

2014  
UTAH STATE LEGISLATURE  
DECLARATION OF CANDIDACY

of  
Rich L. Cunningham  
(Print name exactly as it is to be printed on the official ballot. No amendments or modifications after March 20, 2014)

for the office of House representing the 50 district

STATE OF UTAH

County of SUC } ss.

I, Richard L. Cunningham declare my intention of becoming a candidate for the office of House District 50 as a candidate for the Republican party. I do solemnly swear that: I will meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside at 2568 West horseshoe Cir in the City of or Town of, South Jordan, Utah, Zip Code 84095, Phone No. 801. 209. 7966; I will not knowingly violate any law governing campaigns and elections; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot. The mailing and email addresses that I designate for receiving official election notices from election officials are:

2568 West horseshoe Cir So. Jordan Utah 84095

Official Mailing Address

City/State/Zip Code

Rich@RichCunningham.org

Official Email address

RichCunningham.org

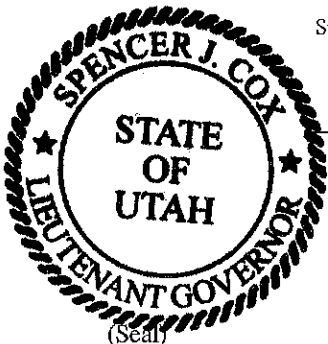
Website

[Signature]  
Signature of Candidate (Must be signed in the presence of the filing officer)

Subscribed and sworn to before me this 3-14-14  
(month/day/year)

[Signature]

(Officer qualified to administer oaths)



(Seal)

Lieutenant Governor March 2014

Received

MAR 14 2014

Spencer J. Cox  
Lieutenant Governor

(Date Received)

# QUALIFICATION FOR CANDIDATE FILING DECLARATION

(Utah Code Section 20A-9-201)

Please initial:

9 The filing officer read the constitutional and statutory requirements as listed below to me, and I meet those qualifications.

I understand that my name will appear on the ballot as it is printed on this declaration of candidacy, and that I may not make any amendments or modifications after March 20, 2014.

I have received a copy of Section 20A-7-801 regarding the Statewide Electronic Voter Information Website Program and its applicable deadline.

I have received a copy of the pledge of fair campaign practices, and I understand that signing this pledge is voluntary.

I agree to file all campaign financial disclosure reports and I understand that failure to do so may result in my disqualification as a candidate for this office, removal of my name from the ballot, possible fines and/or criminal penalties.

I have provided a valid email, or physical address if no email is available, and I understand this will be used for official communications and updates from election officials.

I understand that I will receive all financial disclosure notices by email.

I prefer to also receive financial disclosure notices by mail.

Signature of Candidate

Date

Signature of Filing Officer

Date

## QUALIFICATIONS

Before the filing officer accepts any declaration of candidacy, the filing officer shall read to the candidate the constitutional and statutory requirements for candidacy, and the candidate shall state whether he/she fulfills the requirements. If the candidate indicates that he/she does not qualify, the filing officer shall decline his/her declaration of candidacy. (Utah Code Section 20A-9-201, 202)

### UTAH SENATE AND REPRESENTATIVE

Utah Constitution Article VI, Section 5, 6 and Utah Code Sections 20A-2-101.5, 20A-9-502

- U.S. Citizen
- At least 25 years old at the filing deadline
- Three-year consecutive resident of Utah at the filing deadline
- Six-month consecutive resident of the district from which elected at the filing deadline
- Qualified voter in the district from which the person is chosen\*
- Never convicted of a felony\*\*
- Pay filing fee of \$79.80 (Senator) or \$64.90 (Representative)
- No person holding any public office of profit or trust under authority of the United States, or of this State, shall be a member of the Legislature; provided, that appointments in the State Militia, and the offices of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class, shall not within the meaning of this section, be considered offices of profit or trust

\* A qualified voter (1) is a citizen of the United States; (2) is a resident of Utah; (3) will, on the date of that election, be at least 18 years old, and have been a resident of Utah for 30 days immediately before that election; (4) and has registered to vote.

\*\*A person convicted of a felony loses the right to hold office until (1) all felony convictions have been expunged, OR (2) ten years have passed since the most recent felony conviction AND the person has paid all court-ordered restitution and fines AND the person has completed probation, been granted parole, or completed the term of incarceration associated with the felony.

2014

# CANDIDATE FINANCIAL DISCLOSURE

UCA §20A-11-1603 requires candidates for state constitutional offices, state legislative office and the State Board of Education to disclose the following information when declaring candidacy in accordance with UCA §20-11-1604. Please refer to the attached applicable code sections for any clarification.

