

POLITICAL CONTRIBUTIONS AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad M. Daw

Senate Sponsor: _____

LONG TITLE

General Description:

This bill regulates political contributions solicited over the Internet.

Highlighted Provisions:

This bill:

- ▶ prohibits a person from soliciting a political contribution over the Internet unless:
 - the person requires the contributor to submit the card verification value associated with the card used to make the contribution; and
 - the contributor's credit card billing address or voter registration address is located in the United States; and
- ▶ imposes a civil penalty against a person that violates a provision of this bill.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

20A-11-101.9, Utah Code Annotated 1953

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

Section 1. Section **20A-11-101.9** is enacted to read:



28 20A-11-101.9. Requirements when collecting credit card contributions on the
29 **Internet.**

30 (1) As used in this section:

31 (a) (i) "Card verification value" means the card verification value 2 that is physically
32 printed by a credit card issuer on a credit card or debit card.

33 (ii) "Card verification value" does not include:

34 (A) the card verification value 1 that is encoded on the magnetic strip of a credit card
35 or debit card; or

36 (B) any variation of the dynamic card verification value that is encoded on a credit
37 card's or debit card's microchip.

38 (b) "Contribution," in addition to the definition of that term under Section [20A-11-101](#),
39 includes a campaign contribution as that term is defined in Section [20A-11-1202](#).

40 (2) A person may not solicit a contribution over an Internet website via credit card or
41 debit card unless:

42 (a) the person requires the contributor, at the time the contributor makes the
43 contribution, to disclose the card verification value associated with the credit card or debit card
44 that the contributor uses to make the contribution; and

45 (b) (i) the billing address associated with the credit card or debit card that the
46 contributor uses to make the contribution is located in the United States; or

47 (ii) for a contributor who is a United States citizen living outside of the United States,
48 the contributor provides, at the time the contributor makes the contribution, the United States
49 mailing address that the contributor uses for voter registration purposes.

50 (3) (a) The lieutenant governor shall issue a written warning to a person that violates
51 this section if the person has not previously received a written warning for a violation of this
52 section.

53 (b) If a person violates this section after receiving a warning described in Subsection
54 (3)(a), the lieutenant governor shall impose a civil penalty against the person in the amount of:

55 (i) \$100 for a second violation;

56 (ii) \$250 for a third violation; or

57 (iii) \$500 for a fourth or subsequent violation.

58 (c) A second or subsequent violation is considered to have occurred under Subsection

- 59 (3)(b) if a person violates this section more than seven days after the later of the day on which
60 the lieutenant governor:
61 (i) issues the person a warning described in Subsection (3)(a); or
62 (ii) imposes the most recent civil penalty against the person under Subsection (3)(b).
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Legislative Review Note
Office of Legislative Research and General Counsel