1	DISCLOSURES AMENDMENTS
2	2024 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Candice B. Pierucci
5	Senate Sponsor:
6 7	LONG TITLE
8	General Description:
9	This bill amends provisions relating to the disclosure of certain travel by, or donations
10	to, an officeholder.
11	Highlighted Provisions:
12	This bill:
13	defines terms;
14	• in relation to a legislative officeholder, separates the disclosure of donations made
15	to defray the costs of functioning in public office (officeholder assistance) from the
16	disclosure of a campaign contribution;
17	requires a legislative officeholder to disclose to the secretary of the Senate or the
18	chief clerk of the House the receipt of officeholder assistance and, subject to certain
19	exceptions, foreign financed travel, within 31 days after receipt;
20	 describes the requirements for making a disclosure described in the preceding
21	paragraph;
22	 provides that a disclosure of officeholder assistance or foreign financed travel
23	described in this bill is a public document; and
24	makes technical and conforming changes.
25	Money Appropriated in this Bill:
26	None
27	Other Special Clauses:



28 This bill provides a special effective date. 29 **Utah Code Sections Affected:** 30 AMENDS: 31 20A-11-101, as last amended by Laws of Utah 2023, Chapter 15 32 **20A-11-201**, as last amended by Laws of Utah 2021, Chapter 20 20A-11-203, as last amended by Laws of Utah 2019, Chapter 74 33 34 20A-11-204, as last amended by Laws of Utah 2021, Chapter 20 20A-11-301, as last amended by Laws of Utah 2021, Chapter 20 35 20A-11-302, as last amended by Laws of Utah 2019, Chapter 74 36 20A-11-303, as last amended by Laws of Utah 2021, Chapter 20 37 38 20A-11-401, as last amended by Laws of Utah 2018, Chapter 83 39 20A-11-402, as last amended by Laws of Utah 2019, Chapter 74 40 **20A-11-505.7**, as last amended by Laws of Utah 2015, Chapter 21 41 20A-11-506, as last amended by Laws of Utah 2019, Chapter 74 20A-11-507, as last amended by Laws of Utah 2019, Chapter 74 42 20A-11-510, as last amended by Laws of Utah 2019, Chapter 74 43 20A-11-511, as last amended by Laws of Utah 2019, Chapter 74 44 45 **20A-11-601**, as last amended by Laws of Utah 2022, Chapter 340 46 **20A-11-602**, as last amended by Laws of Utah 2019, Chapters 74, 116 47 **20A-11-1301**, as last amended by Laws of Utah 2021, Chapter 20 48 **20A-11-1302**, as last amended by Laws of Utah 2019, Chapter 74 49 **20A-11-1303**, as last amended by Laws of Utah 2021, Chapter 20 50 **20A-11-1502**, as last amended by Laws of Utah 2018, Chapter 83 51 **20A-11-1704**, as last amended by Laws of Utah 2018, Chapter 83 52 **ENACTS**: 53 **36-35-101**, Utah Code Annotated 1953 54 **36-35-102**, Utah Code Annotated 1953 55 **36-35-103**, Utah Code Annotated 1953 56

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

5758

Section 1. Section **20A-11-101** is amended to read:

59	20A-11-101. Definitions.
60	As used in this chapter:
61	(1) (a) "Address" means the number and street where an individual resides or where a
62	reporting entity has its principal office.
63	(b) "Address" does not include a post office box.
64	(2) "Agent of a reporting entity" means:
65	(a) a person acting on behalf of a reporting entity at the direction of the reporting
66	entity;
67	(b) a person employed by a reporting entity in the reporting entity's capacity as a
68	reporting entity;
69	(c) the personal campaign committee of a candidate or officeholder;
70	(d) a member of the personal campaign committee of a candidate or officeholder in the
71	member's capacity as a member of the personal campaign committee of the candidate or
72	officeholder; or
73	(e) a political consultant of a reporting entity.
74	(3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
75	amendments, and any other ballot propositions submitted to the voters that are authorized by
76	the Utah Code Annotated 1953.
77	(4) "Candidate" means any person who:
78	(a) files a declaration of candidacy for a public office; or
79	(b) receives contributions, makes expenditures, or gives consent for any other person to
80	receive contributions or make expenditures to bring about the person's nomination or election
81	to a public office.
82	(5) "Chief election officer" means:
83	(a) the lieutenant governor for state office candidates, legislative office candidates,
84	officeholders, political parties, political action committees, corporations, political issues
85	committees, state school board candidates, judges, and labor organizations, as defined in
86	Section 20A-11-1501; and
87	(b) the county clerk for local school board candidates.
88	(6) (a) "Contribution" means any of the following when done for [political purposes] \underline{a}
89	political purpose:

90	(i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
91	value given to the filing entity;
92	(ii) an express, legally enforceable contract, promise, or agreement to make a gift,
93	subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
94	anything of value to the filing entity;
95	(iii) [any] a transfer of funds from another reporting entity to the filing entity;
96	(iv) compensation paid by any person or reporting entity other than the filing entity for
97	personal services provided without charge to the filing entity;
98	(v) remuneration from:
99	(A) [any] an organization, or [its] another organization directly affiliated with the
100	organization, that has a registered lobbyist; or
101	(B) [any] an agency or subdivision of the state, including a school [districts] district;
102	(vi) a loan made by a candidate deposited to the candidate's own campaign; and
103	(vii) an in-kind [contributions] contribution.
104	(b) "Contribution" does not include:
105	(i) services provided by individuals volunteering a portion or all of their time on behalf
106	of the filing entity if the services are provided without compensation by the filing entity or any
107	other person;
108	(ii) money lent to the filing entity by a financial institution in the ordinary course of
109	business;
110	(iii) goods or services provided for the benefit of a political entity at less than fair
111	market value that are not authorized by or coordinated with the political entity; [or]
112	(iv) data or information described in Subsection (24)(b)[-]; or
113	(v) officeholder assistance.
114	(7) "Coordinated with" means that goods or services provided for the benefit of a
115	political entity are provided:
116	(a) with the political entity's prior knowledge, if the political entity does not object;
117	(b) by agreement with the political entity;
118	(c) in coordination with the political entity; or
119	(d) using official logos, slogans, and similar elements belonging to a political entity.
120	(8) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business

121	organization that is registered as a corporation or is authorized to do business in a state and
122	makes any expenditure from corporate funds for:
123	(i) the purpose of expressly advocating for <u>a</u> political [purposes] <u>purpose</u> ; or
124	(ii) the purpose of expressly advocating the approval or the defeat of any ballot
125	proposition.
126	(b) "Corporation" does not [mean] include:
127	(i) a business organization's political action committee or political issues committee; or
128	(ii) a business entity organized as a partnership or a sole proprietorship.
129	(9) "County political party" means, for each registered political party, all of the persons
130	within a single county who, under definitions established by the political party, are members of
131	the registered political party.
132	(10) "County political party officer" means a person whose name is required to be
133	submitted by a county political party to the lieutenant governor in accordance with Section
134	20A-8-402.
135	(11) "Detailed listing" means:
136	(a) for each contribution [or public service assistance]:
137	(i) the name and address of the individual or source making the contribution [or public
138	service assistance], except to the extent that the name or address of the individual or source is
139	unknown;
140	(ii) the amount or value of the contribution [or public service assistance]; and
141	(iii) the date the contribution [or public service assistance] was made; and
142	(b) for each expenditure:
143	(i) the amount of the expenditure;
144	(ii) the goods or services acquired by the expenditure; and
145	(iii) the date the expenditure was made.
146	[(12) (a) "Donor" means a person that gives money, including a fee, due, or assessment
147	for membership in the corporation, to a corporation without receiving full and adequate
148	consideration for the money.]
149	[(b) "Donor" does not include a person that signs a statement that the corporation may
150	not use the money for an expenditure or political issues expenditure.]
151	(12) (a) "Donation" means anything of value, whether tangible or intangible, given

152	without the expectation of full compensation at fair market value, including:
153	(i) goods or services;
154	(ii) money;
155	(iii) travel, lodging, or travel expenses;
156	(iv) membership in an organization;
157	(v) a subscription to a publication; or
158	(vi) attendance at a conference or other event.
159	(b) "Donation" includes:
160	(i) a loan or advance:
161	(A) made at less than fair market value;
162	(B) that does require full repayment, plus interest at market rates; or
163	(C) that is given on terms that are more favorable than the terms generally available in
164	the market, without compensation for those terms at market value; or
165	(ii) forgiveness of debt.
166	(13) "Election" means each:
167	(a) regular general election;
168	(b) regular primary election; and
169	(c) special election at which candidates are eliminated and selected.
170	(14) "Electioneering communication" means a communication that:
171	(a) has at least a value of \$10,000;
172	(b) clearly identifies a candidate or judge; and
173	(c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
174	facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
175	identified candidate's or judge's election date.
176	(15) (a) "Expenditure" means any of the following made by a reporting entity or an
177	agent of a reporting entity on behalf of the reporting entity:
178	(i) any disbursement from contributions[, receipts,] or from the separate bank account
179	required by this chapter;
180	(ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
181	or anything of value made for <u>a</u> political [purposes] <u>purpose</u> ;
182	(iii) an express, legally enforceable contract, promise, or agreement to make any

183	purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
184	value for <u>a</u> political [purposes] <u>purpose</u> ;
185	(iv) compensation paid by a filing entity for personal services rendered by a person
186	without charge to a reporting entity;
187	(v) a transfer of funds between the filing entity and a candidate's personal campaign
188	committee;
189	(vi) goods or services provided by the filing entity to or for the benefit of another
190	reporting entity for <u>a</u> political [purposes] <u>purpose</u> at less than fair market value; or
191	(vii) an independent expenditure, as defined in Section 20A-11-1702.
192	(b) "Expenditure" does not include:
193	(i) officeholder assistance;
194	(ii) anything provided to an officeholder by the legislative branch, executive branch, or
195	judicial branch of the state;
196	(iii) anything that is provided to an officeholder by an organization in consequence of
197	the payment of dues to the organization by the officeholder or a branch of state government;
198	(iv) [(i)] services provided without compensation by individuals volunteering a portion
199	or all of their time on behalf of a reporting entity;
200	[(ii)] (v) money lent to a reporting entity by a financial institution in the ordinary
201	course of business; or
202	[(iii) anything listed in Subsection (15)(a) that is given by a reporting entity to
203	candidates for office or officeholders in states other than Utah.]
204	(vi) anything described in Subsection (15)(a) that is given by a reporting entity to a
205	candidate for office in, or an officeholder in:
206	(A) a state other than Utah; or
207	(B) a United States territory or possession; or
208	(vii) anything provided by the legislative branch, executive branch, or judicial branch
209	of the state.
210	(16) "Federal office" means the office of president of the United States, United States
211	Senator, or United States Representative.
212	(17) "Filing entity" means the reporting entity that is required to file a financial
213	statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

214	(18) (a) "Financial statement" includes [any] a summary report, interim report, verified
215	financial statement, or other statement [disclosing contributions, expenditures, receipts,
216	donations, or disbursements that is] required by this chapter or Chapter 12, Part 2, Judicial
217	Retention Elections[-], disclosing:
218	(i) contributions, expenditures, donations, or disbursements; or
219	(ii) except as it relates to a report or statement by a legislative officeholder,
220	officeholder assistance.
221	(b) "Financial statement" does not include:
222	(i) a disclosure of foreign financed travel described in Section 36-35-102; or
223	(ii) a disclosure of officeholder assistance described in Section 36-35-103.
224	(19) "Governing board" means the individual or group of individuals that determine the
225	candidates and committees that will receive expenditures from a political action committee,
226	political party, or corporation.
227	(20) "Incorporation" means the process established by Title 10, Chapter 2a, Municipal
228	Incorporation, by which a geographical area becomes legally recognized as a city, town, or
229	metro township.
230	(21) "Incorporation election" means the election conducted under Section 10-2a-210 or
231	10-2a-404.
232	(22) "Incorporation petition" means a petition described in Section 10-2a-208.
233	(23) "Individual" means a natural person.
234	(24) (a) "In-kind contribution" means anything of value, other than money, that is
235	accepted by or coordinated with a filing entity.
236	(b) "In-kind contribution" does not include survey results, voter lists, voter contact
237	information, demographic data, voting trend data, or other information that:
238	(i) is not commissioned for the benefit of a particular candidate or officeholder; and
239	(ii) is offered at no cost to a candidate or officeholder.
240	(25) "Interim report" means a report identifying the contributions received and
241	expenditures made since the last report.
242	(26) "Legislative office" means the office of state senator, state representative, speaker
243	of the House of Representatives, president of the Senate, and the leader, whip, and assistant
244	whip of any party caucus in either house of the Legislature.

