

CAMPAIGN FINANCE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark A. Strong

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill amends provisions regarding campaign finance disclosures for candidates in municipal elections.

Highlighted Provisions:

This bill:

- ▶ amends the deadlines for municipal candidates to file campaign finance statements;
- ▶ adds a 24-hour grace period for municipal candidates to file campaign finance statements; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-3-208, as last amended by Laws of Utah 2019, Chapter 74

36-11a-102, as enacted by Laws of Utah 2019, Chapter 363

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

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

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

(1) Unless a municipality adopts by ordinance more stringent definitions, the following

30 are defined terms for purposes of this section:

31 (a) "Agent of a candidate" means:

32 (i) a person acting on behalf of a candidate at the direction of the reporting entity;

33 (ii) a person employed by a candidate in the candidate's capacity as a candidate;

34 (iii) the personal campaign committee of a candidate;

35 (iv) a member of the personal campaign committee of a candidate in the member's

36 capacity as a member of the personal campaign committee of the candidate; or

37 (v) a political consultant of a candidate.

38 (b) "Anonymous contribution limit" means for each calendar year:

39 (i) \$50; or

40 (ii) an amount less than \$50 that is specified in an ordinance of the municipality.

41 (c) (i) "Candidate" means a person who:

42 (A) files a declaration of candidacy for municipal office; or

43 (B) receives contributions, makes expenditures, or gives consent for any other person

44 to receive contributions or make expenditures to bring about the person's nomination or

45 election to a municipal office.

46 (ii) "Candidate" does not mean a person who files for the office of judge.

47 (d) (i) "Contribution" means any of the following when done for political purposes:

48 (A) a gift, subscription, donation, loan, advance, or deposit of money or anything of

49 value given to a candidate;

50 (B) an express, legally enforceable contract, promise, or agreement to make a gift,

51 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or

52 anything of value to the candidate;

53 (C) any transfer of funds from another reporting entity to the candidate;

54 (D) compensation paid by any person or reporting entity other than the candidate for

55 personal services provided without charge to the candidate;

56 (E) a loan made by a candidate deposited to the candidate's own campaign; and

57 (F) an in-kind contribution.

- 58 (ii) "Contribution" does not include:
- 59 (A) services provided by an individual volunteering a portion or all of the individual's
- 60 time on behalf of the candidate if the services are provided without compensation by the
- 61 candidate or any other person;
- 62 (B) money lent to the candidate by a financial institution in the ordinary course of
- 63 business; or
- 64 (C) goods or services provided for the benefit of a candidate at less than fair market
- 65 value that are not authorized by or coordinated with the candidate.
- 66 (e) "Coordinated with" means that goods or services provided for the benefit of a
- 67 candidate are provided:
- 68 (i) with the candidate's prior knowledge, if the candidate does not object;
- 69 (ii) by agreement with the candidate;
- 70 (iii) in coordination with the candidate; or
- 71 (iv) using official logos, slogans, and similar elements belonging to a candidate.
- 72 (f) (i) "Expenditure" means any of the following made by a candidate or an agent of the
- 73 candidate on behalf of the candidate:
- 74 (A) any disbursement from contributions, receipts, or from an account described in
- 75 Subsection (3)(a)(~~†~~);
- 76 (B) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
- 77 or anything of value made for political purposes;
- 78 (C) an express, legally enforceable contract, promise, or agreement to make any
- 79 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
- 80 value for a political purpose;
- 81 (D) compensation paid by a candidate for personal services rendered by a person
- 82 without charge to a reporting entity;
- 83 (E) a transfer of funds between the candidate and a candidate's personal campaign
- 84 committee as defined in Section [20A-11-101](#); or
- 85 (F) goods or services provided by a reporting entity to or for the benefit of the

86 candidate for political purposes at less than fair market value.

87 (ii) "Expenditure" does not include:

88 (A) services provided without compensation by an individual volunteering a portion or
89 all of the individual's time on behalf of a candidate; or

90 (B) money lent to a candidate by a financial institution in the ordinary course of
91 business.

92 (g) "In-kind contribution" means anything of value other than money, that is accepted
93 by or coordinated with a candidate.

94 (h) (i) "Political consultant" means a person who is paid by a candidate, or paid by
95 another person on behalf of and with the knowledge of the candidate, to provide political
96 advice to the candidate.

