

2014
UTAH STATE LEGISLATURE
DECLARATION OF CANDIDACY

of
WILLIAM BOTH (Bill)
(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 Representative representing the 22nd district

STATE OF UTAH }
County of Salt Lake } ss.

I, William S. Both, declare my intention of becoming a candidate for the office of State House of Representatives 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 2885 S. 8850 W.

in the City of or Town of, Magna, Utah, Zip Code 84044, Phone No. 801 518 8976; 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:

2885 S. 8850 W. Magna, UT. 84044
Official Mailing Address City/State/Zip Code

wsboth@gmail.com www.facebook.com/BillBothforUtahHouse
Official Email address Website District 22

WS Both
Signature of Candidate (Must be signed in the presence of the filing officer)

Subscribed and sworn to before me this 03 14 2014
(month/day/year)

DW/B
(Officer qualified to administer oaths)



Received

MAR 14 2014

Spencer J. Cox
Lieutenant Governor

(Seal)

Lieutenant Governor March 2014

(Date Received)

QUALIFICATION FOR CANDIDATE FILING DECLARATION

(Utah Code Section 20A-9-201)

Please initial:

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

WSB 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.

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

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

WSB 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.

WSB 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.

WSB I understand that I will receive all financial disclosure notices by email.
_____ I prefer to also receive financial disclosure notices by mail.

WSB

Signature of Candidate

03-14-2014

Date

DWB

Signature of Filing Officer

3-14-14

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.

WILLIAM S BOTH
(Print name)

for the office of Representative District 22

Name(s) and address(es) of each current employer(s) and each of the regulated officeholder's employers during the preceding year <u>JCPenney Co. Inc.</u> <u>310 S. Main Street, Salt Lake City, UTAH 84101</u>
Brief description of all employment, including the regulated officeholder's occupation and, as applicable, job title <u>HR. Payroll & Benefits Support - Level 2</u> <u>Retail Store</u>

Name of any entity in which the regulated officeholder is an owner or officer, or was an owner or officer during the preceding year <u>NONE</u>
Brief description of the type of business or activity conducted by the entity described in the previous section <u>NONE</u>
Regulated officeholder's position in the entity described in the previous section <u>NONE</u>

***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 <u>NONE</u>
Brief description of the type of business or activity conducted by the individual or entity described in the previous section <u>NONE</u>

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)

NONE

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

NONE

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

NONE

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

NONE

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

NONE

(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

NONE

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

NONE

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 Gillian Ann Both

For the regulated officeholder's spouse, the name and address of each current employer and each employer during the preceding year Office Manager - Constructor Realty

345 E. 3300 S. South Salt Lake City, UT. 84115

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

Residential Property Management

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

NONE.

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

MSBoth

(Signature of regulated officeholder)

03-13-2014

(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;

537 (b) in the minutes of the committee meeting or in the Senate or House Journal, as
538 applicable, for a legislator; or
539 (c) in the minutes of the meeting or on the official record of the action taken, for a
540 member of the State Board of Education.
541 ~~[(4)-(a) The following individuals shall file a financial disclosure form:]~~
542 ~~[(+)-a] (3) (a) A state constitutional officer[; to be due] shall file a financial disclosure~~
543 ~~form:~~
544 ~~(i) on the tenth day of January of each year, or the following business day if the due~~
545 ~~date falls on a weekend or holiday; and~~
546 ~~[(ii) a legislator, at the following times:]~~
547 ~~(ii) each time the state constitutional officer changes employment.~~
548 ~~(b) A legislator shall file a financial disclosure form:~~
549 ~~[(A) (i) on the first day of each general session of the Legislature; and~~
550 ~~[(B) (ii) each time the legislator changes employment[;].~~
551 ~~[(iii)-a] (c) A member of the State Board of Education[; at the following times] shall~~
552 ~~file a financial disclosure form:~~
553 ~~[(A) (i) on the tenth day of January of each year, or the following business day if the~~
554 ~~due date falls on a weekend or holiday; and~~
555 ~~[(B) (ii) each time the member changes employment.~~
556 ~~[(b) (4) The financial disclosure form described in Subsection (3) shall include:~~
557 ~~[(i) the filer's name;~~
558 ~~(a) the regulated officeholder's name;~~
559 ~~[(ii) (b) the name and address of [the filer's primary employer] each of the regulated~~
560 ~~officeholder's current employers and each of the regulated officeholder's employers during the~~
561 ~~preceding year;~~
562 ~~[(iii) (c) for each employer described in Subsection (4)(b), a brief description of the~~
563 ~~[filer's] employment, including the [filer's] regulated officeholder's occupation and, as~~
564 ~~applicable, job title;~~
565 ~~[(iv) (d) for each entity in which the [filer] regulated officeholder is an owner or [an]~~
566 ~~officer, or was an owner or officer during the preceding year:~~
567 ~~[(A) (i) the name of the entity;~~
568 ~~[(B) (ii) a brief description of the type of business or activity conducted by the entity;~~
569 ~~and~~
570 ~~[(C) (iii) the [filer's] regulated officeholder's position in the entity;~~
571 ~~[(+)-a] (e) in accordance with Subsection (5)(b), for each [entity that has paid] individual~~
572 ~~from whom, or entity from which, the regulated officeholder has received \$5,000 or more in~~
573 ~~income [to the filer within the one-year period ending immediately before the date of the~~
574 ~~disclosure form] during the preceding year:~~
575 ~~[(A) (i) the name of the individual or entity; and~~
576 ~~[(B) (ii) a brief description of the type of business or activity conducted by the~~
577 ~~individual or entity;~~
578 ~~[(vi) (f) for each entity in which the [filer] regulated officeholder holds any stocks or~~
579 ~~bonds having a fair market value of \$5,000 or more as of the date of the disclosure form or~~
580 ~~during the preceding year, but excluding funds that are managed by a third party, including~~
581 ~~blind trusts, managed investment accounts, and mutual funds:~~
582 ~~[(A) (i) the name of the entity; and~~
583 ~~[(B) (ii) a brief description of the type of business or activity conducted by the entity;~~
584 ~~[(vii) (g) for each entity not listed in Subsections [(4)(b)(iv) through (4)(b)(vi);] (4)(d)~~
585 ~~through (f) in which the [filer serves] regulated officeholder currently serves, or served in the~~
586 ~~preceding year, on the board of directors or in any other type of [formal advisory capacity] paid~~
587 ~~leadership capacity:~~
588 ~~[(A) (i) the name of the entity or organization;~~
589 ~~[(B) (ii) a brief description of the type of business or activity conducted by the entity;~~
590 ~~and~~
591 ~~[(C) (iii) the type of advisory position held by the [filer] regulated officeholder;~~
592 ~~[(viii) (h) at the option of the [filer] regulated officeholder, a description of any real~~
593 ~~property in which the [filer] regulated officeholder holds an ownership or other financial~~
594 ~~interest that the [filer] regulated officeholder believes may constitute a conflict of interest,~~
595 ~~including[: (A) a description of the real property; and (B) a description of the type of interest~~
596 ~~held by the [filer] regulated officeholder in the property;~~
597 ~~[(ix) (i) the name of the [filer's] regulated officeholder's spouse and any other adult~~
598 ~~residing in the [filer's] regulated officeholder's household [that] who is not related by blood or~~
599 ~~marriage, as applicable;~~
600 ~~(i) for the regulated officeholder's spouse, the information that a regulated officeholder~~
601 ~~is required to provide under Subsection (4)(b);~~
602 ~~[(x) (k) a brief description of the employment and occupation of [the filer's spouse and~~
603 ~~any other adult residing in the filer's household that] each adult who:~~