245	(27) "Legislative office candidate" means a person who:
246	(a) files a declaration of candidacy for the office of state senator or state representative;
247	(b) declares oneself to be a candidate for, or actively campaigns for, the position of
248	speaker of the House of Representatives, president of the Senate, or the leader, whip, and
249	assistant whip of any party caucus in either house of the Legislature; or
250	(c) receives contributions, makes expenditures, or gives consent for any other person to
251	receive contributions or make expenditures to bring about the person's nomination, election, or
252	appointment to a legislative office.
253	(28) "Loan" means any of the following provided by a person that benefits a filing
254	entity if the person expects repayment or reimbursement:
255	(a) an expenditure made using any form of payment;
256	(b) money or funds received by the filing entity;
257	(c) the provision of a good or service with an agreement or understanding that payment
258	or reimbursement will be delayed; or
259	(d) use of any line of credit.
260	(29) "Major political party" means either of the two registered political parties that
261	have the greatest number of members elected to the two houses of the Legislature.
262	(30) "Officeholder" means a person who holds a public office.
263	(31) (a) "Officeholder assistance" means a donation that is provided to an officeholder:
264	(i) to defray the costs of functioning in public office; and
265	(ii) that is not given or used for a political purpose.
266	(b) "Officeholder assistance" includes a donation to assist an officeholder to
267	communicate with the officeholder's constituents, if the communication is not made for a
268	political purpose or to solicit a contribution.
269	(c) "Officeholder assistance" does not include:
270	(i) a contribution;
271	(ii) anything provided to an officeholder by the legislative branch, executive branch, or
272	judicial branch of the state;
273	(iii) anything that is provided to an officeholder by an organization in consequence of
274	the payment of dues to the organization by the officeholder or a branch of state government;
275	(iv) services provided to an officeholder without compensation by individuals

276	volunteering time on behalf of an officeholder;
277	(v) money lent to an officeholder by a financial institution in the ordinary course of
278	business;
279	(vi) news coverage or any publication by the news media; or
280	(vii) an article, story, or other coverage as part of a regular publication of any
281	organization, unless substantially all the publication is devoted to information about the
282	officeholder.
283	[(31)] (32) "Party committee" means any committee organized by or authorized by the
284	governing board of a registered political party.
285	[(32)] (33) "Person" means both natural and legal persons, including individuals,
286	business organizations, personal campaign committees, party committees, political action
287	committees, political issues committees, and labor organizations, as defined in Section
288	20A-11-1501.
289	[(33)] (34) "Personal campaign committee" means the committee appointed by a
290	candidate to act for the candidate as provided in this chapter.
291	[(34)] (35) "Personal use expenditure" has the same meaning as provided under Section
292	20A-11-104.
293	[(35)] (36) (a) "Political action committee" means an entity, or any group of
294	individuals or entities within or outside this state, a major purpose of which is to:
295	(i) solicit or receive contributions from any other person, group, or entity for <u>a</u> political
296	[purposes] purpose; or
297	(ii) make expenditures to expressly advocate for any person to refrain from voting or to
298	vote for or against any candidate or person seeking election to a municipal or county office.
299	(b) "Political action committee" includes groups affiliated with a registered political
300	party but not authorized or organized by the governing board of the registered political party
301	that receive contributions or makes expenditures for <u>a</u> political [purposes] <u>purpose</u> .
302	(c) "Political action committee" does not mean:
303	(i) a party committee;
304	(ii) any entity that provides goods or services to a candidate or committee in the regular
305	course of its business at the same price that would be provided to the general public;
306	(iii) an individual;

307	(iv) individuals who are related and who make contributions from a joint checking
308	account;
309	(v) a corporation, except a corporation a major purpose of which is to act as a political
310	action committee; or
311	(vi) a personal campaign committee.
312	[(36)] (37) (a) "Political consultant" means a person who is paid by a reporting entity,
313	or paid by another person on behalf of and with the knowledge of the reporting entity, to
314	provide political advice to the reporting entity.
315	(b) "Political consultant" includes a circumstance described in Subsection (36)(a),
316	where the person:
317	(i) has already been paid, with money or other consideration;
318	(ii) expects to be paid in the future, with money or other consideration; or
319	(iii) understands that the person may, in the discretion of the reporting entity or another
320	person on behalf of and with the knowledge of the reporting entity, be paid in the future, with
321	money or other consideration.
322	[(37)] (38) "Political convention" means a county or state political convention held by
323	a registered political party to select candidates.
324	[(38)] (39) "Political entity" means a candidate, a political party, a political action
325	committee, or a political issues committee.
326	[(39)] (40) (a) "Political issues committee" means an entity, or any group of individuals
327	or entities within or outside this state, a major purpose of which is to:
328	(i) solicit or receive donations from any other person, group, or entity to assist in
329	placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
330	to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;
331	(ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
332	ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
333	proposed ballot proposition or an incorporation in an incorporation election; or
334	(iii) make expenditures to assist in qualifying or placing a ballot proposition on the
335	ballot or to assist in keeping a ballot proposition off the ballot.
336	(b) "Political issues committee" does not mean:
337	(i) a registered political party or a party committee;

338	(ii) any entity that provides goods or services to an individual or committee in the
339	regular course of its business at the same price that would be provided to the general public;
340	(iii) an individual;
341	(iv) individuals who are related and who make contributions from a joint checking
342	account;
343	(v) a corporation, except a corporation a major purpose of which is to act as a political
344	issues committee; or
345	(vi) a group of individuals who:
346	(A) associate together for the purpose of challenging or supporting a single ballot
347	proposition, ordinance, or other governmental action by a county, city, town, special district,
348	special service district, or other local political subdivision of the state;
349	(B) have a common liberty, property, or financial interest that is directly impacted by
350	the ballot proposition, ordinance, or other governmental action;
351	(C) do not associate together, for the purpose described in Subsection [(39)(b)(vi)(A)]
352	(40)(b)(vi)(A), via a legal entity;
353	(D) do not receive funds for challenging or supporting the ballot proposition,
354	ordinance, or other governmental action from a person other than an individual in the group;
355	and
356	(E) do not expend a total of more than \$5,000 for the purpose described in Subsection
357	[(39)(b)(vi)(A)] (40)(b)(vi)(A).
358	[40] (a) "Political issues contribution" means any of the following:
359	(i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
360	anything of value given to a political issues committee;
361	(ii) an express, legally enforceable contract, promise, or agreement to make a political
362	issues donation to influence the approval or defeat of any ballot proposition;
363	(iii) any transfer of funds received by a political issues committee from a reporting
364	entity;
365	(iv) compensation paid by another reporting entity for personal services rendered
366	without charge to a political issues committee; and
367	(v) goods or services provided to or for the benefit of a political issues committee at
368	less than fair market value

369	(b) "Political issues contribution" does not include:
370	(i) services provided without compensation by individuals volunteering a portion or all
371	of their time on behalf of a political issues committee; or
372	(ii) money lent to a political issues committee by a financial institution in the ordinary
373	course of business.
374	[(41)] (42) (a) "Political issues expenditure" means any of the following when made by
375	a political issues committee or on behalf of a political issues committee by an agent of the
376	reporting entity:
377	(i) any payment from political issues contributions made for the purpose of influencing
378	the approval or the defeat of:
379	(A) a ballot proposition; or
380	(B) an incorporation petition or incorporation election;
381	(ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
382	the express purpose of influencing the approval or the defeat of:
383	(A) a ballot proposition; or
384	(B) an incorporation petition or incorporation election;
385	(iii) an express, legally enforceable contract, promise, or agreement to make any
386	political issues expenditure;
387	(iv) compensation paid by a reporting entity for personal services rendered by a person
388	without charge to a political issues committee; or
389	(v) goods or services provided to or for the benefit of another reporting entity at less
390	than fair market value.
391	(b) "Political issues expenditure" does not include:
392	(i) services provided without compensation by individuals volunteering a portion or all
393	of their time on behalf of a political issues committee; or
394	(ii) money lent to a political issues committee by a financial institution in the ordinary
395	course of business.
396	$[\frac{(42)}{(43)}]$ "Political [purposes] purpose" means an act is done with the intent to, or in
397	a way to, influence or tend to influence, directly or indirectly, any person to refrain from voting
398	<u>for,</u> or to vote for or against [any]:
399	(a) <u>a</u> candidate [or];

400	(b) a person seeking a municipal or county office at any caucus, political convention, or
401	election; or
402	[(b)] (c) a judge standing for retention at any election.
403	[(43)] (44) (a) "Poll" means the survey of a person regarding the person's opinion or
404	knowledge of an individual who has filed a declaration of candidacy for public office, or of a
405	ballot proposition that has legally qualified for placement on the ballot, which is conducted in
406	person or by telephone, facsimile, Internet, postal mail, or email.
407	(b) "Poll" does not include:
408	(i) a ballot; or
409	(ii) an interview of a focus group that is conducted, in person, by one individual, if:
410	(A) the focus group consists of more than three, and less than thirteen, individuals; and
411	(B) all individuals in the focus group are present during the interview.
412	[(44)] (45) "Primary election" means any regular primary election held under the
413	election laws.
414	[(45)] (46) "Publicly identified class of individuals" means a group of 50 or more
415	individuals sharing a common occupation, interest, or association that contribute to a political
416	action committee or political issues committee and whose names can be obtained by contacting
417	the political action committee or political issues committee upon whose financial statement the
418	individuals are listed.
419	[(46)] (47) "Public office" means the office of governor, lieutenant governor, state
420	auditor, state treasurer, attorney general, state school board member, state senator, state
421	representative, speaker of the House of Representatives, president of the Senate, and the leader,
422	whip, and assistant whip of any party caucus in either house of the Legislature.
423	[(47) (a) "Public service assistance" means the following when given or provided to an
424	officeholder to defray the costs of functioning in a public office or aid the officeholder to
425	communicate with the officeholder's constituents:]
426	[(i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit
427	of money or anything of value to an officeholder; or]
428	[(ii) goods or services provided at less than fair market value to or for the benefit of the
429	officeholder.]
430	[(b) "Public service assistance" does not include:]

431	[(i) anything provided by the state;]
432	[(ii) services provided without compensation by individuals volunteering a portion or
433	all of their time on behalf of an officeholder;]
434	[(iii) money lent to an officeholder by a financial institution in the ordinary course of
435	business;]
436	[(iv) news coverage or any publication by the news media; or]
437	[(v) any article, story, or other coverage as part of any regular publication of any
438	organization unless substantially all the publication is devoted to information about the
439	officeholder.]
440	[(48) "Receipts" means contributions and public service assistance.]
441	[(49)] (48) "Registered lobbyist" means a person licensed under Title 36, Chapter 11,
442	Lobbyist Disclosure and Regulation Act.
443	[(50)] (49) "Registered political action committee" means any political action
444	committee that is required by this chapter to file a statement of organization with the Office of
445	the Lieutenant Governor.
446	[(51)] (50) "Registered political issues committee" means any political issues
447	committee that is required by this chapter to file a statement of organization with the Office of
448	the Lieutenant Governor.
449	[(52)] (51) "Registered political party" means an organization of voters that:
450	(a) participated in the last regular general election and polled a total vote equal to 2%
451	or more of the total votes cast for all candidates for the United States House of Representatives
452	for any of its candidates for any office; or
453	(b) has complied with the petition and organizing procedures of Chapter 8, Political
454	Party Formation and Procedures.
455	$\left[\frac{(53)}{(52)}\right]$ (a) "Remuneration" means a payment:
456	(i) made to a legislator for the period the Legislature is in session; and
457	(ii) that is approximately equivalent to an amount a legislator would have earned
458	during the period the Legislature is in session in the legislator's ordinary course of business.
459	(b) "Remuneration" does not mean anything of economic value given to a legislator by:
460	(i) the legislator's primary employer in the ordinary course of business; or
461	(ii) a person or entity in the ordinary course of business:

462	(A) because of the legislator's ownership interest in the entity; or
463	(B) for services rendered by the legislator on behalf of the person or entity.
464	[(54)] (53) "Reporting entity" means a candidate, a candidate's personal campaign
465	committee, a judge, a judge's personal campaign committee, an officeholder, a party
466	committee, a political action committee, a political issues committee, a corporation, or a labor
467	organization, as defined in Section 20A-11-1501.
468	[(55)] (54) "School board office" means the office of state school board.
469	[(56)] (a) "Source" means the person or entity that is the legal owner of the
470	tangible or intangible asset that comprises the contribution.
471	(b) "Source" means, for political action committees and corporations, the political
472	action committee and the corporation as entities, not the contributors to the political action
473	committee or the owners or shareholders of the corporation.
474	[(57)] (56) "State office" means the offices of governor, lieutenant governor, attorney
475	general, state auditor, and state treasurer.
476	[(58)] (57) "State office candidate" means a person who:
477	(a) files a declaration of candidacy for a state office; or
478	(b) receives contributions, makes expenditures, or gives consent for any other person to
479	receive contributions or make expenditures to bring about the person's nomination, election, or
480	appointment to a state office.
481	[(59)] (58) "Summary report" means the year end report containing the summary of a
482	reporting entity's contributions and expenditures.
483	[(60)] (59) "Supervisory board" means the individual or group of individuals that
484	allocate expenditures from a political issues committee.
485	Section 2. Section 20A-11-201 is amended to read:
486	20A-11-201. State office Separate bank account for campaign funds No
487	personal use State office candidate reporting deadline Report other accounts
488	Anonymous contributions.
489	(1) (a) Each state office candidate or the candidate's personal campaign committee
490	shall deposit each contribution received in one or more separate campaign accounts in a
491	financial institution.

