2014
UTAH STATE LEGISLATURE
DECLARATION OF WRITE-IN CANDIDACY

of

_____

For the office of _____ for the _____district

STATE OF UTAH
County of _____ } ss.

I, _____, declare my intention of becoming a candidate for the office of _____ for the _____district. I do solemnly swear that: I will meet the qualifications to hold that office, both legally and constitutionally, if selected; I reside at_____in the City of or Town of, _____, Utah, Zip Code _____ Phone No. _____; 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. The mailing and email addresses that I designate for receiving official election notices from election officials are:

_____
Official Mailing Address City/State/Zip Code

_____ _____
Official Email address Website

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

Subscribed and sworn to before me this _____
(month/day/year)

_____
(Officer qualified to administer oaths)

(Seal) Lieutenant Governor March 2014 (Date Received)

QUALIFICATION FOR CANDIDATE FILING DECLARATION

(Utah Code Section 20A-9-201)

Please initial:

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

_____ 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, possible fines and/or criminal penalties.

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

_____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
- 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**
- 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.

_____
(Print name)

for the office of _____District_____

Name(s) and address(es) of each current employer(s) and each of the regulated officeholder's employers during the preceding year
Brief description of all employment, including the regulated officeholder's occupation and, as applicable, job title

Name of any entity in which the regulated officeholder is an owner or officer, or was an owner or officer during the preceding year
Brief description of the type of business or activity conducted by the entity described in the previous section
Regulated officeholder's position in the entity described in the previous section

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

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

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
Brief description of the type of business or activity conducted by the entity or organization described in the previous section
Type of advisory position held by the regulated officeholder within the entity or organization described in the previous section

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

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

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

(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) (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.

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 [~~(i) 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 [~~(v)~~] *(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 *(j) 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 [~~(xi)~~] *(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 [~~(xii)~~] *(m)* the date the form was completed;
610 [~~(xiii)~~] *(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 [~~(xiv)~~] *(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: _____ **Office:** _____

Signature: _____ **Date:** _____

***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.**

2014
Office of the Lieutenant Governor

Candidate Information Pamphlet
Legislative Office Candidates

Pamphlet Contents

Campaign Finance Laws – Current as of March 12, 2014

> **There have been several changes to campaign finance laws during the 2014 legislative session. The Lieutenant Governor's Office will notify each candidate of the new requirements as they are signed into law and become effective.**

20A-11-101 Definitions
20A-11-103 Notice of pending interim and summary reports – Form of submission – Public availability – Notice of local filings
20A-11-104 Personal use expenditure – Authorized and prohibited uses of campaign funds – Enforcement – Penalties
20A-11-301 Legislative office candidate – Campaign finance requirements – Candidate as a political action committee officer – No personal use – Report contributions within 30 days – Report other accounts
20A-11-302 Legislative office candidate – Financial reporting requirements – Year-end summary report
20A-11-303 Legislative office candidate – Financial reporting requirements – Interim reports
20A-11-304 Legislative office candidate – Financial reporting requirements – Termination of duty to report
20A-11-305 Legislative office candidate – Failure to file report – Penalties
20A-11-1005 Fines for failing to file a financial statement

Summary of Financial Disclosure Deadlines (applicable to all candidates; even if unopposed)*

- All contributions must be reported within 30 days after the contribution is received
- 7 days before the political convention for which the office is nominated
- 7 days before the regular primary election date – June 17, 2014**
- September 2, 2014**
- 7 days before the regular general election date – October 28, 2014**
- January 12, 2015 (year-end)**

All reports must be submitted by 5:00 p.m. on the due date
All financial disclosures must be filed electronically online at www.disclosures.utah.gov
To obtain a user I.D. and password contact the Lieutenant Governor's Staff Office

***Campaign Finance Deadlines are subject to change by the Legislature**
****Failure to timely file financial disclosures will result in disqualification, possible fines, and/or criminal penalties**

Utah State Capitol, Suite 220
350 N. State Street
P.O. Box 142325
Salt Lake City, UT 84114

Tel: (801)538-1041
Email: disclosures.utah.gov

Applicable Campaign Finance Laws

(Including HB 394S2 2014 Legislative Session)