Richard L. Cunningham

(Print name)

for the office of House District 50

Name(s) and address(es) of each current employer(s) and each of the regulated officeholder's employers during the preceding year

Transamerica  
WFC / 12217 So Lone peak parkway #150 Draper UT 84020  
Horsence 2568 West horseshoe Cir So Jordan UT 84095

Brief description of all employment, including the regulated officeholder's occupation and, as applicable, job title

WFC/TRANSAMERICA - IAR / Branch Manager  
Horsence - General partner - management company

Name of any entity in which the regulated officeholder is an owner or officer, or was an owner or officer during the preceding year

MMSMCD LLC - General partner  
Horsence - General partner  
Cunningham Investment Company General partner

Brief description of the type of business or activity conducted by the entity described in the previous section

Horsence -  
MMSMCD LLC -  
Cunningham Investment Company Utah LLP

Regulated officeholder's position in the entity described in the previous section

General partner in all three

\*\*\*In accordance with Subsection (5)(b), the name of each individual from whom, or entity from which, the regulated officeholder has received \$5,000 or more in income during the preceding year

WFC/Transamerica Horsence  
Cunningham

Brief description of the type of business or activity conducted by the individual or entity described in the previous section

Securities + Insurance  
general management  
Investments / Real Estate

Name of each entity in which the regulated officeholder holds any stocks or bonds having a fair market value of \$5,000 or more as of the date of the disclosure form or during the preceding year (excludes funds managed by a third party, including blind trusts, managed investment accounts, and mutual funds)

*Widdowson Investment Company*  
*NA*

Brief description of the type of business or activity conducted by the entity in which stocks or bonds are held

*NA*

Name of entity or organization, not listed above, in which the regulated officeholder currently serves, or served in the preceding year, on the board of directors or in any other type of paid leadership capacity

*NA*

Brief description of the type of business or activity conducted by the entity or organization described in the previous section

*NA*

Type of advisory position held by the regulated officeholder within the entity or organization described in the previous section

*NA*

(Optional) Description of any real property in which the regulated officeholder holds an ownership or other financial interest that the regulated officeholder believes may constitute a conflict of interest

*NA*

Description of the type of interest held by the regulated officeholder in the property

*NA*

Name of regulated officeholder's spouse and any other adult residing in the regulated officeholder's household who is not related by blood or marriage, as applicable

*Tracy Ann Cunningham*

For the regulated officeholder's spouse, the name and address of each current employer and each employer during the preceding year

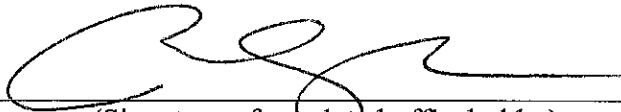
*Murray School District*      *5400 So State St.*  
*Murray UT*

Brief description of the employment and occupation of each adult who resides in the regulated officeholder's household and is not related to the regulated officeholder by blood or marriage

*NA*

(Optional) Description of any other matter or interest that the regulated officeholder believes may constitute a conflict of interest

I believe this form is true and accurate to the best of my knowledge.

  
\_\_\_\_\_  
(Signature of regulated officeholder)

*3-14-14*  
\_\_\_\_\_  
(Date)

\*\*\* (5)(b) In making the disclosure described in Subsection (4)(e), a regulated officeholder who provides goods or services to multiple customers or clients as part of a business or a licensed profession is only required to provide the information described in Subsection (4)(e) in relation to the entity or practice through which the regulated officeholder provides the goods or services and is not required to provide the information described in Subsection (4)(e) in relation to the regulated officeholder's individual customers or clients.