(b) A state office candidate or a candidate's personal campaign committee may not use

493 money deposited in a campaign account for:

- (i) a personal use expenditure; or
- (ii) an expenditure prohibited by law.
- (c) Each state officeholder or the state officeholder's personal campaign committee shall deposit each contribution and [public service] officeholder assistance received in one or more separate campaign accounts in a financial institution.
- (d) A state officeholder or a state officeholder's personal campaign committee may not use money deposited in a campaign account for:
 - (i) a personal use expenditure; or
 - (ii) an expenditure prohibited by law.
- (2) (a) A state office candidate or the candidate's personal campaign committee may not deposit or mingle any contributions received into a personal or business account.
- (b) A state officeholder or the state officeholder's personal campaign committee may not deposit or mingle any contributions or [public service] officeholder assistance received into a personal or business account.
- (3) If a person who is no longer a state office candidate chooses not to expend the money remaining in a campaign account, the person shall continue to file the year-end summary report required by Section 20A-11-203 until the statement of dissolution and final summary report required by Section 20A-11-205 are filed with the lieutenant governor.
- (4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who is no longer a state office candidate may not expend or transfer the money in a campaign account in a manner that would cause the former state office candidate to recognize the money as taxable income under federal tax law.
- (b) A person who is no longer a state office candidate may transfer the money in a campaign account in a manner that would cause the former state office candidate to recognize the money as taxable income under federal tax law if the transfer is made to a campaign account for federal office.
- (5) (a) As used in this Subsection (5), "received" means the same as that term is defined in Subsection 20A-11-204(1)(b).
- (b) Each state office candidate shall report to the lieutenant governor each contribution received by the state office candidate:

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524	(i) except as provided in Subsection (5)(b)(ii), within 31 days after the day on which
525	the contribution is received; or
526	(ii) within seven business days after the day on which the contribution is received, if:
527	(A) the state office candidate is contested in a convention and the contribution is
528	received within 30 days before the day on which the convention is held;
529	(B) the state office candidate is contested in a primary election and the contribution is
530	received within 30 days before the day on which the primary election is held; or
531	(C) the state office candidate is contested in a general election and the contribution is
532	received within 30 days before the day on which the general election is held.
533	(c) Except as provided in Subsection (5)(d), for each contribution that a state office
534	candidate fails to report within the time period described in Subsection (5)(b), the lieutenant
535	governor shall impose a fine against the state office candidate in an amount equal to:
536	(i) 10% of the amount of the contribution, if the state office candidate reports the
537	contribution within 60 days after the day on which the time period described in Subsection
538	(5)(b) ends; or
539	(ii) 20% of the amount of the contribution, if the state office candidate fails to report
540	the contribution within 60 days after the day on which the time period described in Subsection
541	(5)(b) ends.
542	(d) The lieutenant governor may waive the fine described in Subsection (5)(c) and
543	issue a warning to the state office candidate if:
544	(i) the contribution that the state office candidate fails to report is paid by the state
545	office candidate from the state office candidate's personal funds;
546	(ii) the state office candidate has not previously violated Subsection (5)(c) in relation to
547	a contribution paid by the state office candidate from the state office candidate's personal
548	funds; and
549	(iii) the lieutenant governor determines that the failure to timely report the contribution
550	is due to the state office candidate not understanding that the reporting requirement includes a
551	contribution paid by a state office candidate from the state office candidate's personal funds.

- (e) The lieutenant governor shall:(i) deposit money received under statements
 - (i) deposit money received under Subsection (5)(c) into the General Fund; and
- (ii) report on the lieutenant governor's website, in the location where reports relating to

(A) each fine imposed by the lieutenant governor against the state office candidate;

each state office candidate are available for public access:

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557	(B) the amount of the fine;
558	(C) the amount of the contribution to which the fine relates; and
559	(D) the date of the contribution.
560	(6) (a) As used in this Subsection (6), "account" means an account in a financial
561	institution:
562	(i) that is not described in Subsection (1)(a); and
563	(ii) into which or from which a person who, as a candidate for an office, other than the
564	state office for which the person files a declaration of candidacy or federal office, or as a holder
565	of an office, other than a state office for which the person files a declaration of candidacy or
566	federal office, deposits a contribution or makes an expenditure.
567	(b) A state office candidate shall include on any financial statement filed in accordance
568	with this part:
569	(i) a contribution deposited in an account:
570	(A) since the last campaign finance statement was filed; or
571	(B) that has not been reported under a statute or ordinance that governs the account; or
572	(ii) an expenditure made from an account:
573	(A) since the last campaign finance statement was filed; or
574	(B) that has not been reported under a statute or ordinance that governs the account.
575	(7) Within 31 days after receiving a contribution that is cash or a negotiable
576	instrument, exceeds \$50, and is from an unknown source, a state office candidate shall disburse
577	the amount of the contribution to an organization that is exempt from federal income taxation
578	under Section 501(c)(3), Internal Revenue Code.
579	Section 3. Section 20A-11-203 is amended to read:
580	20A-11-203. State office candidate Financial reporting requirements
581	Year-end summary report.
582	(1) (a) Each state office candidate shall file a summary report by January 10 of the year
583	after the regular general election year.
584	(b) In addition to the requirements of Subsection (1)(a), a former state office candidate
585	that has not filed the statement of dissolution and final summary report required under Section

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586	20A-11-205 shall continue to file a summary report on January 10 of each year.
587	(2) (a) Each summary report shall include the following information as of December 31
588	of the previous year:
589	(i) the net balance of the last financial statement, if any;
590	(ii) a single figure equal to the total amount of [receipts] contributions and officeholder
591	assistance reported on all interim reports, if any;
592	(iii) a single figure equal to the total amount of expenditures reported on all interim
593	reports, if any, filed during the previous year;
594	(iv) a detailed listing of each contribution received since the last summary report that
595	has not been reported in detail on an interim report;
596	(v) for each nonmonetary contribution:
597	(A) the fair market value of the contribution with that information provided by the
598	contributor; and
599	(B) a specific description of the contribution;
600	(vi) a detailed listing of each expenditure made since the last summary report that has
601	not been reported in detail on an interim report;
602	(vii) for each nonmonetary expenditure, the fair market value of the expenditure;
603	(viii) a net balance for the year consisting of the net balance from the last summary
604	report, if any, plus all [receipts] contributions and officeholder assistance minus all
605	expenditures; and
606	(ix) the name of a political action committee for which the state office candidate is
607	designated as an officer who has primary decision-making authority under Section
608	20A-11-601.
609	(b) In preparing the report, all [receipts] contributions, officeholder assistance, and
610	expenditures shall be reported as of December 31 of the previous year.
611	(c) A check or negotiable instrument received by a state office candidate or a state
612	office candidate's personal campaign committee on or before December 31 of the previous year

office candidate's personal campaign committee on or before December 31 of the previous year shall be included in the summary report.

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(3) An authorized member of the state office candidate's personal campaign committee or the state office candidate shall certify in the summary report that, to the best of the person's knowledge, [all receipts and] all contributions, officeholder assistance, and expenditures have

617	been reported as of December 31 of the previous year and that there are no bills or obligations
618	outstanding and unpaid except as [set forth] disclosed in that report.
619	Section 4. Section 20A-11-204 is amended to read:
620	20A-11-204. State office candidate and state officeholder Financial reporting
621	requirements Interim reports.
622	(1) As used in this section:
623	(a) "Campaign account" means a separate campaign account required under Subsection
624	20A-11-201(1)(a) or (c).
625	(b) "Received" means:
626	(i) for a cash contribution, that the cash is given to a state office candidate or a member
627	of the state office candidate's personal campaign committee;
628	(ii) for a contribution that is a negotiable instrument or check, that the negotiable
629	instrument or check is negotiated;
630	(iii) for a direct deposit made into a campaign account by a person not associated with
631	the campaign, the earlier of:
632	(A) the day on which the state office candidate or a member of the state office
633	candidate's personal campaign committee becomes aware of the deposit and the source of the
634	deposit;
635	(B) the day on which the state office candidate or a member of the state office
636	candidate's personal campaign committee receives notice of the deposit and the source of the
637	deposit by mail, email, text, or similar means; or
638	(C) 31 days after the day on which the direct deposit occurs; or
639	(iv) for any other type of contribution, that any portion of the contribution's benefit
640	inures to the state office candidate.
641	(2) Except as provided in Subsection (3), each state office candidate shall file an
642	interim report at the following times in any year in which the candidate has filed a declaration
643	of candidacy for a public office:
644	(a) (i) seven days before the candidate's political convention; or
645	(ii) for an unaffiliated candidate, the fourth Saturday in March;
646	(b) seven days before the regular primary election date;
647	(c) September 30; and

648	(d) seven days before the regular general election date.
649	(3) If a state office candidate is a state office candidate seeking appointment for a
650	midterm vacancy, the state office candidate:
651	(a) shall file an interim report:
652	(i) (A) no later than seven days before the day on which the political party of the party
653	for which the state office candidate seeks nomination meets to declare a nominee for the
654	governor to appoint in accordance with Section 20A-1-504; and
655	(B) two days before the day on which the political party of the party for which the state
656	office candidate seeks nomination meets to declare a nominee for the governor to appoint in
657	accordance with Subsection 20A-1-504(1)(b)(i); or
658	(ii) if a state office candidate decides to seek the appointment with less than seven days
659	before the party meets, or the political party schedules the meeting to declare a nominee less
660	than seven days before the day of the meeting, no later than 5 p.m. on the last day of business
661	before the day on which the party meets; and
662	(b) is not required to file an interim report at the times described in Subsection (1).
663	(4) Each interim report shall include the following information:
664	(a) the net balance of the last summary report, if any;
665	(b) a single figure equal to the total amount of [receipts] contributions and officeholder
666	assistance reported on all prior interim reports, if any, during the calendar year in which the
667	interim report is due;
668	(c) a single figure equal to the total amount of expenditures reported on all prior
669	interim reports, if any, filed during the calendar year in which the interim report is due;
670	(d) a detailed listing of:
671	(i) for a state office candidate, each contribution received since the last summary report
672	that has not been reported in detail on a prior interim report; or
673	(ii) for a state officeholder, each contribution and [public service] officeholder
674	assistance received since the last summary report that has not been reported in detail on a prior
675	interim report;
676	(e) for each nonmonetary contribution:
677	(i) the fair market value of the contribution with that information provided by the
678	contributor; and

679	(ii) a specific description of the contribution;
680	(f) a detailed listing of each expenditure made since the last summary report that has
681	not been reported in detail on a prior interim report;
682	(g) for each nonmonetary expenditure, the fair market value of the expenditure;
683	(h) a net balance for the year consisting of the net balance from the last summary
684	report, if any, plus all [receipts] contributions and officeholder assistance received since the last
685	summary report minus all expenditures since the last summary report;
686	(i) a summary page in the form required by the lieutenant governor that identifies:
687	(i) beginning balance;
688	(ii) total contributions and [public service] officeholder assistance received during the
689	period since the last statement;
690	(iii) total contributions and public service assistance received to date;
691	(iv) total expenditures during the period since the last statement; and
692	(v) total expenditures to date; and
693	(j) the name of a political action committee for which the state office candidate or state
694	officeholder is designated as an officer who has primary decision-making authority under
695	Section 20A-11-601.
696	(5) (a) In preparing each interim report, all [receipts] contributions, officeholder
697	assistance, and expenditures shall be reported as of five days before the required filing date of
698	the report.
699	(b) Any negotiable instrument or check received by a state office candidate or state
700	officeholder more than five days before the required filing date of a report required by this
701	section shall be included in the interim report.
702	Section 5. Section 20A-11-301 is amended to read:
703	20A-11-301. Legislative office Campaign finance requirements Candidate as
704	a political action committee officer No personal use Contribution reporting deadline
705	Report other accounts Anonymous contributions.
706	(1) (a) (i) Each legislative office candidate shall deposit each contribution received in
707	one or more separate accounts in a financial institution that are dedicated only to that purpose.