604 (i) resides in the regulated officeholder's household; and
605 (ii) is not related to the regulated officeholder by blood or marriage[-, as applicable];
606 [(xii)] (L) at the option of the [filer] regulated officeholder, a description of any other
607 matter or interest that the [filer] regulated officeholder believes may constitute a conflict of
608 interest;
609 [(xiii)] (m) the date the form was completed;
610 [(xiv)] (n) a statement that the [filer] regulated officeholder believes that the form is
611 true and accurate to the best of the [filer's] regulated officeholder's knowledge; and
612 [(xv)] (o) the signature of the [filer] regulated officeholder

660 **20A-11-1605. Failure to file -- Penalties.**

661 (1) Within 30 days after the day on which a regulated officeholder is required to file a
662 financial disclosure form under Subsection 20A-11-1604 (3)(a)(i), (b)(i), or (c)(i), the lieutenant
663 governor shall review each filed financial disclosure form to ensure that:

664 (a) each regulated officeholder who is required to file a financial disclosure form has
665 filed one; and

666 (b) each financial disclosure form contains the information required under Section
667 20A-11-1604.

668 (2) The lieutenant governor shall take the action described in Subsection (3) if:

669 (a) a regulated officeholder has failed to timely file a financial disclosure form;

670 (b) a filed financial disclosure form does not comply with the requirements of Section
671 20A-11-1604 ; or

672 (c) the lieutenant governor receives a written complaint alleging a violation of Section
673 20A-11-1604 , other than Subsection 20A-11-1604 (1), and after receiving the complaint and
674 giving the regulated officeholder notice and an opportunity to be heard, the lieutenant governor
675 determines that a violation occurred.

676 (3) If a circumstance described in Subsection (2) occurs, the lieutenant governor shall,
677 within five days after the day on which the lieutenant governor determines that a violation
678 occurred, notify the regulated officeholder of the violation and direct the regulated officeholder
679 to file an amended report correcting the problem.

680 (4) (a) It is unlawful for a regulated officeholder to fail to file or amend a financial
681 disclosure form within seven days after the day on which the regulated officeholder receives
682 the notice described in Subsection (3).

683 (b) A regulated officeholder who violates Subsection (4)(a) is guilty of a class B
684 misdemeanor.

685 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the
686 attorney general.

687 (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant
688 governor shall impose a civil fine of \$100 against a regulated officeholder who violates
689 Subsection (4)(a).

690 (5) The lieutenant governor shall deposit a fine collected under this part into the
691 General Fund as a dedicated credit to pay for the costs of administering the provisions of this
692 part.

693 Section 9. Section **20A-12-301.5** is enacted to read:

694 **20A-12-301.5. Disclosure of actual source or recipient required.**

695 (1) As used in this section, "transactional intermediary" means a person, including a
696 credit card company, a financial institution, or a money transfer service, that pays or transfers
697 money to a person on behalf of another person.

698 (2) When, under this chapter, a person makes a detailed listing, discloses or reports the
699 source of a contribution, discloses or reports the person or entity to whom a disbursement is
700 made, or discloses or reports the identity of a donor, the person:

701 (a) shall reveal the actual source of the contribution, the actual person or entity to
702 whom the disbursement is ultimately made, or the actual identity of the donor; and

703 (b) may not merely list, disclose, or report the transactional intermediary.

704 **Section 10. Effective date.**

705 If approved by two-thirds of all the members elected to each house, this bill takes effect
706 upon approval by the governor, or the day following the constitutional time limit of Utah
707 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
708 the date of veto override.



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: William S. Both Office: Representative Dist. 22

Signature: WS Both Date: 03-13-2014

***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.**