## HB 394S2 2014 Legislative Session

- 473 **20A-11-1603. Financial disclosure form -- Required when filing for candidacy --**  
474 **Public availability.**  
475 (1) Candidates seeking the following offices shall file a financial disclosure with the  
476 filing officer at the time of filing a declaration of candidacy:  
477 (a) state constitutional officer;  
478 (b) state legislator; or  
479 (c) State Board of Education member.  
480 (2) A filing officer may not accept a declaration of candidacy for an office listed in  
481 Subsection (1) unless the declaration of candidacy is accompanied by the financial disclosure  
482 required by this section.  
483 (3) The financial disclosure form shall contain the same requirements and shall be in  
484 the same format as the financial disclosure form described in Section ~~[76-8-109]~~ 20A-11-1604.  
485 (4) The financial disclosure form shall:  
486 (a) be made available for public inspection at the filing officer's place of business;  
487 (b) if the filing officer is an individual other than the lieutenant governor, be provided  
488 to the lieutenant governor within five business days of the date of filing and be made publicly  
489 available at the Office of the Lieutenant Governor; and  
490 (c) be made publicly available on the Statewide Electronic Voter Information Website  
491 administered by the lieutenant governor.  
492 Section 7, Section **20A-11-1604**, which is renumbered from Section 76-8-109 is  
493 renumbered and amended to read:  
494 ~~[76-8-109].~~ 20A-11-1604. Failure to disclose conflict of interest -- Failure to  
495 **comply with reporting requirements.**  
496 ~~[(1) As used in this section:]~~  
497 ~~[(a) "Conflict of interest" means an action that is taken by a regulated officeholder that~~  
498 ~~the officeholder reasonably believes may cause direct financial benefit or detriment to the~~  
499 ~~officeholder, a member of the officeholder's immediate family, or an entity that the officeholder~~  
500 ~~is required to disclose under the provisions of this section, and that benefit or detriment is~~  
501 ~~distinguishable from the effects of that action on the public or on the officeholder's profession,~~  
502 ~~occupation, or association generally.]~~  
503 ~~[(b) "Entity" means a corporation, a partnership, a limited liability company, a limited~~  
504 ~~partnership, a sole proprietorship, an association, a cooperative, a trust, an organization, a joint~~  
505 ~~venture, a governmental entity, an unincorporated organization, or any other legal entity,~~  
506 ~~whether established primarily for the purpose of gain or economic profit or not.]~~  
507 ~~[(c) "Filer" means the individual filing a financial declaration under this section.]~~  
508 ~~[(d) "Immediate family" means the regulated officeholder's spouse and children living~~  
509 ~~in the officeholder's immediate household.]~~  
510 ~~[(e) "Income" means earnings, compensation, or any other payment made to an~~  
511 ~~individual for gain, regardless of source, whether denominated as wages, salary, commission,~~  
512 ~~pay, bonus, severance pay, incentive pay, contract payment, interest, per diem, expenses,~~  
513 ~~reimbursement, dividends, or otherwise.]~~  
514 ~~[(f) "Regulated officeholder" means an individual that is required to file a financial~~  
515 ~~disclosure under the provisions and requirements of this section.]~~  
516 ~~[(g) "State constitutional officer" means the governor, the lieutenant governor, the state~~  
517 ~~auditor, the state treasurer, or the attorney general.]~~  
518 ~~[(2) (1) (a) Before or during the execution of any order, settlement, declaration,~~  
519 ~~contract, or any other official act of office in which a state constitutional officer has actual~~  
520 ~~knowledge that the *state constitutional* officer has a conflict of interest [which] *that* is not~~  
521 ~~stated on the financial disclosure form [required under Subsection (4), the] *described in this*~~  
522 ~~*section, the state constitutional* officer shall publicly declare that the *state constitutional* officer~~  
523 ~~may have a conflict of interest and what that conflict of interest is.~~  
524 ~~(b) Before or during any vote on legislation or any legislative matter in which a~~  
525 ~~legislator has actual knowledge that the legislator has a conflict of interest [which] *that* is not~~  
526 ~~stated on the financial disclosure form [required under Subsection (4)] *described in this*~~  
527 ~~*section, the legislator shall orally declare to the committee or body before which the matter is*~~  
528 ~~pending that the legislator may have a conflict of interest and what that conflict is.~~  
529 ~~(c) Before or during any vote on any rule, resolution, order, or any other board matter~~  
530 ~~in which a member of the State Board of Education has actual knowledge that the member has~~  
531 ~~a conflict of interest [which] *that* is not stated on the financial disclosure form [required under~~  
532 ~~Subsection (4)] *described in this section, the member shall orally declare to the board that the*~~  
533 ~~member may have a conflict of interest and what that conflict of interest is.~~  
534 ~~[(3) (2) Any public declaration of a conflict of interest that is made under Subsection~~  
535 ~~[(2)] (1) shall be noted:~~  
536 ~~(a) on the official record of the action taken, for a state constitutional officer;~~



2014

## STATE OF UTAH

### PLEDGE OF FAIR CAMPAIGN PRACTICES

(UCA § 20A-9-206)

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of Utah has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their right to a free election, and that the will of the people may be fully and clearly expressed on the issues.

#### THEREFORE:

**I SHALL** conduct my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing, without fear or favor, the record and policies of my opponents that I believe merit criticism.

**I SHALL NOT** use nor shall I permit the use of scurrilous attacks on any candidate or the candidate's immediate family. I shall not participate in or nor shall I permit the use of defamation, libel, or slander against any candidate or the candidate's immediate family. I shall not participate in nor shall I permit the use of any other criticism of any candidate or the candidate's immediate family that I do not believe to be truthful, provable, and relevant to my campaign.

**I SHALL NOT** use nor shall I permit the use of any practice that tends to corrupt or undermine our American system of free elections, or that hinders or prevents the free expression of the will of the voters, including practices intended to hinder or prevent any eligible person from registering to vote or voting.

**I SHALL NOT** coerce election help or campaign contributions for myself or for any other candidate from my employees or volunteers.

**I SHALL** immediately and publicly repudiate support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of an opponent, to methods in violation of the letter or spirit of this pledge. I shall accept responsibility to take firm action against any subordinate who violates any provision of this pledge or the laws governing elections.

**I SHALL** defend and uphold the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of Utah, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Name: Rich L. Cunningham Office: House District 50

Signature:  Date: 3-14-14

**\*This is a voluntary pledge. Candidates are not required to sign this pledge of fair campaign practices.**

**\*This document is considered a public record and will be retained for public inspection until 30 days following the election.**