72 **20A-11-101. Definitions.**
73 As used in this chapter:
74 (1) "Address" means the number and street where an individual resides or where a
75 reporting entity has its principal office.
76 *(2) "Agent of a reporting entity" means:*
77 *(a) a person acting on behalf of a reporting entity at the direction of the reporting*
78 *entity;*
79 *(b) a person employed by a reporting entity in the reporting entity's capacity as a*
80 *reporting entity;*
81 *(c) the personal campaign committee of a candidate or officeholder;*
82 *(d) a member of the personal campaign committee of a candidate or officeholder in the*
83 *member's capacity as a member of the personal campaign committee of the candidate or*
84 *officeholder; or*
85 *(e) a political consultant of a reporting entity.*
86 [(2)] *(3)* "Ballot proposition" includes initiatives, referenda, proposed constitutional
87 amendments, and any other ballot propositions submitted to the voters that are authorized by
88 the Utah Code Annotated 1953.
89 [(3)] *(4)* "Candidate" means any person who:
90 (a) files a declaration of candidacy for a public office; or
91 (b) receives contributions, makes expenditures, or gives consent for any other person to
92 receive contributions or make expenditures to bring about the person's nomination or election
93 to a public office.
94 [(4)] *(5)* "Chief election officer" means:
95 (a) the lieutenant governor for state office candidates, legislative office candidates,
96 officeholders, political parties, political action committees, corporations, political issues
97 committees, state school board candidates, judges, and labor organizations, as defined in
98 Section 20A-11-1501 ; and
99 (b) the county clerk for local school board candidates.
100 [(5)] *(6)* (a) "Contribution" means any of the following when done for political
101 purposes:
102 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
103 value given to the filing entity;
104 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
105 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
106 anything of value to the filing entity;
107 (iii) any transfer of funds from another reporting entity to the filing entity;
108 (iv) compensation paid by any person or reporting entity other than the filing entity for
109 personal services provided without charge to the filing entity;
110 (v) remuneration from:
111 (A) any organization or its directly affiliated organization that has a registered lobbyist;
112 or
113 (B) any agency or subdivision of the state, including school districts; [and]
114 [(vi) goods or services provided to or for the benefit of the filing entity at less than fair
115 market value.]
116 *(vi) a loan made by a candidate to the candidate's own campaign; and*
117 *(vii) in-kind contributions.*
118 (b) "Contribution" does not include:
119 (i) services provided [without compensation] by individuals volunteering a portion or
120 all of their time on behalf of the filing entity *if the services are provided without compensation*
121 *by the filing entity or any other person*;
122 (ii) money lent to the filing entity by a financial institution in the ordinary course of
123 business; or
124 (iii) goods or services provided for the benefit of a candidate or political party at less
125 than fair market value that are not authorized by or coordinated with the candidate or political
126 party.
127 [(6)] *(7)* "Coordinated with" means that goods or services provided for the benefit of a
128 candidate or political party are provided:
129 (a) with the candidate's or political party's prior knowledge, if the candidate or political
130 party does not object;
131 (b) by agreement with the candidate or political party;
132 (c) in coordination with the candidate or political party; or
133 (d) using official logos, slogans, and similar elements belonging to a candidate or
134 political party.
135 [(7)] *(8)* (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
136 organization that is registered as a corporation or is authorized to do business in a state and
137 makes any expenditure from corporate funds for:
138 (i) the purpose of expressly advocating for political purposes; or

