county office candidate shall include on any campaign financial statement filed
263 in accordance with Subsection (4) or (5):

264 (i) a contribution deposited in an account:

265 (A) since the last campaign finance statement was filed; or

266 (B) that has not been reported under a statute or ordinance that governs the account; or

267 (ii) an expenditure made from an account:

268 (A) since the last campaign finance statement was filed; or

269 (B) that has not been reported under a statute or ordinance that governs the account.

270 (7) Within 30 days after receiving a cash contribution that exceeds ~~\$~~→ [~~\$100~~] [~~\$25~~]

270a ~~\$50~~ ←~~\$~~ from a donor

271 whose name is unknown, a county office candidate shall disburse the amount of the

272 contribution to:

273 (a) the treasurer of the state or a political subdivision for deposit into the state's or

274 political subdivision's general fund; or

275 (b) an organization that is exempt from federal income taxation under Section

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

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

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

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

655 (b) Each state office candidate shall report each contribution and public service
656 assistance to the lieutenant governor within 30 days after the contribution or public service
657 assistance is received.

658 (6) (a) As used in this Subsection (6), "account" means an account in a financial
659 institution:

660 (i) that is not described in Subsection (1)(a); and

661 (ii) into which or from which a person who, as a candidate for an office, other than the
662 state office for which the person files a declaration of candidacy or federal office, or as a holder
663 of an office, other than a state office for which the person files a declaration of candidacy or
664 federal office, deposits a contribution or makes an expenditure.

665 (b) A state office candidate shall include on any financial statement filed in accordance
666 with this part:

667 (i) a contribution deposited in an account:

668 (A) since the last campaign finance statement was filed; or

669 (B) that has not been reported under a statute or ordinance that governs the account; or

670 (ii) an expenditure made from an account:

671 (A) since the last campaign finance statement was filed; or

672 (B) that has not been reported under a statute or ordinance that governs the account.

673 (7) Within 30 days after receiving a cash contribution that exceeds ~~\$~~→ [\$100] [\$25] \$50 ←~~\$~~

673a from an
674 unknown source, a state office candidate shall disburse the amount of the contribution to:

675 (a) the treasurer of the state or a political subdivision for deposit into the state's or
676 political subdivision's General Fund; or

677 (b) an organization that is exempt from federal income taxation under Section
678 501(c)(3), Internal Revenue Code.

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

680 **20A-11-203. State office candidate -- Financial reporting requirements --**
 681 **Year-end summary report.**

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

684 (b) In addition to the requirements of Subsection (1)(a), a former state office candidate
 685 that has not filed the statement of dissolution and final summary report required under Section
 686 20A-11-205 shall continue to file a summary report on January 10 of each year.

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

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

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

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

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

696 (v) for each nonmonetary contribution:

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

699 (B) a specific description of the contribution;

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

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

703 (viii) a net balance for the year consisting of the net balance from the last summary
 704 report, if any, plus all receipts minus all expenditures; and

705 (ix) the name of a political action committee for which the state office candidate is
 706 designated as an officer who has primary decision-making authority under Section
 707 20A-11-601.

708 (b) (i) For all single contributions or public service assistance of [~~\$50~~]

708a ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ or less, a

709 single aggregate figure may be reported without separate detailed listings.

710 (ii) Two or more contributions from the same source that have an aggregate total of
 711 more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ may not be reported in the aggregate, but shall be
 711a reported separately.

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

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

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

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

723 **20A-11-204. State office candidate -- Financial reporting requirements -- Interim**
 724 **reports.**

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

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

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

729 (c) August 31; and

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

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

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

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

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

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

739 (e) for each nonmonetary contribution:

740 (i) the fair market value of the contribution with that information provided by the

741 contributor; and

742 (ii) a specific description of the contribution;

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

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

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

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

750 (i) beginning balance;

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

752 (iii) total contributions to date;

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

754 (v) total expenditures to date; and

755 (j) the name of a political action committee for which the state office candidate is
756 designated as an officer who has primary decision-making authority under Section
757 20A-11-601.

758 (3) (a) For all individual contributions or public service assistance of [~~\$50~~] ~~\$~~→ [**\$100**] [~~-\$25~~]

758a **\$50** ←~~\$~~ or

759 less, a single aggregate figure may be reported without separate detailed listings.

760 (b) Two or more contributions from the same source that have an aggregate total of
761 more than [~~\$50~~] ~~\$~~→ [**\$100**] [~~-\$25~~] **\$50** ←~~\$~~ may not be reported in the aggregate, but shall be
761a reported separately.

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

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

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

768 **20A-11-301. Legislative office candidate -- Campaign finance requirements --**

769 **Candidate as a political action committee officer -- No personal use -- Report**

770 **contributions within 30 days -- Report other accounts -- Anonymous contributions.**

771 (1) (a) (i) Each legislative office candidate shall deposit each contribution and public

803 inures to the legislative office candidate.

