

**Senator Keith Grover** proposes the following substitute bill:

**ELECTION FUNDING AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keith Grover**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill addresses election funding.

**Highlighted Provisions:**

This bill:

- ▶ prohibits a government entity from accepting or using funds for an election if those funds are provided by a person other than a government entity;

- ▶ prohibits an election officer, in certain circumstances, from joining an electoral organization, purchasing a service from an electoral organization, or attending a program or seminar offered by an electoral organization; and

- ▶ requires an election officer, in certain circumstances, to disclose information about the election officer's relationship with an electoral organization.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**20A-5-207.5**, Utah Code Annotated 1953



26 REPEALS AND REENACTS:

27 [20A-5-207](#), as enacted by Laws of Utah 2022, Chapters 156, 299

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

30 Section 1. Section [20A-5-207](#) is repealed and reenacted to read:

31 **20A-5-207. Donated funding prohibited.**

32 (1) As used in this section:

33 (a) (i) "Government entity" means:

34 (A) the state;

35 (B) a county, city, town, metro township, school district, special district, community

36 reinvestment agency, an entity created by an interlocal agreement adopted under Title 11,

37 Chapter 13, Interlocal Cooperation Act, or another political subdivision of the state;

38 (C) the United States; or

39 (D) an independent entity.

40 (ii) "Public entity" includes an agency, bureau, office, department, division, board,

41 commission, institution, laboratory, or other instrumentality of an entity described in

42 Subsection (1)(a)(i).

43 (b) "Independent entity" means the same as that term is defined in Section [63E-1-102](#).

44 (2) A government entity may not accept or use funds for an election if those funds are

45 provided by a person other than a government entity.

46 Section 2. Section [20A-5-207.5](#) is enacted to read:

47 **20A-5-207.5. Election officers -- Electoral organization -- Disclosure.**

48 (1) As used in this section:

49 (a) "Electoral organization" means a corporation, company, partnership, or another

50 entity whose primary focus is United States elections.

51 (b) "Electoral organization" does not include a governmental entity of a state, the

52 United States, or a territory or possession of the United States.

53 (2) An election officer acting in an official capacity may not be a member of an

54 electoral organization, purchase a service from an electoral organization, or attend a program,

55 seminar, or tutorial offered by an electoral organization, if the electoral organization:

56 (a) directly or indirectly finances the administration of United States elections; or

57 (b) accepts monetary or non-monetary donations from:  
58 (i) a foreign government; or  
59 (ii) another entity organized under the laws of a foreign government.  
60 (3) (a) If an election officer acting in an official capacity becomes a member of an  
61 electoral organization, purchases a service from an electoral organization, or attends a program,  
62 seminar, or tutorial offered by an electoral organization, the election officer shall prepare a  
63 written disclosure that:  
64 (i) describes the electoral organization;  
65 (ii) describes, if applicable, the service the election officer purchased from the electoral  
66 organization, or the program, seminar, or tutorial offered by the electoral organization that the  
67 election officer attended;  
68 (iii) provides a link to the website of the electoral organization; and  
69 (iv) certifies, under penalty of perjury, that the electoral organization does not engage  
70 in an act described in Subsection (2)(a) or (b).  
71 (b) An election officer shall attach to the written disclosure any document, literature, or  
72 other written material the electoral organization provides to the election officer in connection  
73 with the election officer's membership, purchase of a service, or attendance at a program,  
74 seminar, or tutorial.  
75 (4) (a) An election officer who prepares the written disclosure described in Subsection  
76 (3) shall, no later than 30 days after the day on which the election officer engages in an act  
77 described in Subsection (3)(a), post the disclosure on:  
78 (i) the lieutenant governor's website, if the election officer is the lieutenant governor; or  
79 (ii) the website of the political subdivision for which the election officer administers  
80 elections, if the election officer is an election officer other than the lieutenant governor.  
81 (b) An election officer who posts a written disclosure under this section shall ensure  
82 that the written disclosure remains on the website described in Subsection (4)(a) until the  
83 election officer leaves office.

84 **Section 3. Effective date.**  
85 This bill takes effect on May 1, 2024.  
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