139 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
140 proposition.
141 (b) "Corporation" does not mean:
142 (i) a business organization's political action committee or political issues committee; or
143 (ii) a business entity organized as a partnership or a sole proprietorship.
144 [(8)] *(9)* "County political party" means, for each registered political party, all of the
145 persons within a single county who, under definitions established by the political party, are
146 members of the registered political party.
147 [(9)] *(10)* "County political party officer" means a person whose name is required to be
148 submitted by a county political party to the lieutenant governor in accordance with Section
149 20A-8-402 .
150 [(10)] *(11)* "Detailed listing" means:
151 (a) for each contribution or public service assistance:
152 (i) the name and address of the individual or source making the contribution or public
153 service assistance;
154 (ii) the amount or value of the contribution or public service assistance; and
155 (iii) the date the contribution or public service assistance was made; and
156 (b) for each expenditure:
157 (i) the amount of the expenditure;
158 (ii) the person or entity to whom it was disbursed;
159 (iii) the specific purpose, item, or service acquired by the expenditure; and
160 (iv) the date the expenditure was made.
161 [(11)] *(12)* (a) "Donor" means a person that gives money, including a fee, due, or
162 assessment for membership in the corporation, to a corporation without receiving full and
163 adequate consideration for the money.
164 (b) "Donor" does not include a person that signs a statement that the corporation may
165 not use the money for an expenditure or political issues expenditure.
166 [(12)] *(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 [(13)] *(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 [(14)] *(15)* (a) "Expenditure" means *any of the following made by a reporting entity or*
177 *an 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 political purposes;
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 political purposes;
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; or
189 (vi) goods or services provided by the filing entity to or for the benefit of another
190 reporting entity for political purposes at less than fair market value.
191 (b) "Expenditure" does not include:
192 (i) services provided without compensation by individuals volunteering a portion or all
193 of their time on behalf of a reporting entity;
194 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
195 business; or
196 (iii) anything listed in Subsection [(14)] *(15)*(a) that is given by a reporting entity to
197 candidates for office or officeholders in states other than Utah.
198 [(15)] *(16)* "Federal office" means the office of president of the United States, United
199 States Senator, or United States Representative.
200 [(16)] *(17)* "Filing entity" means the reporting entity that is required to file a financial
201 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.
202 [(17)] *(18)* "Financial statement" includes any summary report, interim report, verified
203 financial statement, or other statement disclosing contributions, expenditures, receipts,
204 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial
205 Retention Elections.
206 [(18)] *(19)* "Governing board" means the individual or group of individuals that
207 determine the candidates and committees that will receive expenditures from a political action
208 committee, political party, or corporation.
209 [(19)] *(20)* "Incorporation" means the process established by Title 10, Chapter 2, Part
210 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.
211 [(20)] *(21)* "Incorporation election" means the election authorized by Section 10-2-111 .
212 [(21)] *(22)* "Incorporation petition" means a petition authorized by Section 10-2-109 .
213 [(22)] *(23)* "Individual" means a natural person.