(A) receive a contribution from a political action committee registered under Section

(ii) A legislative office candidate may:

710	20A-11-601; and
711	(B) be designated by a political action committee as an officer who has primary
712	decision-making authority as described in Section 20A-11-601.
713	(b) A legislative office candidate or the candidate's personal campaign committee may
714	not use money deposited in an account described in Subsection (1)(a)(i) for:
715	(i) a personal use expenditure; or
716	(ii) an expenditure prohibited by law.
717	(c) (i) Each legislative officeholder shall deposit:
718	(A) each contribution [and public service assistance] received in one or more separate
719	accounts in a financial institution that are dedicated only to that purpose[-]; and
720	(B) officeholder assistance received in one or more separate accounts in a financial
721	institution, but not in the same account in which the legislative officeholder deposits a
722	contribution.
723	(ii) A legislative officeholder may:
724	(A) receive a contribution or [public service] officeholder assistance from a political
725	action committee registered under Section 20A-11-601; and
726	(B) be designated by a political action committee as an officer who has primary
727	decision-making authority as described in Section 20A-11-601.
728	(d) A legislative officeholder or the legislative officeholder's personal campaign
729	committee may not use money deposited in an account described in Subsection (1)(c)(i) for:
730	(i) a personal use expenditure; or
731	(ii) an expenditure prohibited by law.
732	(2) (a) A legislative office candidate may not deposit or mingle any contributions
733	received into a personal or business account.
734	(b) A legislative officeholder may not deposit or mingle any contributions or [public
735	service] officeholder assistance assistance received into a personal or business account.
736	(3) If a person who is no longer a legislative candidate chooses not to expend the
737	money remaining in a campaign account, the person shall continue to file the year-end
738	summary report required by Section 20A-11-302 until the statement of dissolution and final

(4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who

summary report required by Section 20A-11-304 are filed with the lieutenant governor.

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is no longer a legislative office candidate may not expend or transfer the money in a campaign account in a manner that would cause the former legislative office candidate to recognize the money as taxable income under federal tax law.

- (b) A person who is no longer a legislative office candidate may transfer the money in a campaign account in a manner that would cause the former legislative office candidate to recognize the money as taxable income under federal tax law if the transfer is made to a campaign account for federal office.
- (5) (a) As used in this Subsection (5), "received" means the same as that term is defined in Subsection 20A-11-303(1)(b).
- (b) Each legislative office candidate shall report to the lieutenant governor each contribution received by the legislative office candidate:
- (i) except as provided in Subsection (5)(b)(ii), within 31 days after the day on which the contribution is received; or
 - (ii) within seven business days after the day on which the contribution is received, if:
- (A) the legislative office candidate is contested in a convention and the contribution is received within 30 days before the day on which the convention is held;
- (B) the legislative office candidate is contested in a primary election and the contribution is received within 30 days before the day on which the primary election is held; or
- (C) the legislative office candidate is contested in a general election and the contribution is received within 30 days before the day on which the general election is held.
- (c) Except as provided in Subsection (5)(d), for each contribution that a legislative office candidate fails to report within the time period described in Subsection (5)(b), the lieutenant governor shall impose a fine against the legislative office candidate in an amount equal to:
- (i) 10% of the amount of the contribution, if the legislative office candidate reports the contribution within 60 days after the day on which the time period described in Subsection (5)(b) ends; or
- (ii) 20% of the amount of the contribution, if the legislative office candidate fails to report the contribution within 60 days after the day on which the time period described in Subsection (5)(b) ends.
 - (d) The lieutenant governor may waive the fine described in Subsection (5)(c) and

issue a warning to the legislative office candidate if:

- (i) the contribution that the legislative office candidate fails to report is paid by the legislative office candidate from the legislative office candidate's personal funds;
- (ii) the legislative office candidate has not previously violated Subsection (5)(c) in relation to a contribution paid by the legislative office candidate from the legislative office candidate's personal funds; and
- (iii) the lieutenant governor determines that the failure to timely report the contribution is due to the legislative office candidate not understanding that the reporting requirement includes a contribution paid by a legislative office candidate from the legislative office candidate's personal funds.
 - (e) The lieutenant governor shall:
 - (i) deposit money received under Subsection (5)(c) into the General Fund; and
- (ii) report on the lieutenant governor's website, in the location where reports relating to each legislative office candidate are available for public access:
- (A) each fine imposed by the lieutenant governor against the legislative office candidate;
 - (B) the amount of the fine;
 - (C) the amount of the contribution to which the fine relates; and
 - (D) the date of the contribution.
- (6) Within 31 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50, and is from an unknown source, a legislative office candidate shall disburse the amount of the contribution to an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.
- (7) (a) As used in this Subsection (7), "account" means an account in a financial institution:
 - (i) that is not described in Subsection (1)(a)(i); and
- (ii) into which or from which a person who, as a candidate for an office, other than a legislative office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a legislative office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.
 - (b) A legislative office candidate shall include on any financial statement filed in

803	accordance with this part:
804	(i) a contribution deposited in an account:
805	(A) since the last campaign finance statement was filed; or
806	(B) that has not been reported under a statute or ordinance that governs the account; or
807	(ii) an expenditure made from an account:
808	(A) since the last campaign finance statement was filed; or
809	(B) that has not been reported under a statute or ordinance that governs the account.
810	Section 6. Section 20A-11-302 is amended to read:
811	20A-11-302. Legislative office candidate Financial reporting requirements
812	Year-end summary report.
813	(1) (a) Each legislative office candidate shall file a summary report by January 10 of
814	the year after the regular general election year.
815	(b) In addition to the requirements of Subsection (1)(a), a former legislative office
816	candidate that has not filed the statement of dissolution and final summary report required
817	under Section 20A-11-304 shall continue to file a summary report on January 10 of each year.
818	(2) (a) Each summary report shall include the following information as of December 31
819	of the previous year:
820	(i) the net balance of the last financial statement, if any;
821	(ii) a single figure equal to the total amount of [receipts] contributions reported on all
822	interim reports, if any, during the calendar year in which the summary report is due;
823	(iii) a single figure equal to the total amount of expenditures reported on all interim
824	reports, if any, filed during the previous year;
825	(iv) a detailed listing of each contribution received since the last summary report that
826	has not been reported in detail on an interim report;
827	(v) for each nonmonetary contribution:
828	(A) the fair market value of the contribution with that information provided by the
829	contributor; and
830	(B) a specific description of the contribution;
831	(vi) a detailed listing of each expenditure made since the last summary report that has
832	not been reported in detail on an interim report;
833	(vii) for each nonmonetary expenditure, the fair market value of the expenditure;

834 (viii) a net balance for the year consisting of the net balance from the last summary 835 report, if any, plus all [receipts] contributions minus all expenditures; and 836 (ix) the name of a political action committee for which the legislative office candidate 837 is designated as an officer who has primary decision-making authority under Section 838 20A-11-601. 839 (b) In preparing the report, all [receipts] contributions and expenditures shall be 840 reported as of December 31 of the previous year. 841 (c) A check or negotiable instrument received by a legislative office candidate on or 842 before December 31 of the previous year shall be included in the summary report. 843 (3) The legislative office candidate shall certify in the summary report that to the best 844 of the candidate's knowledge, all [receipts] contributions and all expenditures have been 845 reported as of December 31 of the previous year and that there are no bills or obligations 846 outstanding and unpaid except as [set forth] disclosed in that report. 847 Section 7. Section **20A-11-303** is amended to read: 848 20A-11-303. Legislative office candidate and legislative officeholder -- Financial 849 reporting requirements -- Interim reports. 850 (1) As used in this section: 851 (a) "Campaign account" means a separate campaign account required under Subsection 852 20A-11-301(1)(a)(i) or (c)(i). 853 (b) "Received" means: 854 (i) for a cash contribution, that the cash is given to a legislative office candidate or a 855 member of the legislative office candidate's personal campaign committee; 856 (ii) for a contribution that is a negotiable instrument or check, that the negotiable 857 instrument or check is negotiated; 858 (iii) for a direct deposit made into a campaign account by a person not associated with 859 the campaign, the earlier of: 860 (A) the day on which the legislative office candidate or a member of the legislative 861 office candidate's personal campaign committee becomes aware of the deposit and the source 862 of the deposit; 863 (B) the day on which the legislative office candidate or a member of the legislative 864 office candidate's personal campaign committee receives notice of the deposit and the source of

the deposit by mail, email, text, or similar means; or

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- (C) 31 days after the day on which the direct deposit occurs; or
- (iv) for any other type of contribution, that any portion of the contribution's benefit inures to the legislative office candidate.
- (2) Except as provided in Subsection (3), each legislative office candidate shall file an interim report at the following times in any year in which the candidate has filed a declaration of candidacy for a public office:
 - (a) (i) seven days before the candidate's political convention; or
 - (ii) for an unaffiliated candidate, the fourth Saturday in March;
 - (b) seven days before the regular primary election date;
 - (c) September 30; and
 - (d) seven days before the regular general election date.
- (3) If a legislative office candidate is a legislative office candidate seeking appointment for a midterm vacancy, the legislative office candidate:
 - (a) shall file an interim report:
 - (i) (A) seven days before the day on which the political party of the party for which the legislative office candidate seeks nomination meets to declare a nominee for the governor to appoint in accordance with Section 20A-1-503; and
 - (B) two days before the day on which the political party of the party for which the legislative office candidate seeks nomination meets to declare a nominee for the governor to appoint in accordance with Section 20A-1-503; or
 - (ii) if the legislative office candidate decides to seek the appointment with less than seven days before the party meets, or the political party schedules the meeting to declare a nominee less than seven days before the day of the meeting, two days before the day on which the party meets; and
 - (b) is not required to file an interim report at the times described in Subsection (2)(a).
 - (4) Each interim report shall include the following information:
 - (a) the net balance of the last summary report, if any;
- (b) a single figure equal to the total amount of [receipts] contributions reported on all prior interim reports, if any, during the calendar year in which the interim report is due;
 - (c) a single figure equal to the total amount of expenditures reported on all prior

896	interim reports, if any, filed during the calendar year in which the interim report is due;
897	(d) a detailed listing of[:]
898	[(i) for a legislative office candidate,] each contribution received since the last
899	summary report that has not been reported in detail on a prior interim report; [or]
900	[(ii) for a legislative officeholder, each contribution and public service assistance
901	received since the last summary report that has not been reported in detail on a prior interim
902	report;]
903	(e) for each nonmonetary contribution:
904	(i) the fair market value of the contribution with that information provided by the
905	contributor; and
906	(ii) a specific description of the contribution;
907	(f) a detailed listing of each expenditure made since the last summary report that has
908	not been reported in detail on a prior interim report;
909	(g) for each nonmonetary expenditure, the fair market value of the expenditure;
910	(h) a net balance for the year consisting of the net balance from the last summary
911	report, if any, plus all [receipts] contributions since the last summary report minus all
912	expenditures since the last summary report;
913	(i) a summary page in the form required by the lieutenant governor that identifies:
914	(i) beginning balance;
915	(ii) total contributions [and public service assistance] received during the period since
916	the last statement;
917	(iii) total contributions [and public service assistance] received to date;
918	(iv) total expenditures during the period since the last statement; and
919	(v) total expenditures to date; and
920	(j) the name of a political action committee for which the legislative office candidate or
921	legislative officeholder is designated as an officer who has primary decision-making authority
922	under Section 20A-11-601.
923	(5) (a) In preparing each interim report, all [receipts] contributions and expenditures
924	shall be reported as of five days before the required filing date of the report.
925	(b) Any negotiable instrument or check received by a legislative office candidate or
926	legislative officeholder more than five days before the required filing date of a report required