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

807 (6) Within 30 days after receiving a cash contribution that exceeds ~~§~~ → [\$100]

807a [\$25] \$50 ←\$ from an

808 unknown source, a legislative office candidate shall disburse the amount of the contribution to:

809 (a) the treasurer of the state or a political subdivision for deposit into the state's or
810 political subdivision's General Fund; or

811 (b) an organization that is exempt from federal income taxation under Section
812 501(c)(3), Internal Revenue Code.

813 ~~[(6)] (7)~~ (a) As used in this Subsection ~~[(6)] (7)~~, "account" means an account in a
814 financial institution:

815 (i) that is not described in Subsection (1)(a)(i); and

816 (ii) into which or from which a person who, as a candidate for an office, other than a
817 legislative office for which the person files a declaration of candidacy or federal office, or as a
818 holder of an office, other than a legislative office for which the person files a declaration of
819 candidacy or federal office, deposits a contribution or makes an expenditure.

820 (b) A legislative office candidate shall include on any financial statement filed in
821 accordance with this part:

822 (i) a contribution deposited in an account:

823 (A) since the last campaign finance statement was filed; or

824 (B) that has not been reported under a statute or ordinance that governs the account; or

825 (ii) an expenditure made from an account:

826 (A) since the last campaign finance statement was filed; or

827 (B) that has not been reported under a statute or ordinance that governs the account.

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

829 **20A-11-302. Legislative office candidate -- Financial reporting requirements --**

830 **Year-end summary report.**

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

833 (b) In addition to the requirements of Subsection (1)(a), a former legislative office

834 candidate that has not filed the statement of dissolution and final summary report required
835 under Section 20A-11-304 shall continue to file a summary report on January 10 of each year.

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

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

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

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

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

845 (v) for each nonmonetary contribution:

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

848 (B) a specific description of the contribution;

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

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

852 (viii) a net balance for the year consisting of the net balance from the last summary
853 report, if any, plus all receipts minus all expenditures; and

854 (ix) the name of a political action committee for which the legislative office candidate
855 is designated as an officer who has primary decision-making authority under Section
856 20A-11-601.

857 (b) (i) For all individual contributions or public service assistance of [~~\$50~~] ~~\$~~→ [\$100] [~~\$25~~]
857a \$50 ←~~\$~~ or

858 less, a single aggregate figure may be reported without separate detailed listings.

859 (ii) Two or more contributions from the same source that have an aggregate total of
860 more than [~~\$50~~] ~~\$~~→ [\$100] [~~\$25~~] \$50 ←~~\$~~ may not be reported in the aggregate, but shall be
860a reported separately.

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

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

- 896 (i) a summary page in the form required by the lieutenant governor that identifies:
 897 (i) beginning balance;
 898 (ii) total contributions during the period since the last statement;
 899 (iii) total contributions to date;
 900 (iv) total expenditures during the period since the last statement; and
 901 (v) total expenditures to date; and
 902 (j) the name of a political action committee for which the legislative office candidate is
 903 designated as an officer who has primary decision-making authority under Section
 904 20A-11-601.

905 (3) (a) For all individual contributions or public service assistance of [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~]
 905a ~~\$50~~ ←~~\$~~ or

906 less, a single aggregate figure may be reported without separate detailed listings.

907 (b) Two or more contributions from the same source that have an aggregate total of
 908 more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] ~~\$50~~ ←~~\$~~ may not be reported in the aggregate, but shall be
 908a reported separately.

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

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

914 Section 10. Section **20A-11-401** is amended to read:

915 **20A-11-401. Officeholder financial reporting requirements -- Year-end summary**
 916 **report -- Officeholder as a political action committee officer -- Anonymous public service**
 917 **assistance.**

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

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

923 (i) this section; and

924 (ii) the section that provides the requirements for the summary report filed by the
 925 officeholder in the officeholder's capacity of a candidate for office.

926 (2) (a) Each summary report shall include the following information as of December 31

927 of the previous year:

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

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

931 (iii) a single figure equal to the total amount of expenditures made since the last
932 summary report, if any;

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

935 (v) for each nonmonetary contribution:

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

938 (B) a specific description of the contribution;

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

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

941 (viii) a net balance for the year consisting of the net balance from the last summary
942 report plus all receipts minus all expenditures; and

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

945 (b) (i) For all individual contributions or public service assistance of [~~\$50~~] ~~\$~~→ [\$100] [~~\$25~~]
945a \$50 ←~~\$~~ or

946 less, a single aggregate figure may be reported without separate detailed listings.