214 *(24) "In-kind contribution" means anything of value, other than money, that is accepted*
215 *by or coordinated with a filing entity.*
216 [(23)] *(25)* "Interim report" means a report identifying the contributions received and
217 expenditures made since the last report.
218 [(24)] *(26)* "Legislative office" means the office of state senator, state representative,
219 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
220 assistant whip of any party caucus in either house of the Legislature.
221 [(25)] *(27)* "Legislative office candidate" means a person who:
222 (a) files a declaration of candidacy for the office of state senator or state representative;
223 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
224 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
225 assistant whip of any party caucus in either house of the Legislature; or
226 (c) receives contributions, makes expenditures, or gives consent for any other person to
227 receive contributions or make expenditures to bring about the person's nomination, election, or
228 appointment to a legislative office.
229 [(26)] *(28)* "Major political party" means either of the two registered political parties
230 that have the greatest number of members elected to the two houses of the Legislature.
231 [(27)] *(29)* "Officeholder" means a person who holds a public office.
232 [(28)] *(30)* "Party committee" means any committee organized by or authorized by the
233 governing board of a registered political party.
234 [(29)] *(31)* "Person" means both natural and legal persons, including individuals,
235 business organizations, personal campaign committees, party committees, political action
236 committees, political issues committees, and labor organizations, as defined in Section
237 20A-11-1501 .
238 [(30)] *(32)* "Personal campaign committee" means the committee appointed by a
239 candidate to act for the candidate as provided in this chapter.
240 [(31)] *(33)* "Personal use expenditure" has the same meaning as provided under Section
241 20A-11-104 .
242 [(32)] *(34)* (a) "Political action committee" means an entity, or any group of
243 individuals or entities within or outside this state, a major purpose of which is to:
244 (i) solicit or receive contributions from any other person, group, or entity for political
245 purposes; or
246 (ii) make expenditures to expressly advocate for any person to refrain from voting or to
247 vote for or against any candidate or person seeking election to a municipal or county office.
248 (b) "Political action committee" includes groups affiliated with a registered political
249 party but not authorized or organized by the governing board of the registered political party
250 that receive contributions or makes expenditures for political purposes.
251 (c) "Political action committee" does not mean:
252 (i) a party committee;
253 (ii) any entity that provides goods or services to a candidate or committee in the regular
254 course of its business at the same price that would be provided to the general public;
255 (iii) an individual;
256 (iv) individuals who are related and who make contributions from a joint checking
257 account;
258 (v) a corporation, except a corporation a major purpose of which is to act as a political
259 action committee; or
260 (vi) a personal campaign committee.
261 *(35) (a) "Political consultant" means a person who is paid by a reporting entity, or paid*
262 *by another person on behalf of and with the knowledge of the reporting entity, to provide*
263 *political advice to the reporting entity.*
264 *(b) "Political consultant" includes a circumstance described in Subsection (35)(a),*
265 *where the person:*
266 *(i) has already been paid, with money or other consideration;*
267 *(ii) expects to be paid in the future, with money or other consideration; or*
268 *(iii) understands that the person may, in the discretion of the reporting entity or another*
269 *person on behalf of and with the knowledge of the reporting entity, be paid in the future, with*
270 *money or other consideration.*
271 [(33)] *(36)* "Political convention" means a county or state political convention held by
272 a registered political party to select candidates.
273 [(34)] *(37)* (a) "Political issues committee" means an entity, or any group of individuals
274 or entities within or outside this state, a major purpose of which is to:
275 (i) solicit or receive donations from any other person, group, or entity to assist in
276 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
277 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;
278 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
279 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
280 proposed ballot proposition or an incorporation in an incorporation election; or
281 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
282 ballot or to assist in keeping a ballot proposition off the ballot.
283 (b) "Political issues committee" does not mean:
284 (i) a registered political party or a party committee;
285 (ii) any entity that provides goods or services to an individual or committee in the
286 regular course of its business at the same price that would be provided to the general public;
287 (iii) an individual;
288 (iv) individuals who are related and who make contributions from a joint checking

289 account; or
290 (v) a corporation, except a corporation a major purpose of which is to act as a political
291 issues committee.
292 [(35)] *(38)* (a) "Political issues contribution" means any of the following:
293 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
294 anything of value given to a political issues committee;
295 (ii) an express, legally enforceable contract, promise, or agreement to make a political
296 issues donation to influence the approval or defeat of any ballot proposition;
297 (iii) any transfer of funds received by a political issues committee from a reporting
298 entity;
299 (iv) compensation paid by another reporting entity for personal services rendered
300 without charge to a political issues committee; and
301 (v) goods or services provided to or for the benefit of a political issues committee at
302 less than fair market value.
303 (b) "Political issues contribution" does not include:
304 (i) services provided without compensation by individuals volunteering a portion or all
305 of their time on behalf of a political issues committee; or
306 (ii) money lent to a political issues committee by a financial institution in the ordinary
307 course of business.
308 [(36)] *(39)* (a) "Political issues expenditure" means any of the following *when made by*
309 *a political issues committee or on behalf of a political issues committee by an agent of the*
310 *reporting entity*:
311 (i) any payment from political issues contributions made for the purpose of influencing
312 the approval or the defeat of:
313 (A) a ballot proposition; or
314 (B) an incorporation petition or incorporation election;
315 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
316 the express purpose of influencing the approval or the defeat of:
317 (A) a ballot proposition; or
318 (B) an incorporation petition or incorporation election;
319 (iii) an express, legally enforceable contract, promise, or agreement to make any
320 political issues expenditure;
321 (iv) compensation paid by a reporting entity for personal services rendered by a person
322 without charge to a political issues committee; or
323 (v) goods or services provided to or for the benefit of another reporting entity at less
324 than fair market value.
325 (b) "Political issues expenditure" does not include:
326 (i) services provided without compensation by individuals volunteering a portion or all
327 of their time on behalf of a political issues committee; or
328 (ii) money lent to a political issues committee by a financial institution in the ordinary
329 course of business.
330 [(37)] *(40)* "Political purposes" means an act done with the intent or in a way to
331 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
332 for or against any candidate or a person seeking a municipal or county office at any caucus,
333 political convention, or election.
334 [(38)] *(41)* (a) "Poll" means the survey of a person regarding the person's opinion or
335 knowledge of an individual who has filed a declaration of candidacy for public office, or of a
336 ballot proposition that has legally qualified for placement on the ballot, which is conducted in
337 person or by telephone, facsimile, Internet, postal mail, or email.
338 (b) "Poll" does not include:
339 (i) a ballot; or
340 (ii) an interview of a focus group that is conducted, in person, by one individual, if:
341 (A) the focus group consists of more than three, and less than thirteen, individuals; and
342 (B) all individuals in the focus group are present during the interview.
343 [(39)] *(42)* "Primary election" means any regular primary election held under the
344 election laws.
345 [(40)] *(43)* "Public office" means the office of governor, lieutenant governor, state
346 auditor, state treasurer, attorney general, state or local school board member, state senator, state
347 representative, speaker of the House of Representatives, president of the Senate, and the leader,
348 whip, and assistant whip of any party caucus in either house of the Legislature.
349 [(41)] *(44)* (a) "Public service assistance" means the following when given or provided
350 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to
351 communicate with the officeholder's constituents:
352 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
353 money or anything of value to an officeholder; or
354 (ii) goods or services provided at less than fair market value to or for the benefit of the
355 officeholder.
356 (b) "Public service assistance" does not include:
357 (i) anything provided by the state;
358 (ii) services provided without compensation by individuals volunteering a portion or all
359 of their time on behalf of an officeholder;
360 (iii) money lent to an officeholder by a financial institution in the ordinary course of
361 business;
362 (iv) news coverage or any publication by the news media; or
363 (v) any article, story, or other coverage as part of any regular publication of any