927	by this section shall be included in the interim report.
928	Section 8. Section 20A-11-401 is amended to read:
929	20A-11-401. Officeholder financial reporting requirements Year-end summary
930	report Officeholder as a political action committee officer Anonymous contribution
931	or officeholder assistance.
932	(1) (a) Each officeholder shall file a summary report by January 10 of each year.
933	(b) An officeholder that is required to file a summary report both as an officeholder and
934	as a candidate for office under the requirements of this chapter may file a single summary
935	report as a candidate and an officeholder, provided that the combined report meets the
936	requirements of:
937	(i) this section; and
938	(ii) the section that provides the requirements for the summary report filed by the
939	officeholder in the officeholder's capacity of a candidate for office.
940	(2) (a) Each summary report shall include the following information as of December 31
941	of the previous year:
942	(i) the net balance of the last summary report, if any;
943	(ii) for a legislative officeholder, a single figure equal to the total amount of [receipts]
944	contributions received since the last summary report, if any;
945	(iii) for an officeholder other than a legislative officeholder, a single figure equal to the
946	total amount of contributions and officeholder assistance received since the last summary
947	report, if any;
948	[(iii)] (iv) a single figure equal to the total amount of expenditures made since the last
949	summary report, if any;
950	[(iv)] (v) for a legislative officeholder, a detailed listing of each contribution [and
951	public service assistance] received since the last summary report;
952	(vi) for an officeholder other than a legislative officeholder, a detailed listing of each
953	contribution and officeholder assistance received since the last summary report;
954	[(v)] (vii) for each nonmonetary contribution:
955	(A) the fair market value of the contribution with that information provided by the
956	contributor; and
957	(B) a specific description of the contribution:

958	[(vi)] (viii) a detailed listing of each expenditure made since the last summary report;
959	[(vii)] (ix) for each nonmonetary expenditure, the fair market value of the expenditure;
960	[(viii)] (x) a net balance for the year consisting of the net balance from the last
961	summary report plus:
962	(A) for a legislative officeholder, all [receipts] contributions minus all expenditures;
963	[and] or
964	(B) for an officeholder other than a legislative officeholder, all contributions and
965	officeholder assistance, minus all expenditures; and
966	[(ix)] (xi) the name of a political action committee for which the officeholder is
967	designated as an officer who has primary decision-making authority under Section
968	20A-11-601.
969	(b) In preparing the report[, all] [receipts and expenditures shall be reported]:
970	(i) a legislative officeholder shall report all contributions and expenditures as of
971	December 31 of the previous year; and
972	(ii) an officeholder other than a legislative officeholder shall report all contributions,
973	officeholder assistance, and expenditures as of December 31 of the previous year.
974	(3) (a) [The] For a legislative officeholder, the summary report shall contain a
975	paragraph signed by the officeholder certifying that, to the best of the officeholder's knowledge,
976	all [receipts and all] contributions and expenditures have been reported as of December 31 of
977	the last calendar year and that there are no bills or obligations outstanding and unpaid except as
978	[set forth] disclosed in that report.
979	(b) For an officeholder other than a legislative officeholder, the summary report shall
980	contain a paragraph signed by the officeholder certifying that, to the best of the officeholder's
981	knowledge, all contributions, officeholder assistance, and expenditures have been reported as
982	of December 31 of the last calendar year and that there are no bills or obligations outstanding
983	and unpaid except as disclosed in that report.
984	(4) An officeholder may:
985	(a) receive [public service] officeholder assistance from a political action committee
986	registered under Section 20A-11-601; and
987	(b) be designated by a political action committee as an officer who has primary
988	decision-making authority as described in Section 20A-11-601.

989	(5) Within 31 days after receiving a contribution or [public service] officeholder
990	assistance that is cash or a negotiable instrument, exceeds \$50, and is from an unknown source,
991	an officeholder shall disburse the amount of the contribution or public service assistance to:
992	(a) the treasurer of the state or a political subdivision for deposit into the state's or
993	political subdivision's general fund; or
994	(b) an organization that is exempt from federal income taxation under Section
995	501(c)(3), Internal Revenue Code.
996	Section 9. Section 20A-11-402 is amended to read:
997	20A-11-402. Officeholder financial reporting requirements Statement of
998	dissolution.
999	(1) An officeholder or former officeholder is active and subject to reporting
1000	requirements until the officeholder or former officeholder has filed a statement of dissolution
1001	with the lieutenant governor stating that:
1002	(a) the officeholder or former officeholder is no longer receiving contributions or
1003	[public service] officeholder assistance and is no longer making expenditures;
1004	(b) the ending balance on the last summary report filed is zero and the balance in the
1005	separate bank account required by Section 20A-11-201, 20A-11-301, or 20A-11-1301 is zero;
1006	and
1007	(c) a final summary report in the form required by Section 20A-11-401 showing a zero
1008	balance is attached to the statement of dissolution.
1009	(2) A statement of dissolution and a final summary report may be filed at any time.
1010	(3) (a) Each <u>legislative</u> officeholder shall report to the lieutenant governor each
1011	contribution [or public service assistance] received by the state officeholder within 31 days
1012	after the day on which the officeholder receives the contribution [or public service assistance].
1013	(b) Each officeholder other than a legislative officeholder shall report to the lieutenant
1014	governor each contribution and officeholder assistance received by the state officeholder within
1015	31 days after the day on which the officeholder receives the contribution or officeholder
1016	assistance.
1017	[(b)] (c) For each contribution or [public service], as applicable, officeholder assistance
1018	that an officeholder fails to report within the time period described in Subsection (3)(a), the
1019	lieutenant governor shall impose a fine against the officeholder in an amount equal to:

1020 (i) 10% of the amount of the contribution or [public service] officeholder assistance if 1021 the officeholder reports the contribution or public service assistance within 60 days after the 1022 day on which the time period described in Subsection (3)(a) ends; or 1023 (ii) 20% of the amount of the contribution or [public service] officeholder assistance if 1024 the officeholder fails to report the contribution or public service assistance within 60 days after 1025 the day on which the time period described in Subsection (3)(a) ends. 1026 [(e)] (d) Each officeholder or former officeholder shall continue to file the year-end 1027 summary report required by Section 20A-11-401 until the statement of dissolution and final 1028 summary report required by this section are filed with the lieutenant governor. 1029 (4) An officeholder or former officeholder may not use a contribution or [public 1030 service] officeholder assistance deposited in an account in accordance with this chapter for: 1031 (a) a personal use expenditure; or 1032 (b) an expenditure prohibited by law. 1033 (5) (a) Except as provided in Subsection (5)(b), a former officeholder may not expend 1034 or transfer the money in a campaign account or in an officeholder assistance account in a 1035 manner that would cause the former officeholder to recognize the money as taxable income 1036 under federal tax law. 1037 (b) A former officeholder may transfer the money in a campaign account in a manner 1038 that would cause the former officeholder to recognize the money as taxable income under 1039 federal tax law if the transfer is made to a campaign account for federal office. Section 10. Section **20A-11-505.7** is amended to read: 1040 1041 20A-11-505.7. Separate account for contributions for registered political party --1042 Anonymous contributions to registered political party or county political party. 1043 (1) A registered political party shall deposit a contribution received in one or more 1044 separate campaign accounts in a financial institution. 1045 (2) A registered political party may not deposit or mingle a contribution received into a 1046 personal or business account. 1047 (3) A registered political party or county political party may not expend a contribution 1048 for a political [purposes] purpose or a political issues expenditure if the contribution:

(a) is cash or a negotiable instrument;

(b) exceeds \$50; and

1049

1051	(c) is from an unknown source.
1052	Section 11. Section 20A-11-506 is amended to read:
1053	20A-11-506. Political party financial reporting requirements Year-end
1054	summary report.
1055	(1) The party committee of each registered political party shall file a summary report
1056	by January 10 of each year.
1057	(2) (a) Each summary report shall include the following information as of December 31
1058	of the previous year:
1059	(i) the net balance of the last summary report, if any;
1060	(ii) a single figure equal to the total amount of [receipts] contributions reported on all
1061	interim reports, if any, during the previous year;
1062	(iii) a single figure equal to the total amount of expenditures reported on all interim
1063	reports, if any, filed during the previous year;
1064	(iv) a detailed listing of each contribution received since the last summary report that
1065	has not been reported in detail on an interim report;
1066	(v) for each nonmonetary contribution, the fair market value of the contribution;
1067	(vi) a detailed listing of each expenditure made since the last summary report that has
1068	not been reported in detail on an interim report;
1069	(vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
1070	(viii) a net balance for the year consisting of the net balance from the last summary
1071	report, if any, plus all [receipts] contributions minus all expenditures.
1072	(b) (i) For all individual contributions of \$50 or less, a single aggregate figure may be
1073	reported without separate detailed listings.
1074	(ii) Two or more contributions from the same source that have an aggregate total of
1075	more than \$50 may not be reported in the aggregate, but shall be reported separately.
1076	(c) In preparing the report, all [receipts] contributions and expenditures shall be
1077	reported as of December 31 of the previous year.
1078	(3) The summary report shall contain a paragraph signed by the treasurer of the party
1079	committee certifying that, to the best of the treasurer's knowledge, all [receipts] contributions
1080	and all expenditures have been reported as of December 31 of the previous year and that there

are no bills or obligations outstanding and unpaid except as set forth in that report.

1082	Section 12. Section 20A-11-507 is amended to read:
1083	20A-11-507. Political party financial reporting requirements Interim reports.
1084	(1) The party committee of each registered political party shall file an interim report at
1085	the following times in any year in which there is a regular general election:
1086	(a) seven days before the registered political party's political convention;
1087	(b) seven days before the regular primary election date;
1088	(c) September 30; and
1089	(d) seven days before the general election date.
1090	(2) Each interim report shall include the following information:
1091	(a) the net balance of the last financial statement, if any;
1092	(b) a single figure equal to the total amount of [receipts] contributions reported on all
1093	prior interim reports, if any, during the calendar year in which the interim report is due;
1094	(c) a single figure equal to the total amount of expenditures reported on all prior
1095	interim reports, if any, filed during the calendar year in which the interim report is due;
1096	(d) a detailed listing of each contribution received since the last summary report that
1097	has not been reported in detail on a prior interim report;
1098	(e) for each nonmonetary contribution, the fair market value of the contribution;
1099	(f) a detailed listing of each expenditure made since the last summary report that has
1100	not been reported in detail on a prior interim report;
1101	(g) for each nonmonetary expenditure, the fair market value of the expenditure;
1102	(h) a net balance for the year consisting of the net balance from the last summary
1103	report, if any, plus all [receipts] contributions since the last summary report minus all
1104	expenditures since the last summary report; and
1105	(i) a summary page in the form required by the lieutenant governor that identifies:
1106	(i) beginning balance;
1107	(ii) total contributions during the period since the last statement;
1108	(iii) total contributions to date;
1109	(iv) total expenditures during the period since the last statement; and
1110	(v) total expenditures to date.
1111	(3) (a) For all individual contributions of \$50 or less, a single aggregate figure may be
1112	reported without separate detailed listings.