947 (ii) Two or more contributions from the same source that have an aggregate total of
948 more than [~~\$50~~] ~~\$~~→ [\$100] [~~\$25~~] \$50 ←~~\$~~ may not be reported in the aggregate, but shall be
948a reported separately.

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

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

955 (4) An officeholder may:

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

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

960 (5) Within 30 days after receiving a cash contribution or cash public service assistance
961 that exceeds \$→ [\$100] [\$25] \$50 ←\$ from an unknown source, an officeholder shall disburse the
961a amount of the
962 contribution or public service assistance to:

963 (a) the treasurer of the state or a political subdivision for deposit into the state's or
964 political subdivision's General Fund; or

965 (b) an organization that is exempt from federal income taxation under Section
966 501(c)(3), Internal Revenue Code.

967 Section 11. Section **20A-11-505.7** is amended to read:

968 **20A-11-505.7. Separate account for contributions for registered political party --**
969 **-- Anonymous contributions to registered political party or county political party.**

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

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

974 (3) A registered political party or county political party may not expend a cash
975 contribution for political purposes or a political issues expenditure if the cash contribution:

976 (a) exceeds \$→ [\$100] [\$25] \$50 ←\$; and

977 (b) is from an unknown source.

978 Section 12. Section **20A-11-506** is amended to read:

979 **20A-11-506. Political party financial reporting requirements -- Year-end**
980 **summary report.**

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

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

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

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

988 (iii) a single figure equal to the total amount of expenditures reported on all interim

989 reports, if any, filed during the previous year;

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

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

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

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

996 (viii) a net balance for the year consisting of the net balance from the last summary

997 report, if any, plus all receipts minus all expenditures.

998 (b) (i) For all individual contributions [~~or public service assistance~~] of [\$50] ~~\$~~→ **[\$100]**

998a **[\$25] \$50 ←\$** or

999 less, a single aggregate figure may be reported without separate detailed listings.

1000 (ii) Two or more contributions from the same source that have an aggregate total of
1001 more than [\$50] ~~\$~~→ **[\$100] [\$25] \$50 ←\$** may not be reported in the aggregate, but shall be
1001a reported separately.

1002 (c) In preparing the report, all receipts and expenditures shall be reported as of
1003 December 31 of the previous year.

1004 (3) The summary report shall contain a paragraph signed by the treasurer of the party
1005 committee certifying that, to the best of the treasurer's knowledge, all receipts and all
1006 expenditures have been reported as of December 31 of the previous year and that there are no
1007 bills or obligations outstanding and unpaid except as set forth in that report.

1008 Section 13. Section **20A-11-507** is amended to read:

1009 **20A-11-507. Political party financial reporting requirements -- Interim reports.**

1010 (1) The party committee of each registered political party shall file an interim report at
1011 the following times in any year in which there is a regular general election:

1012 (a) seven days before the registered political party's political convention;

1013 (b) seven days before the regular primary election date;

1014 (c) August 31; and

1015 (d) seven days before the general election date.

1016 (2) Each interim report shall include the following information:

1017 (a) the net balance of the last financial statement, if any;

1018 (b) a single figure equal to the total amount of receipts reported on all prior interim

1019 reports, if any, during the calendar year in which the interim report is due;

1020 (c) a single figure equal to the total amount of expenditures reported on all prior
1021 interim reports, if any, filed during the calendar year in which the interim report is due;

1022 (d) a detailed listing of each contribution [~~and public service assistance~~] received since
1023 the last summary report that has not been reported in detail on a prior interim report;

1024 (e) for each nonmonetary contribution, the fair market value of the contribution;

1025 (f) a detailed listing of each expenditure made since the last summary report that has
1026 not been reported in detail on a prior interim report;

1027 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

1028 (h) a net balance for the year consisting of the net balance from the last summary
1029 report, if any, plus all receipts since the last summary report minus all expenditures since the
1030 last summary report; and

1031 (i) a summary page in the form required by the lieutenant governor that identifies:

1032 (i) beginning balance;

1033 (ii) total contributions during the period since the last statement;

1034 (iii) total contributions to date;

1035 (iv) total expenditures during the period since the last statement; and

1036 (v) total expenditures to date.

1037 (3) (a) For all individual contributions [~~or public service assistance~~] of [\$50] ~~\$~~→ [\$100]

1037a [\$25] \$50 ←\$ or

1038 less, a single aggregate figure may be reported without separate detailed listings.

1039 (b) Two or more contributions from the same source that have an aggregate total of
1040 more than [\$50] ~~\$~~→ [\$100] [\$25] \$50 ←\$ may not be reported in the aggregate, but shall be
1040a reported separately.

1041 (4) In preparing each interim report, all receipts and expenditures shall be reported as
1042 of five days before the required filing date of the report.