364 organization unless substantially all the publication is devoted to information about the
365 officeholder.
366 [(42)] *(45)* "Publicly identified class of individuals" means a group of 50 or more
367 individuals sharing a common occupation, interest, or association that contribute to a political
368 action committee or political issues committee and whose names can be obtained by contacting
369 the political action committee or political issues committee upon whose financial statement the
370 individuals are listed.
371 [(43)] *(46)* "Receipts" means contributions and public service assistance.
372 [(44)] *(47)* "Registered lobbyist" means a person registered under Title 36, Chapter 11,
373 Lobbyist Disclosure and Regulation Act.
374 [(45)] *(48)* "Registered political action committee" means any political action
375 committee that is required by this chapter to file a statement of organization with the Office of
376 the Lieutenant Governor.
377 [(46)] *(49)* "Registered political issues committee" means any political issues
378 committee that is required by this chapter to file a statement of organization with the Office of
379 the Lieutenant Governor.
380 [(47)] *(50)* "Registered political party" means an organization of voters that:
381 (a) participated in the last regular general election and polled a total vote equal to 2%
382 or more of the total votes cast for all candidates for the United States House of Representatives
383 for any of its candidates for any office; or
384 (b) has complied with the petition and organizing procedures of Chapter 8, Political
385 Party Formation and Procedures.
386 [(48)] *(51)* (a) "Remuneration" means a payment:
387 (i) made to a legislator for the period the Legislature is in session; and
388 (ii) that is approximately equivalent to an amount a legislator would have earned
389 during the period the Legislature is in session in the legislator's ordinary course of business.
390 (b) "Remuneration" does not mean anything of economic value given to a legislator by:
391 (i) the legislator's primary employer in the ordinary course of business; or
392 (ii) a person or entity in the ordinary course of business:
393 (A) because of the legislator's ownership interest in the entity; or
394 (B) for services rendered by the legislator on behalf of the person or entity.
395 [(49)] *(52)* "Reporting entity" means a candidate, a candidate's personal campaign
396 committee, a judge, a judge's personal campaign committee, an officeholder, a party
397 committee, a political action committee, a political issues committee, a corporation, or a labor
398 organization, as defined in Section 20A-11-1501 .
399 [(50)] *(53)* "School board office" means the office of state school board or local school
400 board.
401 [(51)] *(54)* (a) "Source" means the person or entity that is the legal owner of the
402 tangible or intangible asset that comprises the contribution.
403 (b) "Source" means, for political action committees and corporations, the political
404 action committee and the corporation as entities, not the contributors to the political action
405 committee or the owners or shareholders of the corporation.
406 [(52)] *(55)* "State office" means the offices of governor, lieutenant governor, attorney
407 general, state auditor, and state treasurer.
408 [(53)] *(56)* "State office candidate" means a person who:
409 (a) files a declaration of candidacy for a state office; or
410 (b) receives contributions, makes expenditures, or gives consent for any other person to
411 receive contributions or make expenditures to bring about the person's nomination, election, or
412 appointment to a state office.
413 [(54)] *(57)* "Summary report" means the year end report containing the summary of a
414 reporting entity's contributions and expenditures.
415 [(55)] *(58)* "Supervisory board" means the individual or group of individuals that
416 allocate expenditures from a political issues committee.
417 Section 2. Section 20A-11-101.3 is enacted to read:
418 *20A-11-101.3.* Detailed listing -- Rulemaking authority.
419 *The director of elections, within the Lieutenant Governor's Office, may make rules, in*
420 *accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in relation to the*
421 *form, type, and level of detail required in a detailed listing or a financial disclosure form.*
422 Section 3. Section 20A-11-101.5 is enacted to read:
423 *20A-11-101.5.* Disclosure of actual source or recipient required.
424 *(1) As used in this section, "transactional intermediary" means a person, including a*
425 *credit card company, a financial institution, or a money transfer service, that pays or transfers*
426 *money to a person on behalf of another person.*
427 *(2) When, under this chapter, a person makes a detailed listing, discloses or reports the*
428 *source of a contribution, discloses or reports the person or entity to whom a disbursement is*
429 *made, or discloses or reports the identity of a donor, the person:*
430 *(a) shall reveal the actual source of the contribution, the actual person or entity to*
431 *whom the disbursement is ultimately made, or the actual identity of the donor; and*
432 *(b) may not merely list, disclose, or report the transactional intermediary.*