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1113	(b) Two or more contributions from the same source that have an aggregate total of
1114	more than \$50 may not be reported in the aggregate, but shall be reported separately.
1115	(4) In preparing each interim report, all [receipts] contributions and expenditures shall
1116	be reported as of five days before the required filing date of the report.
1117	Section 13. Section 20A-11-510 is amended to read:
1118	20A-11-510. County political party financial reporting requirements Year-end
1119	summary report.
1120	(1) A county political party officer of a county political party that has received
1121	contributions totaling at least \$750, or disbursed expenditures totaling at least \$750, during a
1122	calendar year shall file a summary report by January 10 of the following year.
1123	(2) (a) Each summary report shall include the following information as of December 31
1124	of the previous year:
1125	(i) the net balance of the last summary report, if any;
1126	(ii) a single figure equal to the total amount of [receipts] contributions reported on all
1127	interim reports, if any, filed during the previous year;
1128	(iii) a single figure equal to the total amount of expenditures reported on all interim
1129	reports, if any, filed during the previous year;
1130	(iv) a detailed listing of each contribution received since the last summary report that
1131	has not been reported in detail on an interim report;
1132	(v) for each nonmonetary contribution, the fair market value of the contribution;
1133	(vi) a detailed listing of each expenditure made since the last summary report that has
1134	not been reported in detail on an interim report;
1135	(vii) for each nonmonetary expenditure, the fair market value of the expenditure; and
1136	(viii) a net balance for the year consisting of the net balance from the last summary
1137	report, if any, plus all [receipts] contributions minus all expenditures.
1138	(b) (i) For all individual contributions of \$50 or less, a single aggregate figure may be
1139	reported without separate detailed listings.
1140	(ii) Two or more contributions from the same source that have an aggregate total of
1141	more than \$50 may not be reported in the aggregate, but shall be reported separately.
1142	(c) In preparing the report, all [receipts] contributions and expenditures shall be

reported as of December 31 of the previous year.

1144	(3) The county political party officer shall certify in the summary report that, to the
1145	best of the officer's knowledge, all [receipts] contributions and all expenditures have been
1146	reported as of December 31 of the previous year and that there are no bills or obligations
1147	outstanding and unpaid except as set forth in that report.
1148	Section 14. Section 20A-11-511 is amended to read:
1149	20A-11-511. County political party financial reporting requirements Interim
1150	reports.
1151	(1) (a) A county political party officer of a county political party that has received
1152	contributions totaling at least \$750, or disbursed expenditures totaling at least \$750, during a
1153	calendar year shall file an interim report at the following times in any year in which there is a
1154	regular general election:
1155	(i) seven days before the county political party's convention;
1156	(ii) seven days before the regular primary election date;
1157	(iii) September 30; and
1158	(iv) seven days before the general election date.
1159	(b) A county political party officer need not file an interim report if it received no
1160	contributions or made no expenditures during the reporting period.
1161	(2) Each interim report shall include the following information:
1162	(a) the net balance of the last financial statement, if any;
1163	(b) a single figure equal to the total amount of [receipts] contributions reported on all
1164	prior interim reports, if any, during the calendar year in which the interim report is due;
1165	(c) a single figure equal to the total amount of expenditures reported on all prior
1166	interim reports, if any, filed during the calendar year in which the interim report is due;
1167	(d) a detailed listing of each contribution received since the last summary report that
1168	has not been reported in detail on a prior interim report;
1169	(e) for each nonmonetary contribution, the fair market value of the contribution;
1170	(f) a detailed listing of each expenditure made since the last summary report that has
1171	not been reported in detail on a prior interim report;
1172	(g) for each nonmonetary expenditure, the fair market value of the expenditure;
1173	(h) a net balance for the year consisting of the net balance from the last summary
1174	report, if any, plus all [receipts] contributions since the last summary report minus all

1175	expenditures since the last summary report; and
1176	(i) a summary page in the form required by the lieutenant governor that identifies:
1177	(i) beginning balance;
1178	(ii) total contributions during the period since the last statement;
1179	(iii) total contributions to date;
1180	(iv) total expenditures during the period since the last statement; and
1181	(v) total expenditures to date.
1182	(3) (a) For all individual contributions of \$50 or less, a single aggregate figure may be
1183	reported without separate detailed listings.
1184	(b) Two or more contributions from the same source that have an aggregate total of
1185	more than \$50 may not be reported in the aggregate, but shall be reported separately.
1186	(4) In preparing each interim report, all [receipts] contributions and expenditures shall
1187	be reported as of five days before the required filing date of the report.
1188	Section 15. Section 20A-11-601 is amended to read:
1189	20A-11-601. Political action committees Registration Name or acronym used
1190	by political action committee Criminal penalty for providing false information or
1191	accepting unlawful contribution.
1192	(1) (a) A political action committee shall file an initial statement of organization with
1193	the lieutenant governor's office no later than 5 p.m. seven days after the day on which the
1194	political action committee:
1195	(i) receives contributions totaling at least \$750; or
1196	(ii) distributes expenditures for <u>a</u> political [purposes] <u>purpose</u> totaling at least \$750.
1197	(b) Unless the political action committee has filed a notice of dissolution under
1198	Subsection (7), after filing an initial statement of organization, a political action committee
1199	shall file an updated statement of organization with the lieutenant governor's office each year
1200	after the year in which the political action committee files an initial statement of organization:
1201	(i) before 5 p.m. on January 10; or
1202	(ii) electronically, before midnight on January 10.
1203	(c) After filing an initial statement of organization, a political action committee shall,
1204	before January 10 each year after the year in which the political action committee files an initial

statement of organization, file an updated statement of organization with the lieutenant

1206	governor's office.
1207	(2) A statement of organization described in Subsection (1) shall include:
1208	(a) the full name of the political action committee, a second name, if any, and an
1209	acronym, if any;
1210	(b) the address and phone number of the political action committee;
1211	(c) the name, address, telephone number, title, and occupation of:
1212	(i) the two officers described in Subsection (5) and the treasurer of the political action
1213	committee;
1214	(ii) all other officers, advisory members, and governing board members of the political
1215	action committee; and
1216	(iii) each individual or entity represented by, or affiliated with, the political action
1217	committee; and
1218	(d) other relevant information requested by the lieutenant governor.
1219	(3) (a) A political action committee may not use a name or acronym:
1220	(i) other than a name or acronym disclosed in the political action committee's latest
1221	statement of organization;
1222	(ii) that is the same, or deceptively similar to, the name or acronym of another political
1223	action committee; or
1224	(iii) that is likely to mislead a potential donor regarding the individuals or entities
1225	represented by, or affiliated with, the political action committee.
1226	(b) Within seven days after the day on which a political action committee files an
1227	initial statement of organization, the lieutenant governor's office shall:
1228	(i) review the statement and determine whether a name or acronym used by the
1229	political action committee violates Subsection (3)(a)(ii) or (iii); and
1230	(ii) if the lieutenant governor's office determines that a name or acronym used by the
1231	political action committee violates Subsection (3)(a)(ii) or (iii), order, in writing, that the
1232	political action committee:
1233	(A) immediately cease and desist use of the name or acronym; and
1234	(B) within seven days after the day of the order, file an updated statement of
1235	organization with a name and acronym that does not violate Subsection (3)(a)(ii) or (iii).
1236	(c) If a political action committee uses a name or acronym that is the same, or

deceptively similar to, the name or acronym of another political action committee, the 1237 1238 lieutenant governor shall determine which political action committee has been using the name 1239 the longest and shall order, in writing, any other political action committee using the same, or a 1240 deceptively similar, name or acronym to: 1241 (i) immediately cease and desist use of the name or acronym; and 1242 (ii) within seven days after the day of the order, file an updated statement of organization with a name and acronym that does not violate Subsection (3)(a)(ii) or (iii). 1243 1244 (d) If a political action committee uses a name or acronym other than a name or 1245 acronym disclosed in the political action committee's latest statement of organization: 1246 (i) the lieutenant governor shall order, in writing, that the political action committee 1247 cease and desist use of the name or acronym; and 1248 (ii) the political action committee shall immediately comply with the order described in 1249 Subsection (3)(d)(i). 1250 (4) (a) The lieutenant governor may, in addition to any other penalty provided by law, 1251 impose a \$100 fine against a political action committee, or against an individual who forms a 1252 political action committee, that: 1253 (i) fails to timely file a complete and accurate statement of organization or subsequent 1254 statement of organization; or 1255 (ii) fails to comply with an order described in Subsection (3). 1256 (b) If the lieutenant governor imposes a fine described in Subsection (4)(a)(i): 1257 (i) the person against whom the fine is imposed shall, within seven days after the day 1258 on which the lieutenant governor imposes the fine: 1259 (A) pay the fine; and 1260 (B) file a complete and accurate statement, or subsequent statement, of organization, as 1261 applicable; and 1262 (ii) the lieutenant governor shall provide written notice to the person against whom the 1263 fine is imposed: 1264 (A) of the requirements described in Subsection (4)(b)(i); and

(B) that failure to timely comply with the requirement described in Subsection

(c) The attorney general, or a political action committee that is harmed by the action of

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(4)(b)(i)(B) is a class B misdemeanor.

a political action committee in violation of this section, may bring an action for an injunction against the violating political action committee, or an officer of the violating political action committee, to enforce the provisions of this section.

- (d) A political action committee may bring an action for damages against another political action committee that uses a name or acronym that is the same, or deceptively similar to, the name or acronym of the political action committee bringing the action.
- (5) (a) Each political action committee shall designate two officers who have primary decision-making authority for the political action committee.
- (b) An individual may not exercise primary decision-making authority for a political action committee if the individual is not designated under Subsection (5)(a).
- (6) A political action committee shall deposit each contribution received in one or more separate accounts in a financial institution that are dedicated only to that purpose.
- (7) (a) A registered political action committee that intends to permanently cease operations shall file a notice of dissolution with the lieutenant governor's office.
- (b) A notice of dissolution filed by a political action committee does not exempt the political action committee from complying with the financial reporting requirements described in this chapter in relation to all contributions received, and all expenditures made, before, at, or after dissolution.
- (c) A political action committee shall, before filing a notice of dissolution, dispose of any money remaining in an account described in Subsection (6) by:
 - (i) returning the money to the donors;

- (ii) donating the money to the campaign account of a candidate or officeholder;
- (iii) donating the money to another political action committee;
- (iv) donating the money to a political party;
- (v) donating the money to an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code; or
 - (vi) making another lawful expenditure of the money for a political purpose.
- (d) A political action committee shall report all money donated or expended in a financial report to the lieutenant governor, in accordance with the financial reporting requirements described in this chapter.
 - (8) (a) Unless the political action committee has filed a notice of dissolution under

1299 Subsection (7), a political action committee shall file, with the lieutenant governor's office, notice of any change of an officer described in Subsection (5)(a). 1300 1301 (b) A political action committee may not accept a contribution from a political issues 1302 committee, but may donate money to a political issues committee. 1303 (c) A political action committee shall: 1304 (i) file a notice of a change of a primary officer described in Subsection (5)(a) before 5 1305 p.m. within 10 days after the day on which the change occurs; and 1306 (ii) include in the notice of change the name and title of the officer being replaced, and 1307 the name, address, occupation, and title of the new officer. 1308 (9) (a) A person is guilty of providing false information in relation to a political action 1309 committee if the person intentionally or knowingly gives false or misleading material 1310 information in a statement of organization or the notice of change of primary officer. 1311 (b) Each primary officer designated in Subsection (5)(a) or (8)(c) is guilty of accepting 1312 an unlawful contribution if the political action committee knowingly or recklessly accepts a 1313 contribution from a corporation that: 1314 (i) was organized less than 90 days before the date of the general election; and 1315 (ii) at the time the political action committee accepts the contribution, has failed to file 1316 a statement of organization with the lieutenant governor's office as required by Section 1317 20A-11-704. 1318 (c) A violation of this Subsection (9) is a third degree felony. 1319 Section 16. Section **20A-11-602** is amended to read: 1320 20A-11-602. Political action committees -- Financial reporting. 1321 (1) (a) Each registered political action committee that has received contributions 1322 totaling at least \$750, or disbursed expenditures totaling at least \$750, during a calendar year 1323 shall file a verified financial statement with the lieutenant governor's office: 1324 (i) on January 10, reporting contributions and expenditures as of December 31 of the 1325 previous year; 1326 (ii) seven days before the state political convention of each major political party;

(iii) seven days before the county political convention of a political party, if the political action committee makes an expenditure on or before the day described in Subsection

(1)(b)(ii) in relation to a candidate that the party may nominate at the convention;