1043 Section 14. Section **20A-11-510** is amended to read:

1044 **20A-11-510. County political party financial reporting requirements -- Year-end**
1045 **summary report.**

1046 (1) A county political party officer of a county political party that has received
1047 contributions totaling at least \$750, or disbursed expenditures totaling at least [\$50] ~~\$~~→ [\$100] [\$25]
1047a \$50 ←\$,

1048 during a calendar year shall file a summary report by January 10 of the following year.

1049 (2) (a) Each summary report shall include the following information as of December 31
1050 of the previous year:

- 1051 (i) the net balance of the last summary report, if any;
- 1052 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
1053 if any, filed during the previous year;
- 1054 (iii) a single figure equal to the total amount of expenditures reported on all interim
1055 reports, if any, filed during the previous year;
- 1056 (iv) a detailed listing of each contribution [~~and public service assistance~~] received since
1057 the last summary report that has not been reported in detail on an interim report;
- 1058 (v) for each nonmonetary contribution, the fair market value of the contribution;
- 1059 (vi) a detailed listing of each expenditure made since the last summary report that has
1060 not been reported in detail on an interim report;
- 1061 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
- 1062 (viii) a net balance for the year consisting of the net balance from the last summary
1063 report, if any, plus all receipts minus all expenditures.

1064 (b) (i) For all individual contributions [~~or public service assistance~~] of [~~\$50~~] ~~\$~~→ [\$100]
1064a [\$25] \$50 ←~~\$~~ or
1065 less, a single aggregate figure may be reported without separate detailed listings.

1066 (ii) Two or more contributions from the same source that have an aggregate total of
1067 more than [~~\$50~~] ~~\$~~→ [\$100] [\$25] \$50 ←~~\$~~ may not be reported in the aggregate, but shall be
1067a reported separately.

1068 (c) In preparing the report, all receipts and expenditures shall be reported as of
1069 December 31 of the previous year.

1070 (3) The county political party officer shall certify in the summary report that, to the
1071 best of the officer's knowledge, all receipts and all expenditures have been reported as of
1072 December 31 of the previous year and that there are no bills or obligations outstanding and
1073 unpaid except as set forth in that report.

1074 Section 15. Section **20A-11-511** is amended to read:

1075 **20A-11-511. County political party financial reporting requirements -- Interim**
1076 **reports.**

1077 (1) (a) A county political party officer of a county political party that has received
1078 contributions totaling at least \$750, or disbursed expenditures totaling at least [~~\$50~~] ~~\$~~→ [\$100] [\$25]
1078a \$50 ←~~\$~~ ,
1079 during a calendar year shall file an interim report at the following times in any year in which
1080 there is a regular general election:

1081 (i) seven days before the county political party's convention;

- 1082 (ii) seven days before the regular primary election date;
- 1083 (iii) August 31; and
- 1084 (iv) seven days before the general election date.
- 1085 (b) A county political party officer need not file an interim report if it received no
- 1086 contributions or made no expenditures during the reporting period.
- 1087 (2) Each interim report shall include the following information:
- 1088 (a) the net balance of the last financial statement, if any;
- 1089 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 1090 reports, if any, during the calendar year in which the interim report is due;
- 1091 (c) a single figure equal to the total amount of expenditures reported on all prior
- 1092 interim reports, if any, filed during the calendar year in which the interim report is due;
- 1093 (d) a detailed listing of each contribution [~~and public service assistance~~] received since
- 1094 the last summary report that has not been reported in detail on a prior interim report;
- 1095 (e) for each nonmonetary contribution, the fair market value of the contribution;
- 1096 (f) a detailed listing of each expenditure made since the last summary report that has
- 1097 not been reported in detail on a prior interim report;
- 1098 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 1099 (h) a net balance for the year consisting of the net balance from the last summary
- 1100 report, if any, plus all receipts since the last summary report minus all expenditures since the
- 1101 last summary report; and
- 1102 (i) a summary page in the form required by the lieutenant governor that identifies:
- 1103 (i) beginning balance;
- 1104 (ii) total contributions during the period since the last statement;
- 1105 (iii) total contributions to date;
- 1106 (iv) total expenditures during the period since the last statement; and
- 1107 (v) total expenditures to date.
- 1108 (3) (a) For all individual contributions [~~or public service assistance~~] of [\$50] ~~\$~~→ [\$100]
- 1108a [\$25] \$50 ←~~\$~~ or
- 1109 less, a single aggregate figure may be reported without separate detailed listings.
- 1110 (b) Two or more contributions from the same source that have an aggregate total of
- 1111 more than [\$50] ~~\$~~→ [\$100] [\$25] \$50 ←~~\$~~ may not be reported in the aggregate, but shall be
- 1111a reported separately.
- 1112 (4) In preparing each interim report, all receipts and expenditures shall be reported as

1113 of five days before the required filing date of the report.