20A-11-103. Notice of pending interim and summary reports -- Form of submission -- Public availability.

(1) (a) Except as provided under Subsection (1)(b), 10 days before an interim report or summary report is due under this chapter or Chapter 12, Part 2, Judicial Retention Elections, the chief election officer shall inform the filing entity by postal mail or, if requested by the filing entity, by electronic mail:

(i) that the financial statement is due;
(ii) of the date that the financial statement is due; and
(iii) of the penalty for failing to file the financial statement.
(b) The chief election officer is not required to provide notice:
(i) to a candidate or political party of the financial statement that is due before the candidate's or political party's political convention;
(ii) of a financial statement due in connection with a public hearing for an initiative under the requirements of Section 20A-7-204.1; or
(iii) to a corporation or labor organization, as defined in Section 20A-11-1501.
(2) A filing entity shall electronically file a financial statement via electronic mail or the Internet according to specifications established by the chief election officer.
(3) (a) A financial statement is considered timely filed if it is received by the chief election officer's office before the close of regular office hours on the date that it is due.
(b) A chief election officer may extend the time in which a filing entity is required to file a financial statement if a filing entity notifies the chief election officer of the existence of an extenuating circumstance that is outside the control of the filing entity.
(4) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access and Management Act, the lieutenant governor shall:
(a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and
(b) post an electronic copy or the contents of each financial statement in a searchable format on a website established by the lieutenant governor:
(i) for campaign finance statements submitted to the lieutenant governor under the requirements of Section 10-3-208 or Section 17-16-6.5, no later than seven business days after the date of receipt of the campaign finance statement; or
(ii) for a summary report or interim report filed under the requirements of this chapter or Chapter 12, Part 2, Judicial Retention Elections, no later than three business days after the date the summary report or interim report is electronically filed.
(5) If a municipality, under Section 10-3-208, or a county, under Section 17-16-6.5, elects to provide campaign finance disclosure on its own website, rather than through the lieutenant governor, the website established by the lieutenant governor shall contain a link or other access point to the municipality or county website.