97 (ii) "Political consultant" includes a circumstance described in Subsection (1)(h)(i),
98 where the person:

99 (A) has already been paid, with money or other consideration;

100 (B) expects to be paid in the future, with money or other consideration; or

101 (C) understands that the person may, in the discretion of the candidate or another
102 person on behalf of and with the knowledge of the candidate, be paid in the future, with money
103 or other consideration.

104 (i) "Political purposes" means an act done with the intent or in a way to influence or
105 tend to influence, directly or indirectly, any person to refrain from voting or to vote for or
106 against any candidate or a person seeking a municipal office at any caucus, political
107 convention, or election.

108 (j) "Reporting entity" means:

109 (i) a candidate;

110 (ii) a committee appointed by a candidate to act for the candidate;

111 (iii) a person who holds an elected municipal office;

112 (iv) a party committee as defined in Section [20A-11-101](#);

113 (v) a political action committee as defined in Section [20A-11-101](#);

114 (vi) a political issues committee as defined in Section 20A-11-101;

115 (vii) a corporation as defined in Section 20A-11-101; or

116 (viii) a labor organization as defined in Section 20A-11-1501.

117 (2) (a) A municipality may adopt an ordinance establishing campaign finance
118 disclosure requirements for a candidate that are more stringent than the requirements provided
119 in Subsections (3)~~[(4), and (5)]~~ through (7).

120 (b) The municipality may adopt definitions that are more stringent than those provided
121 in Subsection (1).

122 (c) If a municipality fails to adopt a campaign finance disclosure ordinance described
123 in Subsection (2)(a), a candidate shall comply with financial reporting requirements contained
124 in Subsections (3)~~[(4), and (5)]~~ through (7).

125 (3) ~~(a)~~ Each candidate:

126 ~~(i)~~ (a) shall deposit a contribution in a separate campaign account in a financial
127 institution; and

128 ~~(ii)~~ (b) may not deposit or mingle any campaign contributions received into a
129 personal or business account.

130 ~~(b)~~ (4) (a) In a year in which a municipal primary is held, each candidate who will
131 participate in the municipal primary shall file a campaign finance statement with the municipal
132 clerk or recorder no later than seven days before the day described in Subsection
133 20A-1-201.5(2).

134 ~~(c)~~ (b) Each candidate who is not eliminated at a municipal primary election shall file
135 ~~[with the municipal clerk or recorder]~~ a campaign finance statement with the municipal clerk or
136 recorder no later than:

137 (i) 28 days before the day on which the municipal general election is held;

138 ~~(i)~~ (ii) ~~[no later than]~~ seven days before the day on which the municipal general
139 election is held; and

140 ~~(ii)~~ (iii) ~~[no later than]~~ 30 days after the day on which the municipal general election
141 is held.

142 ~~[(4)]~~ (c) Each candidate for municipal office who is eliminated at a municipal primary
143 election shall file with the municipal clerk or recorder a campaign finance statement within 30
144 days after the day on which the municipal primary election is held.

145 (5) If a municipality does not conduct a primary election for a race, each candidate who
146 will participate in that race shall file a campaign finance statement with the municipal clerk or
147 recorder no later than:

- 148 (a) 28 days before the day on which the municipal general election is held;
- 149 (b) seven days before the day on which the municipal general election is held; and
- 150 (c) 30 days after the day on which the municipal general election is held.

151 ~~[(4)]~~ (6) Each campaign finance statement described in Subsection ~~[(3)]~~ (4) or (5)
152 shall:

- 153 (a) except as provided in Subsection ~~[(4)]~~ (6)(b):
- 154 (i) report all of the candidate's itemized and total:
 - 155 (A) contributions, including in-kind and other nonmonetary contributions, received up
 - 156 to and including five days before the campaign finance statement is due, excluding a
 - 157 contribution previously reported; and
 - 158 (B) expenditures made up to and including five days before the campaign finance
 - 159 statement is due, excluding an expenditure previously reported; and
 - 160 (ii) identify:
 - 161 (A) for each contribution, the amount of the contribution and the name of the donor, if
 - 162 known; and
 - 163 (B) for each expenditure, the amount of the expenditure and the name of the recipient
 - 164 of the expenditure; or
 - 165 (b) report the total amount of all contributions and expenditures if the candidate
 - 166 receives \$500 or less in contributions and spends \$500 or less on the candidate's campaign.

167 ~~[(5)]~~ (7) Within 30 days after receiving a contribution that is cash or a negotiable
168 instrument, exceeds the anonymous contribution limit, and is from a donor whose name is
169 unknown, a candidate shall disburse the amount of the contribution to:

170 (a) the treasurer of the state or a political subdivision for deposit into the state's or
171 political subdivision's general fund; or

172 (b) an organization that is exempt from federal income taxation under Section
173 501(c)(3), Internal Revenue Code.