1114 Section 16. Section **20A-11-601** is amended to read:

1115 **20A-11-601. Political action committees -- Registration -- Criminal penalty for**
 1116 **providing false information or accepting unlawful contribution.**

1117 (1) (a) Each political action committee shall file a statement of organization with the
 1118 lieutenant governor's office by January 10 of each year, unless the political action committee
 1119 has filed a notice of dissolution under Subsection (4).

1120 (b) If a political action committee is organized after the January 10 filing date, the
 1121 political action committee shall file an initial statement of organization no later than seven days
 1122 after:

1123 (i) receiving contributions totaling at least \$750; or

1124 (ii) distributing expenditures for political purposes totaling at least [\$50] ~~\$~~→ **[\$100]** [~~\$25~~]

1124a **\$50 ←\$** .

1125 (2) (a) Each political action committee shall designate two officers who have primary
 1126 decision-making authority for the political action committee.

1127 (b) A person may not exercise primary decision-making authority for a political action
 1128 committee who is not designated under Subsection (2)(a).

1129 (3) The statement of organization shall include:

1130 (a) the name and address of the political action committee;

1131 (b) the name, street address, phone number, occupation, and title of the two primary
 1132 officers designated under Subsection (2)(a);

1133 (c) the name, street address, occupation, and title of all other officers of the political
 1134 action committee;

1135 (d) the name and street address of the organization, individual corporation, association,
 1136 unit of government, or union that the political action committee represents, if any;

1137 (e) the name and street address of all affiliated or connected organizations and their
 1138 relationships to the political action committee;

1139 (f) the name, street address, business address, occupation, and phone number of the
 1140 committee's treasurer or chief financial officer; and

1141 (g) the name, street address, and occupation of each member of the governing and
 1142 advisory boards, if any.

1143 (4) (a) Any registered political action committee that intends to permanently cease

1144 operations shall file a notice of dissolution with the lieutenant governor's office.

1145 (b) Any notice of dissolution filed by a political action committee does not exempt that
1146 political action committee from complying with the financial reporting requirements of this
1147 chapter.

1148 (5) (a) Unless the political action committee has filed a notice of dissolution under
1149 Subsection (4), a political action committee shall file, with the lieutenant governor's office,
1150 notice of any change of an officer described in Subsection (2)(a).

1151 (b) Notice of a change of a primary officer described in Subsection (2)(a) shall:

1152 (i) be filed within 10 days of the date of the change; and

1153 (ii) contain the name and title of the officer being replaced, and the name, street
1154 address, occupation, and title of the new officer.

1155 (6) (a) A person is guilty of providing false information in relation to a political action
1156 committee if the person intentionally or knowingly gives false or misleading material
1157 information in the statement of organization or the notice of change of primary officer.

1158 (b) Each primary officer designated in Subsection (2)(a) is guilty of accepting an
1159 unlawful contribution if the political action committee knowingly or recklessly accepts a
1160 contribution from a corporation that:

1161 (i) was organized less than 90 days before the date of the general election; and

1162 (ii) at the time the political action committee accepts the contribution, has failed to file
1163 a statement of organization with the lieutenant governor's office as required by Section
1164 20A-11-704.

1165 (c) A violation of this Subsection (6) is a third degree felony.

1166 Section 17. Section **20A-11-602** is amended to read:

1167 **20A-11-602. Political action committees -- Financial reporting -- Anonymous**
1168 **contributions.**

1169 (1) (a) Each registered political action committee that has received contributions
1170 totaling at least \$750, or disbursed expenditures totaling at least [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] ~~\$50~~ ←~~\$~~ ,
1170a during a calendar

1171 year shall file a verified financial statement with the lieutenant governor's office:

1172 (i) on January 10, reporting contributions and expenditures as of December 31 of the
1173 previous year;

1174 (ii) seven days before the regular primary election date;

1206 (C) total contributions to date;

1207 (D) total expenditures during the period since the last statement; and

1208 (E) total expenditures to date.

1209 (b) (i) Contributions received by a political action committee that have a value of [~~\$50~~]

1210 ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ or less need not be reported individually, but shall be listed on the report

1210a as an aggregate

1211 total.

1212 (ii) Two or more contributions from the same source that have an aggregate total of

1213 more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ may not be reported in the aggregate, but shall be

1213a reported separately.

1214 (3) A group or entity may not divide or separate into units, sections, or smaller groups

1215 for the purpose of avoiding the financial reporting requirements of this chapter, and substance

1216 shall prevail over form in determining the scope or size of a political action committee.