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1330	(iv) seven days before the regular primary election date;
1331	(v) on September 30; and
1332	(vi) seven days before:
1333	(A) the municipal general election; and
1334	(B) the regular general election.
1335	(b) The registered political action committee shall report:
1336	(i) a detailed listing of all contributions received and expenditures made since the last
1337	statement; and
1338	(ii) for a financial statement described in Subsections (1)(a)(ii) through (v), all
1339	contributions and expenditures as of five days before the required filing date of the financial
1340	statement.
1341	(c) The registered political action committee need not file a statement under this
1342	section if it received no contributions and made no expenditures during the reporting period.
1343	(2) (a) The verified financial statement shall include:
1344	(i) the name and address of any individual who makes a contribution to the reporting
1345	political action committee, if known, and the amount of the contribution;
1346	(ii) the identification of any publicly identified class of individuals that makes a
1347	contribution to the reporting political action committee, if known, and the amount of the
1348	contribution;
1349	(iii) the name and address of any political action committee, group, or entity, if known,
1350	that makes a contribution to the reporting political action committee, and the amount of the
1351	contribution;
1352	(iv) for each nonmonetary contribution, the fair market value of the contribution;
1353	(v) the name and address of each reporting entity that received an expenditure from the
1354	reporting political action committee, and the amount of each expenditure;
1355	(vi) for each nonmonetary expenditure, the fair market value of the expenditure;
1356	(vii) the total amount of contributions received and expenditures disbursed by the
1357	reporting political action committee;
1358	(viii) a statement by the political action committee's treasurer or chief financial officer
1359	certifying that, to the best of the person's knowledge, the financial report is accurate; and
1360	(ix) a summary page in the form required by the lieutenant governor that identifies:

1361	(A) beginning balance;
1362	(B) total contributions during the period since the last statement;
1363	(C) total contributions to date;
1364	(D) total expenditures during the period since the last statement; and
1365	(E) total expenditures to date.
1366	(b) (i) Contributions received by a political action committee that have a value of \$50
1367	or less need not be reported individually, but shall be listed on the report as an aggregate total.
1368	(ii) Two or more contributions from the same source that have an aggregate total of
1369	more than \$50 may not be reported in the aggregate, but shall be reported separately.
1370	(c) A political action committee is not required to report an independent expenditure
1371	under Part 17, Independent Expenditures, if, in the financial statement described in this section,
1372	the political action committee:
1373	(i) includes the independent expenditure;
1374	(ii) identifies the independent expenditure as an independent expenditure; and
1375	(iii) provides the information, described in Section 20A-11-1704, in relation to the
1376	independent expenditure.
1377	(3) A group or entity may not divide or separate into units, sections, or smaller groups
1378	for the purpose of avoiding the financial reporting requirements of this chapter, and substance
1379	shall prevail over form in determining the scope or size of a political action committee.
1380	(4) (a) As used in this Subsection (4), "received" means:
1381	(i) for a cash contribution, that the cash is given to a political action committee;
1382	(ii) for a contribution that is a negotiable instrument or check, that the negotiable
1383	instrument or check is negotiated; and
1384	(iii) for any other type of contribution, that any portion of the contribution's benefit
1385	inures to the political action committee.
1386	(b) A political action committee shall report each contribution to the lieutenant
1387	governor within 31 days after the contribution is received.
1388	(5) A political action committee may not expend a contribution for <u>a</u> political
1389	[purposes] purpose if the contribution:
1390	(a) is cash or a negotiable instrument;
1391	(b) exceeds \$50; and

1392	(c) is from an unknown source.
1393	(6) Within 31 days after receiving a contribution that is cash or a negotiable
1394	instrument, exceeds \$50, and is from an unknown source, a political action committee shall
1395	disburse the amount of the contribution to:
1396	(a) the treasurer of the state or a political subdivision for deposit into the state's or
1397	political subdivision's general fund; or
1398	(b) an organization that is exempt from federal income taxation under Section
1399	501(c)(3), Internal Revenue Code.
1400	Section 17. Section 20A-11-1301 is amended to read:
1401	20A-11-1301. School board office Campaign finance requirements Candidate
1402	as a political action committee officer No personal use Contribution reporting
1403	deadline Report other accounts Anonymous contributions.
1404	(1) (a) (i) Each school board office candidate shall deposit each contribution received
1405	in one or more separate accounts in a financial institution that are dedicated only to that
1406	purpose.
1407	(ii) A school board office candidate may:
1408	(A) receive a contribution from a political action committee registered under Section
1409	20A-11-601; and
1410	(B) be designated by a political action committee as an officer who has primary
1411	decision-making authority as described in Section 20A-11-601.
1412	(b) A school board office candidate may not use money deposited in an account
1413	described in Subsection (1)(a)(i) for:
1414	(i) a personal use expenditure; or
1415	(ii) an expenditure prohibited by law.
1416	(c) (i) Each school board officeholder shall deposit each contribution and [public
1417	service] officeholder assistance received in one or more separate accounts in a financial
1418	institution that are dedicated only to that purpose.
1419	(ii) A school board officeholder may:
1420	(A) receive a contribution or public service assistance from a political action
1421	committee registered under Section 20A-11-601; and
1422	(B) be designated by a political action committee as an officer who has primary

- decision-making authority as described in Section 20A-11-601.
 - (d) A school board officeholder may not use money deposited in an account described in Subsection (1)(a)(i) or (1)(c)(i) for:
 - (i) a personal use expenditure; or
 - (ii) an expenditure prohibited by law.

- (2) (a) A school board office candidate may not deposit or mingle any contributions received into a personal or business account.
- (b) A school board officeholder may not deposit or mingle any contributions or [public service] officeholder assistance received into a personal or business account.
- (3) A school board office candidate or school board officeholder may not make any political expenditures prohibited by law.
- (4) If a person who is no longer a school board office candidate chooses not to expend the money remaining in a campaign account, the person shall continue to file the year-end summary report required by Section 20A-11-1302 until the statement of dissolution and final summary report required by Section 20A-11-1304 are filed with the lieutenant governor.
- (5) (a) Except as provided in Subsection (5)(b) and Section 20A-11-402, a person who is no longer a school board office candidate may not expend or transfer the money in a campaign account in a manner that would cause the former school board office candidate to recognize the money as taxable income under federal tax law.
- (b) A person who is no longer a school board office candidate may transfer the money in a campaign account in a manner that would cause the former school board office candidate to recognize the money as taxable income under federal tax law if the transfer is made to a campaign account for federal office.
- (6) (a) As used in this Subsection (6), "received" means the same as that term is defined in Subsection 20A-11-1303(1)(a).
- (b) Except as provided in Subsection (6)(d), each school board office candidate shall report to the chief election officer each contribution received by the school board office candidate:
- (i) except as provided in Subsection (6)(b)(ii), within 31 days after the day on which the contribution is received; or
- (ii) within seven business days after the day on which the contribution is received, if:

(A) the school board office candidate is contested in a convention and the contribution is received within 30 days before the day on which the convention is held;

- (B) the school board office candidate is contested in a primary election and the contribution is received within 30 days before the day on which the primary election is held; or
- (C) the school board office candidate is contested in a general election and the contribution is received within 30 days before the day on which the general election is held.
- (c) For each contribution that a school board office candidate fails to report within the time period described in Subsection (6)(b), the chief election officer shall impose a fine against the school board office candidate in an amount equal to:
- (i) 10% of the amount of the contribution, if the school board office candidate reports the contribution within 60 days after the day on which the time period described in Subsection (6)(b) ends; or
- (ii) 20% of the amount of the contribution, if the school board office candidate fails to report the contribution within 60 days after the day on which the time period described in Subsection (6)(b) ends.
- (d) The lieutenant governor may waive the fine described in Subsection (6)(c) and issue a warning to the school board office candidate if:
- (i) the contribution that the school board office candidate fails to report is paid by the school board office candidate from the school board office candidate's personal funds;
- (ii) the school board office candidate has not previously violated Subsection (6)(c) in relation to a contribution paid by the school board office candidate from the school board office candidate's personal funds; and
- (iii) the lieutenant governor determines that the failure to timely report the contribution is due to the school board office candidate not understanding that the reporting requirement includes a contribution paid by a school board office candidate from the school board office candidate's personal funds.
 - (e) The chief election officer shall:

- (i) deposit money received under Subsection (6)(c) into the General Fund; and
- (ii) report on the chief election officer's website, in the location where reports relating to each school board office candidate are available for public access:
 - (A) each fine imposed by the chief election officer against the school board office

1485	candidate;
1486	(B) the amount of the fine;
1487	(C) the amount of the contribution to which the fine relates; and
1488	(D) the date of the contribution.
1489	(7) Within 31 days after receiving a contribution that is cash or a negotiable
1490	instrument, exceeds \$50, and is from an unknown source, a school board office candidate shall
1491	disburse the contribution to an organization that is exempt from federal income taxation under
1492	Section 501(c)(3), Internal Revenue Code.
1493	(8) (a) As used in this Subsection (8), "account" means an account in a financial
1494	institution:
1495	(i) that is not described in Subsection (1)(a)(i); and
1496	(ii) into which or from which a person who, as a candidate for an office, other than a
1497	school board office for which the person files a declaration of candidacy or federal office, or as
1498	a holder of an office, other than a school board office for which the person files a declaration of
1499	candidacy or federal office, deposits a contribution or makes an expenditure.
1500	(b) A school board office candidate shall include on any financial statement filed in
1501	accordance with this part:
1502	(i) a contribution deposited in an account:
1503	(A) since the last campaign finance statement was filed; or
1504	(B) that has not been reported under a statute or ordinance that governs the account; or
1505	(ii) an expenditure made from an account:
1506	(A) since the last campaign finance statement was filed; or
1507	(B) that has not been reported under a statute or ordinance that governs the account.
1508	Section 18. Section 20A-11-1302 is amended to read:
1509	20A-11-1302. School board office candidate Financial reporting requirements
1510	Year-end summary report.
1511	(1) (a) Each school board office candidate shall file a summary report by January 10 of
1512	the year after the regular general election year.
1513	(b) In addition to the requirements of Subsection (1)(a), a former school board office
1514	candidate that has not filed the statement of dissolution and final summary report required
1515	under Section 20A-11-1304 shall continue to file a summary report on January 10 of each year.

1516	(2) (a) Each summary report shall include the following information as of December 31
1517	of the previous year:
1518	(i) the net balance of the last financial statement, if any;
1519	(ii) a single figure equal to the total amount of [receipts] contributions and officeholder
1520	assistance reported on all interim reports, if any, during the previous year;
1521	(iii) a single figure equal to the total amount of expenditures reported on all interim
1522	reports, if any, filed during the previous year;
1523	(iv) a detailed listing of each contribution received since the last summary report that
1524	has not been reported in detail on an interim report;
1525	(v) for each nonmonetary contribution:
1526	(A) the fair market value of the contribution with that information provided by the
1527	contributor; and
1528	(B) a specific description of the contribution;
1529	(vi) a detailed listing of each expenditure made since the last summary report that has
1530	not been reported in detail on an interim report;
1531	(vii) for each nonmonetary expenditure, the fair market value of the expenditure;
1532	(viii) a net balance for the year consisting of the net balance from the last summary
1533	report, if any, plus all [receipts] contributions and officeholder assistance minus all
1534	expenditures; and
1535	(ix) the name of a political action committee for which the school board office
1536	candidate is designated as an officer who has primary decision-making authority under Section
1537	20A-11-601.
1538	(b) In preparing the report, all [receipts] contributions, officeholder assistance, and
1539	expenditures shall be reported as of December 31 of the previous year.
1540	(c) A check or negotiable instrument received by a school board office candidate on or
1541	before December 31 of the previous year shall be included in the summary report.
1542	(3) The school board office candidate shall certify in the summary report that, to the
1543	best of the school board office candidate's knowledge, all receipts [and all], officeholder
1544	assistance, and expenditures have been reported as of December 31 of the previous year and
1545	that there are no bills or obligations outstanding and unpaid except as set forth in that report.
1546	Section 19. Section 20A-11-1303 is amended to read:

1547	20A-11-1303. School board office candidate and school board officeholder
1548	Financial reporting requirements Interim reports.
1549	(1) (a) As used in this section, "received" means:
1550	(i) for a cash contribution, that the cash is given to a school board office candidate or a
1551	member of the school board office candidate's personal campaign committee;
1552	(ii) for a contribution that is a check or other negotiable instrument, that the check or
1553	other negotiable instrument is negotiated;
1554	(iii) for a direct deposit made into a campaign account by a person not associated with
1555	the campaign, the earlier of:
1556	(A) the day on which the school board office candidate or a member of the school
1557	board office candidate's personal campaign committee becomes aware of the deposit and the
1558	source of the deposit;
1559	(B) the day on which the school board office candidate or a member of the school
1560	board office candidate's personal campaign committee receives notice of the deposit and the
1561	source of the deposit by mail, email, text, or similar means; or
1562	(C) 31 days after the day on which the direct deposit occurs; or
1563	(iv) for any other type of contribution, that any portion of the contribution's benefit
1564	inures to the school board office candidate.
1565	(b) As used in this Subsection (1), "campaign account" means a separate campaign
1566	account required under Subsection 20A-11-1301(1)(a)(i) or (c)(i).
1567	(c) Each school board office candidate shall file an interim report at the following
1568	times in any year in which the candidate has filed a declaration of candidacy for a public office:
1569	(i) May 15;
1570	(ii) seven days before the regular primary election date;
1571	(iii) September 30; and
1572	(iv) seven days before the regular general election date.
1573	(2) Each interim report shall include the following information:
1574	(a) the net balance of the last summary report, if any;
1575	(b) a single figure equal to the total amount of receipts reported on all prior interim
1576	reports, if any, during the calendar year in which the interim report is due;
1577	(c) a single figure equal to the total amount of expenditures reported on all prior

1578 interim reports, if any, filed during the calendar year in which the interim report is due; 1579 (d) a detailed listing of: 1580 (i) for a school board office candidate, each contribution received since the last 1581 summary report that has not been reported in detail on a prior interim report; or 1582 (ii) for a school board officeholder, each contribution and [public service] officeholder 1583 assistance received since the last summary report that has not been reported in detail on a prior 1584 interim report; 1585 (e) for each nonmonetary contribution: 1586 (i) the fair market value of the contribution with that information provided by the 1587 contributor; and 1588 (ii) a specific description of the contribution; 1589 (f) a detailed listing of each expenditure made since the last summary report that has 1590 not been reported in detail on a prior interim report: 1591 (g) for each nonmonetary expenditure, the fair market value of the expenditure; 1592 (h) a net balance for the year consisting of the net balance from the last summary 1593 report, if any, plus all receipts since the last summary report minus all expenditures since the 1594 last summary report; (i) a summary page in the form required by the lieutenant governor that identifies: 1595 1596 (i) beginning balance; 1597 (ii) total contributions during the period since the last statement; 1598 (iii) total contributions to date; 1599 (iv) total expenditures during the period since the last statement; and 1600 (v) total expenditures to date; and 1601 (j) the name of a political action committee for which the school board office candidate 1602 or school board officeholder is designated as an officer who has primary decision-making 1603 authority under Section 20A-11-601. 1604 (3) (a) In preparing each interim report, all receipts and expenditures shall be reported 1605 as of five days before the required filing date of the report. 1606 (b) Any negotiable instrument or check received by a school board office candidate or 1607 school board officeholder more than five days before the required filing date of a report

required by this section shall be included in the interim report.

1609	Section 20. Section 20A-11-1502 is amended to read:
1610	20A-11-1502. Campaign financial reporting of expenditures Filing
1611	requirements Statement contents.
1612	(1) (a) Each labor organization that has made expenditures for <u>a</u> political [purposes]
1613	purpose or political issues expenditures on current or proposed ballot issues that total at least
1614	\$750 during a calendar year shall file a verified financial statement with the lieutenant
1615	governor's office:
1616	(i) on January 10, reporting expenditures as of December 31 of the previous year;
1617	(ii) seven days before the regular primary election date;
1618	(iii) on September 30; and
1619	(iv) seven days before the regular general election date.
1620	(b) The labor organization shall report:
1621	(i) a detailed listing of all expenditures made since the last statement; and
1622	(ii) for a financial statement described in Subsections (1)(a)(ii) through (iv), all
1623	expenditures as of five days before the required filing date of the financial statement.
1624	(c) The labor organization is not required to file a financial statement under this section
1625	if the labor organization:
1626	(i) made no expenditures during the reporting period; or
1627	(ii) reports the labor organization's expenditures during the reporting period under
1628	another part of this chapter.
1629	(2) The financial statement shall include:
1630	(a) the name and address of each reporting entity that received an expenditure or
1631	political issues expenditure of more than \$50 from the labor organization, and the amount of
1632	each expenditure or political issues expenditure;
1633	(b) the total amount of expenditures disbursed by the labor organization; and
1634	(c) a statement by the labor organization's treasurer or chief financial officer certifying
1635	the accuracy of the financial statement.
1636	Section 21. Section 20A-11-1704 is amended to read:
1637	20A-11-1704. Independent expenditure report.
1638	(1) Except as provided in Section 20A-11-1703, within 31 days after the day on which
1639	a person has made a total of at least \$1,000 in independent expenditures during an election

1640 cycle, the person shall file an independent expenditure report with the chief election officer.

- (2) Except as provided in Section 20A-11-1703, within 31 days after the day on which a person has made a total of at least \$1,000 in independent expenditures during an election cycle that were not reported in an independent expenditure report already filed with the chief election officer during the same election cycle, the person shall file another independent expenditure report with the chief election officer.
 - (3) An independent expenditure report shall include the following information:
- (a) if the person who made the independent expenditures is an individual, the person's name, address, and phone number;
 - (b) if the person who made the independent expenditures is not an individual:
 - (i) the person's name, address, and phone number; and
- (ii) the name, address, and phone number of an individual who may be contacted by the chief election officer in relation to the independent expenditure report; and
- (c) for each independent expenditure made by the person during the current election cycle that was not reported in a previous independent expenditure report:
 - (i) the date of the independent expenditure;

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- (ii) the amount of the independent expenditure;
- (iii) the candidate or ballot proposition for which the independent expenditure expressly advocates the success or defeat and a description of whether the independent expenditure supports or opposes the candidate or ballot proposition;
- (iv) the identity, address, and phone number of the person to whom the independent expenditure was made;
 - (v) a description of the goods or services obtained by the independent expenditure; and
- (vi) for each person who, for <u>a political [purposes] purpose</u>, made cumulative donations of \$1,000 or more during the current election cycle to the filer of the independent expenditure report:
 - (A) the identity, address, and phone number of the person;
 - (B) the date of the donation; and
- (C) the amount of the donation.
- 1669 (4) (a) If the person filing an independent expenditure report is an individual, the 1670 person shall sign the independent expenditure report and certify that the information contained

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1671	in the report is complete and accurate.
1672	(b) If the person filing an independent expenditure report is not an individual:
1673	(i) the person filing the independent expenditure report shall designate an authorized
1674	individual to sign the independent expenditure report on behalf of the person; and
1675	(ii) the individual designated under Subsection (4)(b)(i) shall sign the independent
1676	expenditure report and certify that the information contained in the report is complete and
1677	accurate.
1678	(5) If a person who files an independent expenditure report previously filed an
1679	independent expenditure report during, or in relation to, the same election cycle that includes
1680	information, described in Subsection (3)(a) or (b), that has changed since the person filed the
1681	previous independent expenditure report, the person shall include in the most recent
1682	independent expenditure report a description of the information that has changed that includes
1683	both the old information and the new information.
1684	(6) An independent expenditure report is a public record under Title 63G, Chapter 2,
1685	Government Records Access and Management Act.
1686	Section 22. Section 36-35-101 is enacted to read:
1687	36-35-101. Definitions.
1688	As used in this chapter:
1689	(1) "Foreign agent" means:
1690	(a) an official of a foreign entity; or
1691	(b) an individual acting for, or on behalf of, a foreign entity.
1692	(2) "Foreign entity" means:
1693	(a) a foreign government; or
1694	(b) a corporation or other organization that is owned or controlled by a foreign
1695	government.
1696	(3) "Foreign financed travel" means the following, provided by, paid for by, paid for
1697	with funds received from, or reimbursed with funds received from, a foreign agent or foreign
1698	entity, in whole or in part:
1699	(a) transportation outside of Utah; or
1700	(b) food, beverage, lodging, or other goods or services incidental to transportation

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outside of Utah.

1702	(4) "Foreign government" means a government other than the government of:
1703	(a) the United States;
1704	(b) a state within the United States;
1705	(c) a territory or possession of the United States; or
1706	(d) a political subdivision of a government described in Subsections (4)(a) through (c).
1707	(5) "Officeholder assistance" means the same as that term is defined in Section
1708	<u>20A-11-101.</u>
1709	Section 23. Section 36-35-102 is enacted to read:
1710	36-35-102. Disclosure of foreign financed travel.
1711	(1) Except as provided in Subsection (3), a legislator who receives foreign financed
1712	travel, or receives funds or reimbursement for travel that would make the travel foreign
1713	financed travel, shall disclose the travel in accordance with this section if the legislator knows
1714	or through the exercise of reasonable diligence should know that the travel, funds for the travel
1715	or reimbursement for the travel is provided in whole or in part by:
1716	(a) a foreign entity; or
1717	(b) an agent of a foreign entity acting in the agent's capacity as an agent of a foreign
1718	entity.
1719	(2) A legislator described in Subsection (1) shall make the disclosure within 31 days
1720	after the later of the day on which the legislator:
1721	(a) receives the travel;
1722	(b) receives funds or reimbursement for the travel; or
1723	(c) gains the knowledge, or through the exercise of reasonable diligence should have
1724	gained the knowledge, described in Subsection (1).
1725	(3) A legislator described in Subsection (1) is not required to make the disclosure
1726	described in this section if:
1727	(a) before the deadline described in Subsection (2), the legislator:
1728	(i) cancels the travel; or
1729	(ii) returns the funds or reimbursement for the travel; or
1730	(b) the legislator engages in the travel before the legislator gains the knowledge, or
1731	through the exercise of reasonable diligence should have gained the knowledge, described in
1732	Subsection (1).

1733	(4) A legislator required to make a disclosure described in this section shall:
1734	(a) make the disclosure to:
1735	(i) if the legislator is a senator, an individual designated by the secretary of the Senate;
1736	<u>or</u>
1737	(ii) if the legislator is a representative, an individual designated by the clerk of the
1738	House of Representatives; and
1739	(b) provide the following information in the disclosure:
1740	(i) the legislator's name;
1741	(ii) the dates the legislator engaged in the travel;
1742	(iii) the date the legislator received funds or reimbursement for the travel;
1743	(iv) the actual cost of the travel or, if the actual cost cannot be determined, the fair
1744	market value of the travel;
1745	(v) the amount of funds received for the travel and the amount of reimbursement for
1746	the travel;
1747	(vi) the name of each foreign entity, foreign government, and foreign agent that paid, in
1748	whole or in part, for the travel; and
1749	(vii) the name of each foreign agent that provided the travel on behalf of the foreign
1750	entity.
1751	(5) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
1752	Access and Management Act, the secretary of the Senate and the clerk of the House of
1753	Representatives shall:
1754	(a) make each disclosure described in this section available for public inspection and
1755	copying no later than one business day after the day on which the legislator files the statement;
1756	<u>and</u>
1757	(b) maintain a disclosure described in this section for at least four years.
1758	Section 24. Section 36-35-103 is enacted to read:
1759	36-35-103. Disclosure of officeholder assistance.
1760	(1) A legislator shall, within 31 days after the day on which the legislator receives
1761	officeholder assistance, disclose:
1762	(a) the fair market value of the officeholder assistance;
1763	(b) the dates that the legislator received the officeholder assistance:

1764	(c) the names and addresses of the persons who provided the officeholder assistance;
1765	<u>and</u>
1766	(d) a description of the officeholder assistance and the purpose of the officeholder
1767	assistance.
1768	(2) A legislator shall make the disclosure described in Subsection (1), in writing, to:
1769	(a) if the legislator is a senator, an individual designated by the secretary of the Senate;
1770	<u>or</u>
1771	(b) if the legislator is a representative, an individual designated by the clerk of the
1772	House of Representatives.
1773	(3) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
1774	Access and Management Act, the secretary of the Senate and the clerk of the House of
1775	Representatives shall:
1776	(a) make each disclosure described in this section available for public inspection and
1777	copying no later than one business day after the day on which the legislator files the statement;
1778	<u>and</u>
1779	(b) maintain a disclosure described in this section for at least four years.
1780	Section 25. Effective date.
1781	This bill takes effect on July 1, 2024.