174 ~~[(6)]~~ (8) (a) A municipality may, by ordinance:

175 (i) provide an anonymous contribution limit less than \$50;

176 (ii) require greater disclosure of contributions or expenditures than is required in this
177 section; and

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

180 (b) A candidate is subject to the provisions of this section and not the provisions of an
181 ordinance adopted by the municipality under Subsection ~~[(6)]~~ (8)(a) if:

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

184 (ii) the municipal clerk or recorder fails to notify the candidate of the provisions of the
185 ordinance as required in Subsection ~~[(7)]~~ (9).

186 ~~[(7)]~~ (9) Each municipal clerk or recorder shall, at the time the candidate for municipal
187 office files a declaration of candidacy, and again ~~[14]~~ 35 days before each municipal general
188 election, notify the candidate in writing of:

189 (a) the provisions of statute or municipal ordinance governing the disclosure of
190 contributions and expenditures;

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

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

196 ~~[(8)]~~ (10) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
197 Access and Management Act, the municipal clerk or recorder shall:

198 (a) make each campaign finance statement filed by a candidate available for public
199 inspection and copying no later than one business day after the statement is filed; and

200 (b) make the campaign finance statement filed by a candidate available for public
201 inspection by:

202 (i) (A) posting an electronic copy or the contents of the statement on the municipality's
203 website no later than seven business days after the statement is filed; and

204 (B) verifying that the address of the municipality's website has been provided to the
205 lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or

206 (ii) submitting a copy of the statement to the lieutenant governor for posting on the
207 website established by the lieutenant governor under Section 20A-11-103 no later than two
208 business days after the statement is filed.

209 ~~[(9)]~~ (11) (a) If a candidate fails to timely file a campaign finance statement required
210 under Subsection ~~[(3)]~~ (4) or (5), the municipal clerk or recorder ~~[shall inform the appropriate~~
211 ~~election official who]~~:

212 ~~[(i) shall:]~~

213 (i) may send an electronic notice to the candidate that states:

214 (A) that the candidate failed to timely file the campaign finance statement; and

215 (B) that, if the candidate fails to file the report within 24 hours after the deadline for
216 filing the report, the candidate will be disqualified; and

217 (ii) may impose a fine of \$50 on the candidate.

218 (b) The municipal clerk or recorder shall disqualify a candidate and inform the
219 appropriate election official that the candidate is disqualified if the candidate fails to file a
220 campaign finance statement described in Subsection (4) or (5) within 24 hours after the
221 deadline for filing the report.

222 (c) If a candidate is disqualified under Subsection (11)(b), the election official:

223 (i) (A) shall, if practicable, remove the candidate's name from the ballot by blacking
224 out the candidate's name before the ballots are delivered to voters; or

225 (B) shall, if removing the candidate's name from the ballot is not practicable, inform

226 the voters by any practicable method that the candidate has been disqualified and that votes
227 cast for the candidate will not be counted; and

228 (ii) may not count any votes for that candidate.

229 ~~[(b)]~~ (d) Notwithstanding Subsection ~~[(9)(a)]~~ (11)(b), a candidate who timely files each
230 campaign finance statement required under Subsection ~~[(3)]~~ (4) or (5) is not disqualified if:

231 (i) the statement details accurately and completely the information required under
232 Subsection ~~[(4)]~~ (6), except for inadvertent omissions or insignificant errors or inaccuracies;
233 and

234 (ii) the omissions, errors, or inaccuracies are corrected in an amended report or in the
235 next scheduled report.

236 ~~[(c)]~~ (e) A candidate for municipal office who is disqualified under Subsection ~~[(9)(a)]~~
237 (11)(b) shall file with the municipal clerk or recorder a complete and accurate campaign
238 finance statement within 30 days after the day on which the candidate is disqualified.

239 ~~[(10)]~~ (12) A campaign finance statement required under this section is considered
240 filed if it is received in the municipal clerk or recorder's office by 5 p.m. on the date that it is
241 due.

242 ~~[(11)]~~ (13) (a) A private party in interest may bring a civil action in district court to
243 enforce the provisions of this section or an ordinance adopted under this section.

244 (b) In a civil action under Subsection ~~[(11)]~~ (13)(a), the court may award costs and
245 attorney fees to the prevailing party.