1217 (4) (a) As used in this Subsection (4), "received" means:

1218 (i) for a cash contribution, that the cash is given to a political action committee;

1219 (ii) for a contribution that is a negotiable instrument or check, that the negotiable

1220 instrument or check is negotiated; and

1221 (iii) for any other type of contribution, that any portion of the contribution's benefit

1222 inures to the political action committee.

1223 (b) A political action committee shall report each contribution to the lieutenant

1224 governor within 30 days after the contribution is received.

1225 (5) A political action committee may not expend a cash contribution for political

1226 purposes if the cash contribution:

1227 (a) exceeds ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ ; and

1228 (b) is from an unknown source.

1229 Section 18. Section **20A-11-702** is amended to read:

1230 **20A-11-702. Campaign financial reporting of political issues expenditures by**
1231 **corporations -- Financial reporting.**

1232 (1) (a) Each corporation that has made political issues expenditures on current or

1233 proposed ballot issues that total at least \$750 during a calendar year shall file a verified

1234 financial statement with the lieutenant governor's office:

1235 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1236 (ii) seven days before the regular primary election date;

- 1237 (iii) on August 31; and
- 1238 (iv) seven days before the regular general election date.
- 1239 (b) The corporation shall report:
- 1240 (i) a detailed listing of all expenditures made since the last statement; and
- 1241 (ii) for financial statements under Subsections (1)(a)(ii) through (iv), expenditures as of
- 1242 five days before the required filing date of the financial statement.
- 1243 (c) The corporation need not file a statement under this section if it made no
- 1244 expenditures during the reporting period.
- 1245 (2) That statement shall include:
- 1246 (a) the name and address of each individual, entity, or group of individuals or entities
- 1247 that received a political issues expenditure of more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] ~~\$50~~ ←~~\$~~ from the
- 1247a corporation, and
- 1248 the amount of each political issues expenditure;
- 1249 (b) the total amount of political issues expenditures disbursed by the corporation; and
- 1250 (c) a statement by the corporation's treasurer or chief financial officer certifying the
- 1251 accuracy of the verified financial statement.
- 1252 Section 19. Section ~~20A-11-801~~ is amended to read:
- 1253 **20A-11-801. Political issues committees -- Registration -- Criminal penalty for**
- 1254 **providing false information or accepting unlawful contribution.**
- 1255 (1) (a) Each political issues committee shall file a statement of organization with the
- 1256 lieutenant governor's office by January 10 of each year, unless the political issues committee
- 1257 has filed a notice of dissolution under Subsection (4).
- 1258 (b) If a political issues committee is organized after the January 10 filing date, the
- 1259 political issues committee shall file an initial statement of organization no later than seven days
- 1260 after:
- 1261 (i) receiving political issues contributions totaling at least \$750; or
- 1262 (ii) disbursing political issues expenditures totaling at least [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] ~~\$50~~ ←~~\$~~ .
- 1263 (2) Each political issues committee shall designate two officers that have primary
- 1264 decision-making authority for the political issues committee.
- 1265 (3) The statement of organization shall include:
- 1266 (a) the name and street address of the political issues committee;
- 1267 (b) the name, street address, phone number, occupation, and title of the two primary

1299 from a corporation that:

1300 (i) was organized less than 90 days before the date of the general election; and
 1301 (ii) at the time the political issues committee accepts the contribution, has failed to file
 1302 a statement of organization with the lieutenant governor's office as required by Section
 1303 20A-11-704.

1304 (c) A violation of this Subsection (6) is a third degree felony.

1305 Section 20. Section **20A-11-802** is amended to read:

1306 **20A-11-802. Political issues committees -- Financial reporting -- Anonymous**
 1307 **contributions.**

1308 (1) (a) Each registered political issues committee that has received political issues
 1309 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least
 1310 [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~, during a calendar year, shall file a verified financial statement
 1310a with the lieutenant
 1311 governor's office:

1312 (i) on January 10, reporting contributions and expenditures as of December 31 of the
 1313 previous year;

1314 (ii) seven days before the date of an incorporation election, if the political issues
 1315 committee has received donations or made disbursements to affect an incorporation;

1316 (iii) at least three days before the first public hearing held as required by Section
 1317 20A-7-204.1;

1318 (iv) if the political issues committee has received or expended funds in relation to an
 1319 initiative or referendum, at the time the initiative or referendum sponsors submit:

1320 (A) the verified and certified initiative packets as required by Section 20A-7-206; or

1321 (B) the signed and verified referendum packets as required by Section 20A-7-306;

1322 (v) on August 31; and

1323 (vi) seven days before:

1324 (A) the municipal general election; and

1325 (B) the regular general election.

1326 (b) The political issues committee shall report:

1327 (i) a detailed listing of all contributions received and expenditures made since the last
 1328 statement; and

1329 (ii) all contributions and expenditures as of five days before the required filing date of

1330 the financial statement, except for a financial statement filed on January 10.

