

## HB0089S02 compared with HB0089S01

~~text~~ shows text that was in HB0089S01 but was deleted in HB0089S02.

text shows text that was not in HB0089S01 but was inserted into HB0089S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Kraig Powell proposes the following substitute bill:

### CAMPAIGN CONTRIBUTION ~~AND PUBLIC SERVICE ASSISTANCE~~ DISCLOSURE AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kraig Powell**

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

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#### LONG TITLE

##### General Description:

This bill ~~modifies the Election Code in relation to~~ requires a lobbyist to file a financial statement relating to a campaign ~~contributions and public service assistance~~ contribution made by a lobbyist of the lobbyist's own behalf.

##### Highlighted Provisions:

This bill:

- ▶ requires ~~the lieutenant governor to identify whether a donor listed in a summary report was a registered lobbyist~~ a lobbyist to file a financial statement relating to campaign contribution made by a lobbyist of the lobbyist's own behalf;
- ▶ describes the contents of a financial statement described in this bill; and

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▸ provides for enforcement of the provisions of this bill.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

~~{20A-11-105}~~20A-11-1801, Utah Code Annotated 1953

20A-11-1802, Utah Code Annotated 1953

20A-11-1803, Utah Code Annotated 1953

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

Section 1. Section ~~{20A-11-105}~~20A-11-1801 is enacted to read:

#### Part 18. Lobbyist Reporting Requirements

~~20A-11-105. Identification of lobbyist donors.~~

~~Within 90}~~20A-11-1801. Definitions.

As used in this part:

(1) "Lobbyist" means the same as that term is defined in Section 36-11-102.

(2) "Personal campaign contribution" means a contribution made by a lobbyist to a candidate on the lobbyist's own behalf.

Section 2. Section 20A-11-1802 is enacted to read:

20A-11-1802. Financial reporting by a lobbyist.

(1) A lobbyist who makes a personal campaign contribution shall file a verified financial statement with the lieutenant governor's office:

(a) on January 10, reporting personal campaign contributions made as of December 31 of the previous year;

(b) seven days before the state political convention of each major political party;

(c) seven days before the regular primary election date;

(d) on August 31; and

(e) seven days before:

(i) the municipal general election date; and

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(ii) the regular general election date.

(2) A lobbyist described in Subsection (1) shall report:

(a) a detailed listing of all personal campaign contributions made by the lobbyist since the last statement; and

(b) for financial statements filed under Subsection (1)(a) through (e), all personal campaign contributions made by the lobbyist as late as five days before the required filing date of the financial statement.

(c) A lobbyist is not required to file a financial statement under this section if the lobbyist did not make any personal campaign contributions during the reporting period.

(3) The verified financial statement shall include:

(a) the name of each candidate to whom the lobbyist gave a personal campaign contribution and the amount of the contribution;

(b) for an in-kind contribution that is a personal campaign contribution, the name of the candidate who received the in-kind contribution and the fair market value of the in-kind contribution;

(c) the total amount of personal campaign contributions made by the lobbyist;

(d) a statement by the lobbyist certifying that, to the best of the lobbyist's knowledge, the financial report is complete and accurate; and

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

(i) the total personal campaign contributions made by the lobbyist since the last statement; and

(ii) total personal campaign contributions made by the lobbyist to date.

Section 3. Section 20A-11-1803 is enacted to read:

### **20A-11-1803. Criminal penalties -- Fines.**

(1) (a) The lieutenant governor shall impose a \$100 civil fine against a lobbyist who fails to timely file a financial statement required under this part.

(b) A lobbyist who fails to file the financial statement due before the regular primary election, on August 31, before the municipal general election, or before the regular general election is guilty of a class B misdemeanor.

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

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

(a) each lobbyist who is required to file a statement has filed one; and

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

(3) If it appears that a lobbyist has failed to file the January 10 statement or that the statement does not conform to the law, the lieutenant governor shall, within five days after the day on which the lieutenant governor ~~{receives a summary report,}~~ discovers the failure or noncompliance, notify the lobbyist of the failure or noncompliance and, after giving the lobbyist notice and an opportunity to be heard, direct the lobbyist to file or amend the statement, as applicable.

(4) (a) It is unlawful for a lobbyist to fail to file or amend a statement within seven days after the day on which the lieutenant governor ~~{shall indicate, on the summary report, each donor listed in the report who was registered as a lobbyist:~~

~~—— (1) on December 31 of the calendar year to which the summary report relates; or~~

~~—— (2) within two years before the date described in Subsection (1);~~

~~↳ directs the lobbyist to file or amend the statement under Subsection (3).~~

(b) A lobbyist who violates Subsection (4)(a) is guilty of a class B misdemeanor.

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

(d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant governor shall impose a civil fine of \$1,000 against a lobbyist who violates Subsection (4)(a).