246 Section 2. Section **36-11a-102** is amended to read:

247 **36-11a-102. Definitions.**

248 As used in this chapter:

249 (1) "Aggregate daily expenditures" means:

250 (a) for a single lobbyist, principal, or government officer, the total of all expenditures
251 made within a calendar day by the lobbyist, principal, or government officer for the benefit of
252 an individual local official or education official;

253 (b) for an expenditure made by a member of a lobbyist group, the total of all

254 expenditures made within a calendar day by every member of the lobbyist group for the benefit
255 of an individual local official or education official; or

256 (c) for a multiclient lobbyist, the total of all expenditures made by the multiclient
257 lobbyist within a calendar day for the benefit of an individual local official or education
258 official, regardless of whether the expenditures were attributed to different clients.

259 (2) "Board of education" means:

260 (a) a local school board described in Title 53G, Chapter 4, School Districts;

261 (b) the State Board of Education;

262 (c) the State Charter School Board created under Section 53G-5-201; or

263 (d) a charter school governing board described in Title 53G, Chapter 5, Charter
264 Schools.

265 (3) (a) "Compensation" means anything of economic value, however designated, that is
266 paid, loaned, granted, given, donated, or transferred to an individual for the provision of
267 services or ownership before any withholding required by federal or state law.

268 (b) "Compensation" includes:

269 (i) a salary or commission;

270 (ii) a bonus;

271 (iii) a benefit;

272 (iv) a contribution to a retirement program or account;

273 (v) a payment includable in gross income, as defined in Section 62, Internal Revenue
274 Code, and subject to social security deductions, including a payment in excess of the maximum
275 amount subject to deduction under social security law;

276 (vi) an amount that the individual authorizes to be deducted or reduced for salary
277 deferral or other benefits authorized by federal law; or

278 (vii) income based on an individual's ownership interest.

279 (4) "Compensation payor" means a person who pays compensation to a local official or
280 education official in the ordinary course of business:

281 (a) because of the local official's or education official's ownership interest in the

282 compensation payor; or

283 (b) for services rendered by the local official or education official on behalf of the
284 compensation payor.

285 (5) "Education action" means:

286 (a) a resolution, policy, or other official action for consideration by a board of
287 education;

288 (b) a nomination or appointment by an education official or a board of education;

289 (c) an administrative action taken by a vote of a board of education;

290 (d) an adjudicative proceeding over which an education official has direct or indirect
291 control;

292 (e) a purchasing or contracting decision;

293 (f) drafting or making a policy, resolution, or rule;

294 (g) determining a rate or fee; or

295 (h) making an adjudicative decision.

296 (6) "Education official" means:

297 (a) a member of a board of education;

298 (b) an individual appointed to or employed in a position under a board of education if
299 that individual:

300 (i) occupies a policymaking position or makes purchasing or contracting decisions;

301 (ii) drafts resolutions or policies or drafts or makes rules;

302 (iii) determines rates or fees; or

303 (iv) makes adjudicative decisions; or

304 (c) an immediate family member of an individual described in Subsection (6)(a) or (b).

305 (7) "Event" means entertainment, a performance, a contest, or a recreational activity

306 that an individual participates in or is a spectator at, including a sporting event, an artistic

307 event, a play, a movie, dancing, or singing.

308 (8) (a) "Expenditure" means any of the items listed in this Subsection (8)(a) when

309 given to or for the benefit of a local official or education official unless consideration of equal

310 or greater value is received:

311 (i) a purchase, payment, or distribution;

312 (ii) a loan, gift, or advance;

313 (iii) a deposit, subscription, or forbearance;

314 (iv) services or goods;

315 (v) money;

316 (vi) real property;

317 (vii) a ticket or admission to an event; or

318 (viii) a contract, promise, or agreement, whether or not legally enforceable, to provide

319 any item listed in Subsections (8)(a)(i) through (vii).

320 (b) "Expenditure" does not mean:

321 (i) a commercially reasonable loan made in the ordinary course of business;

322 (ii) a campaign contribution:

323 (A) reported in accordance with Title 20A, Chapter 11, Campaign and Financial

324 Reporting Requirements, Section 10-3-208 or Section 17-16-6.5, or an applicable ordinance

325 described in Subsection 10-3-208~~(5)~~(8) or Subsection 17-16-6.5(1); or

326 (B) lawfully given to a person that is not required to report the contribution under a law

327 or ordinance described in Subsection (8)(b)(ii)(A);

328 (iii) printed informational material that is related to the performance of the recipient's

329 official duties;

330 (iv) a devise or inheritance;