1331 (c) The political issues committee need not file a statement under this section if it
1332 received no contributions and made no expenditures during the reporting period.

1333 (2) (a) That statement shall include:

1334 (i) the name and address, if known, of any individual that makes a political issues
1335 contribution to the reporting political issues committee, and the amount of the political issues
1336 contribution;

1337 (ii) the identification of any publicly identified class of individuals that makes a
1338 political issues contribution to the reporting political issues committee, and the amount of the
1339 political issues contribution;

1340 (iii) the name and address, if known, of any political issues committee, group, or entity
1341 that makes a political issues contribution to the reporting political issues committee, and the
1342 amount of the political issues contribution;

1343 (iv) the name and address of each reporting entity that makes a political issues
1344 contribution to the reporting political issues committee, and the amount of the political issues
1345 contribution;

1346 (v) for each nonmonetary contribution, the fair market value of the contribution;

1347 (vi) except as provided in Subsection (2)(c), the name and address of each individual,
1348 entity, or group of individuals or entities that received a political issues expenditure of more
1349 than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ from the reporting political issues committee, and the amount
1349a of each political
1350 issues expenditure;

1351 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

1352 (viii) the total amount of political issues contributions received and political issues
1353 expenditures disbursed by the reporting political issues committee;

1354 (ix) a statement by the political issues committee's treasurer or chief financial officer
1355 certifying that, to the best of the person's knowledge, the financial statement is accurate; and

1356 (x) a summary page in the form required by the lieutenant governor that identifies:

1357 (A) beginning balance;

1358 (B) total contributions during the period since the last statement;

1359 (C) total contributions to date;

1360 (D) total expenditures during the period since the last statement; and

1361 (E) total expenditures to date.

1362 (b) (i) Political issues contributions received by a political issues committee that have a
1363 value of [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ or less need not be reported individually, but shall be listed
1363a on the report as

1364 an aggregate total.

1365 (ii) Two or more political issues contributions from the same source that have an
1366 aggregate total of more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ may not be reported in the aggregate,

1366a but shall be

1367 reported separately.

1368 (c) When reporting political issue expenditures made to circulators of initiative
1369 petitions, the political issues committee:

1370 (i) need only report the amount paid to each initiative petition circulator; and

1371 (ii) need not report the name or address of the circulator.

1372 (3) (a) As used in this Subsection (3), "received" means:

1373 (i) for a cash contribution, that the cash is given to a political issues committee;

1374 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
1375 instrument or check is negotiated; and

1376 (iii) for any other type of contribution, that any portion of the contribution's benefit
1377 inures to the political issues committee.

1378 (b) A political issues committee shall report each contribution to the lieutenant
1379 governor within 30 days after the contribution is received.

1380 (4) A political issues committee may not expend a cash contribution for a political
1381 issues expenditure if the cash contribution:

1382 (a) exceeds ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ ; and

1383 (b) is from an unknown source.

1384 Section 21. Section **20A-11-904** is amended to read:

1385 **20A-11-904. Contribution given in another's name and anonymous contributions**
1386 **prohibited.**

1387 A person may not:

1388 (1) make a contribution in the name of another;

1389 (2) knowingly permit another to make a contribution in the person's name; [~~or~~]

1390 (3) knowingly accept a contribution made by one person in the name of another[-]; or

1391 (4) make a contribution that exceeds ~~\$~~→ [~~\$100~~] [~~\$25~~] \$50 ←~~\$~~ without disclosing the
1391a person's name.

1423 campaign account in a manner that would cause the former school board candidate to recognize
 1424 the money as taxable income under federal tax law if the transfer is made to a campaign
 1425 account for federal office.

1426 (6) (a) As used in this Subsection (6) and Section 20A-11-1303, "received" means:

1427 (i) for a cash contribution, that the cash is given to a school board office candidate or a
 1428 member of the candidate's personal campaign committee;

1429 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
 1430 instrument or check is negotiated; and

1431 (iii) for any other type of contribution, that any portion of the contribution's benefit
 1432 inures to the school board office candidate.

1433 (b) Each school board office candidate shall report to the chief election officer each
 1434 contribution and public service assistance within 30 days after the contribution or public
 1435 service assistance is received.

1436 (7) Within 30 days after receiving a cash contribution that exceeds \$→ [\$100] [\$25]

1436a \$50 ←\$ from an

1437 unknown source, a school board office candidate shall disburse the contribution to:

1438 (a) the treasurer of the state or a political subdivision for deposit into the state's or
 1439 political subdivision's General Fund; or

1440 (b) an organization that is exempt from federal income taxation under Section
 1441 501(c)(3), Internal Revenue Code.