331 (v) any item listed in Subsection (8)(a) if:

332 (A) given by a relative;

333 (B) given by a compensation payor for a purpose solely unrelated to the local official's

334 or education official's position as a local official or education official;

335 (C) the item is food or beverage with a value that does not exceed the food

336 reimbursement rate, and the aggregate daily expenditures for food and beverage do not exceed

337 the food reimbursement rate; or

338 (D) the item is not food or beverage, has a value of less than \$10, and the aggregate
339 daily expenditures do not exceed \$10;

340 (vi) food or beverage that is provided at an event, a tour, or a meeting to a local official
341 or education official who is:

342 (A) giving a speech at the event, tour, or meeting;

343 (B) participating in a panel discussion at the event, tour, or meeting; or

344 (C) presenting or receiving an award at the event, tour, or meeting;

345 (vii) a plaque, commendation, or award that:

346 (A) is presented in public; and

347 (B) has the name of the individual receiving the plaque, commendation, or award
348 inscribed, etched, printed, or otherwise permanently marked on the plaque, commendation, or
349 award;

350 (viii) a publication having a cash value not exceeding \$30;

351 (ix) admission to or attendance at an event, a tour, or a meeting, the primary purpose of
352 which is:

353 (A) to solicit a contribution that is reportable under 2 U.S.C. Sec. 434, Title 20A,
354 Chapter 11, Campaign and Financial Reporting Requirements, Section 10-3-208 or Section
355 17-16-6.5, or an applicable ordinance described in Subsection 10-3-208~~(5)~~(8) or Subsection
356 17-16-6.5(1);

357 (B) to solicit a campaign contribution that a person is not required to report under a law
358 or ordinance described in Subsection (8)(b)(ix)(A); or

359 (C) charitable solicitation, as defined in Section 13-22-2;

360 (x) notwithstanding Subsection (8)(a)(vii), admission to, attendance at, or travel to or
361 from an event, a tour, or a meeting for a local official or education official:

362 (A) that is sponsored by a governmental entity, a public school, a charter school, or an
363 organization that represents only local governmental entities, public schools, or charter schools,
364 including the Utah Association of Counties, the Utah League of Cities and Towns, the Utah
365 Association of Special Districts, the Utah Association of Public Charter Schools, the Utah

366 School Boards Association, or the Utah School Superintendents Association; or

367 (B) that is widely attended and related to a governmental duty of the local official or
368 education official; or

369 (xi) travel to a widely attended tour or meeting related to a governmental duty of a
370 local official or education official if that travel results in a financial savings to the local
371 government or board of education to which the local official or education official belongs.

372 (9) "Food reimbursement rate" means the total amount set by the director of the
373 Division of Finance, by rule, under Section [63A-3-107](#), for in-state meal reimbursement, for an
374 employee of the executive branch, for an entire day.

375 (10) (a) "Government officer" means:

376 (i) an individual elected to a position in state or local government, when acting in the
377 capacity of the state or local government position;

378 (ii) an individual elected to a board of education, when acting in the capacity of a
379 member of a board of education;

380 (iii) an individual appointed to fill a vacancy in a position described in Subsection
381 (10)(a)(i) or (ii), when acting in the capacity of the position; or

382 (iv) an individual appointed to or employed in a full-time position by state government,
383 local government, or board of education, when acting in the capacity of the individual's
384 appointment or employment.

385 (b) "Government officer" does not mean a member of the legislative branch of state
386 government.

387 (11) "Immediate family" means:

388 (a) a spouse;

389 (b) a child residing in the household; or

390 (c) an individual claimed as a dependent for tax purposes.

391 (12) "Lobbying" means communicating with a local official or education official for
392 the purpose of influencing a local action or education action.

393 (13) (a) "Lobbyist" means:

- 394 (i) an individual who is employed by a principal; or
395 (ii) an individual who contracts for economic consideration, other than reimbursement
396 for reasonable travel expenses, with a principal to lobby a local official or education official.
- 397 (b) "Lobbyist" does not include:
- 398 (i) a government officer;
399 (ii) a member or employee of the legislative branch of state government;
400 (iii) a person participating on or appearing before an advisory or study task force,
401 commission, board, or committee, constituted by a local government or board of education;
402 (iv) a representative of a political party;
403 (v) an individual representing a bona fide church solely for the purpose of protecting
404 the right to practice the religious doctrines of the church, unless the individual or church makes
405 an expenditure that confers a benefit on a local official or education official;
406 (vi) a newspaper, television station or network, radio station or network, periodical of
407 general circulation, or book publisher for the purpose of publishing news items, editorials,
408 other comments, or paid advertisements that directly or indirectly urge local action or education
409 action;
- 410 (vii) an individual who appears on the individual's own behalf before a board of
411 education, the governing body of a local government, or a committee of a local government or
412 board of education, solely for the purpose of testifying in support of or in opposition to local
413 action or education action; or
- 414 (viii) an individual representing a business, entity, or industry, who:
- 415 (A) interacts with a local official or education official, in the local official's or
416 education official's capacity as a local official or education official, while accompanied by a
417 lobbyist who is lobbying in relation to the subject of the interaction; and
- 418 (B) does not make an expenditure for, or on behalf of, a local official or education
419 official in relation to the interaction or during the period of interaction.
- 420 (14) "Lobbyist group" means two or more lobbyists, principals, government officers, or
421 any combination of lobbyists, principals, and government officers, who each contribute a

422 portion of an expenditure made to benefit a local official or education official or member of the
423 local official's or education official's immediate family.

424 (15) "Local action" means:

- 425 (a) an ordinance or resolution for consideration by a local government;
- 426 (b) a nomination or appointment by a local official or a local government;
- 427 (c) an administrative action taken by a vote of a local government's legislative body;
- 428 (d) an adjudicative proceeding over which a local official has direct or indirect control;
- 429 (e) a purchasing or contracting decision;
- 430 (f) drafting or making a policy, resolution, or rule;
- 431 (g) determining a rate or fee; or
- 432 (h) making an adjudicative decision.

433 (16) "Local government" means:

- 434 (a) a county, city, town, or metro township;
- 435 (b) a local district governed by Title 17B, Limited Purpose Local Government Entities
436 - Local Districts;
- 437 (c) a special service district governed by Title 17D, Chapter 1, Special Service District
438 Act;
- 439 (d) a community reinvestment agency governed by Title 17C, Limited Purpose Local
440 Government Entities - Community Reinvestment Agency Act;
- 441 (e) a conservation district governed by Title 17D, Chapter 3, Conservation District Act;
- 442 (f) a redevelopment agency; or
- 443 (g) an interlocal entity or a joint or cooperative undertaking governed by Title 11,
444 Chapter 13, Interlocal Cooperation Act.

445 (17) "Local official" means:

- 446 (a) an elected member of a local government;
- 447 (b) an individual appointed to or employed in a position in a local government if that
448 individual:
- 449 (i) occupies a policymaking position or makes purchasing or contracting decisions;

450 (ii) drafts ordinances or resolutions or drafts or makes rules;

451 (iii) determines rates or fees; or

452 (iv) makes adjudicative decisions; or

453 (c) an immediate family member of an individual described in Subsection (17)(a) or

454 (b).

455 (18) "Meeting" means a gathering of people to discuss an issue, receive instruction, or
456 make a decision, including a conference, seminar, or summit.

457 (19) "Multiclient lobbyist" means a single lobbyist, principal, or government officer
458 who represents two or more clients and divides the aggregate daily expenditure made to benefit
459 a local official or education official or member of the local official's or education official's
460 immediate family between two or more of those clients.

461 (20) "Principal" means a person that employs an individual to perform lobbying, either
462 as an employee or as an independent contractor.

463 (21) "Quarterly reporting period" means the three-month period covered by each
464 financial report required under Section [36-11a-201](#).

465 (22) "Related person" means a person, agent, or employee who knowingly and
466 intentionally assists a lobbyist, principal, or government officer in lobbying.

467 (23) "Relative" means:

468 (a) a spouse;

469 (b) a child, parent, grandparent, grandchild, brother, sister, parent-in-law,
470 brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin; or

471 (c) a spouse of an individual described in Subsection (23)(b).

472 (24) "Tour" means the visit of a location by a local official or education official, for a
473 purpose relating to the duties of the local official or education official, and not primarily for
474 entertainment, including:

475 (a) viewing a facility;

476 (b) viewing the sight of a natural disaster; or

477 (c) assessing a circumstance in relation to which a local official or education official

478 may need to take action within the scope of the local official's or education official's duties.

479 (25) "Type of public official" means a notation to identify whether an individual is:

480 (a) a local official, including a notation of the type of local government for which the
481 individual is a local official;

482 (b) an education official, including a notation of the type of board of education for
483 which the individual is an education official; or

484 (c) an immediate family member of an individual described in Subsection (6)(a),
485 (6)(b), (17)(a), or (17)(b).