1442 [~~(7)~~] (8) (a) As used in this Subsection [~~(7)~~] (8), "account" means an account in a
 1443 financial institution:

1444 (i) that is not described in Subsection (1)(a)(i); and

1445 (ii) into which or from which a person who, as a candidate for an office, other than a
 1446 school board office for which the person files a declaration of candidacy or federal office, or as
 1447 a holder of an office, other than a school board office for which the person files a declaration of
 1448 candidacy or federal office, deposits a contribution or makes an expenditure.

1449 (b) A school board office candidate shall include on any financial statement filed in
 1450 accordance with this part:

1451 (i) a contribution deposited in an account:

1452 (A) since the last campaign finance statement was filed; or

1453 (B) that has not been reported under a statute or ordinance that governs the account; or

1485 20A-11-601.

1486 (b) (i) For all individual contributions or public service assistance of [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~]
1486a ~~\$50~~ ←~~\$~~ or

1487 less, a single aggregate figure may be reported without separate detailed listings.

1488 (ii) Two or more contributions from the same source that have an aggregate total of
1489 more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] ~~\$50~~ ←~~\$~~ may not be reported in the aggregate, but shall be
1489a reported separately.

1490 (c) In preparing the report, all receipts and expenditures shall be reported as of
1491 December 31 of the previous year.

1492 (d) A check or negotiable instrument received by a school board office candidate on or
1493 before December 31 of the previous year shall be included in the summary report.

1494 (3) The school board office candidate shall certify in the summary report that, to the
1495 best of the school board office candidate's knowledge, all receipts and all expenditures have
1496 been reported as of December 31 of the previous year and that there are no bills or obligations
1497 outstanding and unpaid except as set forth in that report.

1498 Section 24. Section **20A-11-1303** is amended to read:

1499 **20A-11-1303. School board office candidate -- Financial reporting requirements**
1500 **-- Interim reports.**

1501 (1) Each school board office candidate shall file an interim report at the following
1502 times in any year in which the candidate has filed a declaration of candidacy for a public office:

- 1503 (a) May 15, for state school board office candidates;
- 1504 (b) seven days before the regular primary election date;
- 1505 (c) August 31; and
- 1506 (d) seven days before the regular general election date.

1507 (2) Each interim report shall include the following information:

- 1508 (a) the net balance of the last summary report, if any;
- 1509 (b) a single figure equal to the total amount of receipts reported on all prior interim
1510 reports, if any, during the calendar year in which the interim report is due;
- 1511 (c) a single figure equal to the total amount of expenditures reported on all prior
1512 interim reports, if any, filed during the calendar year in which the interim report is due;
- 1513 (d) a detailed listing of each contribution and public service assistance received since
1514 the last summary report that has not been reported in detail on a prior interim report;
- 1515 (e) for each nonmonetary contribution:

1516 (i) the fair market value of the contribution with that information provided by the
1517 contributor; and

1518 (ii) a specific description of the contribution;

1519 (f) a detailed listing of each expenditure made since the last summary report that has
1520 not been reported in detail on a prior interim report;

1521 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

1522 (h) a net balance for the year consisting of the net balance from the last summary
1523 report, if any, plus all receipts since the last summary report minus all expenditures since the
1524 last summary report;

1525 (i) a summary page in the form required by the lieutenant governor that identifies:

1526 (i) beginning balance;

1527 (ii) total contributions during the period since the last statement;

1528 (iii) total contributions to date;

1529 (iv) total expenditures during the period since the last statement; and

1530 (v) total expenditures to date; and

1531 (j) the name of a political action committee for which the school board office candidate
1532 is designated as an officer who has primary decision-making authority under Section
1533 20A-11-601.

1534 (3) (a) For all individual contributions or public service assistance of [~~\$50~~] ~~\$~~→ [~~\$100~~]
1534a [~~\$25~~] ~~\$50~~ ←~~\$~~ or

1535 less, a single aggregate figure may be reported without separate detailed listings.

1536 (b) Two or more contributions from the same source that have an aggregate total of
1537 more than [~~\$50~~] ~~\$~~→ [~~\$100~~] [~~\$25~~] ~~\$50~~ ←~~\$~~ may not be reported in the aggregate, but shall be
1537a reported separately.

1538 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
1539 as of five days before the required filing date of the report.

1540 (b) Any negotiable instrument or check received by a school board office candidate
1541 more than five days before the required filing date of a report required by this section shall be
1542 included in the interim report.

1543 Section 25. Section **20A-11-1502** is amended to read:

1544 **20A-11-1502. Campaign financial reporting of contributions -- Filing**
1545 **requirements -- Statement contents.**

1546 (1) (a) Each labor organization that has made expenditures for political purposes or