20A-11-104. Personal use expenditure -- Authorized and prohibited uses of campaign funds -- Enforcement -- Penalties.
(1) (a) As used in this chapter, "personal use expenditure" means an expenditure that:
(i) (A) is not excluded from the definition of personal use expenditure by Subsection (2); and
(B) primarily furthers a personal interest of a candidate or officeholder or a candidate's or officeholder's family, which interest is not connected with the performance of an activity as a candidate or an activity or duty of an officeholder; or
(ii) would cause the candidate or officeholder to recognize the expenditure as taxable income under federal law.
(b) "Personal use expenditure" includes:
(i) a mortgage, rent, utility, or vehicle payment;
(ii) a household food item or supply;
(iii) clothing, except for clothing:
(A) bearing the candidate's name or campaign slogan or logo; and
(B) used in the candidate's campaign;
(iv) an admission to a sporting, artistic, or recreational event or other form of entertainment;
(v) dues, fees, or gratuities at a country club, health club, or recreational facility;
(vi) a salary payment made to:
(A) a candidate or officeholder; or
(B) a person who has not provided a bona fide service to a candidate or officeholder;
(vii) a vacation;
(viii) a vehicle expense;
(ix) a meal expense;
(x) a travel expense;
(xi) a payment of an administrative, civil, or criminal penalty;
(xii) a satisfaction of a personal debt;
(xiii) a personal service, including the service of an attorney, accountant, physician, or other professional person;
(xiv) a membership fee for a professional or service organization; and
(xv) a payment in excess of the fair market value of the item or service purchased.
(2) As used in this chapter, "personal use expenditure" does not mean an expenditure made:
(a) for a political purpose;
(b) for candidacy for public office;
(c) to fulfill a duty or activity of an officeholder;
(d) for a donation to a registered political party;
(e) for a contribution to another candidate's campaign account, including sponsorship of or attendance at an event, the primary purpose of which is to solicit a contribution for another candidate's campaign account;
(f) to return all or a portion of a contribution to a contributor;
(g) for the following items, if made in connection with the candidacy for public office or an activity or duty of an officeholder:
(i) (A) a mileage allowance at the rate established by the Division of Finance under Section 63A-3-107; or
(B) for motor fuel or special fuel, as defined in Section 59-13-102;
(ii) a meal expense;
(iii) a travel expense, including an expense incurred for airfare or a rental vehicle;
(iv) a payment for a service provided by an attorney or accountant;
(v) a tuition payment or registration fee for participation in a meeting or conference;
(vi) a gift;
(vii) a payment for the following items in connection with an office space:
(A) rent;
(B) utilities;
(C) a supply; or
(D) furnishing;
(viii) a booth at a meeting or event; or

(ix) educational material;
(h) to purchase or mail informational material, a survey, or a greeting card;
(i) for a donation to a charitable organization, as defined by Section 13-22-2, including admission to or sponsorship of an event, the primary purpose of which is charitable solicitation, as defined in Section 13-22-2;
(j) to repay a loan a candidate makes from the candidate's personal account to the candidate's campaign account;
(k) to pay membership dues to a national organization whose primary purpose is to address general public policy;
(l) for admission to or sponsorship of an event, the primary purpose of which is to promote the social, educational, or economic well-being of the state or the candidate's or officeholder's community; or
(m) for one or more guests of an officeholder or candidate to attend an event, meeting, or conference described in this Subsection (2).
(3) (a) The lieutenant governor shall enforce this chapter prohibiting a personal use expenditure by:
(i) evaluating a financial statement to identify a personal use expenditure; and
(ii) commencing an informal adjudicative proceeding in accordance with Title 63G, Chapter 4, Administrative Procedures Act, if the lieutenant governor has probable cause to believe a candidate or officeholder has made a personal use expenditure.
(b) Following the proceeding, the lieutenant governor may issue a signed order requiring a candidate or officeholder who has made a personal use expenditure to:
(i) remit an administrative penalty of an amount equal to 50% of the personal use expenditure to the lieutenant governor; and
(ii) deposit the amount of the personal use expenditure in the campaign account from which the personal use expenditure was disbursed.
(c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) in the General Fund.

20A-11-301. Legislative office candidate -- Campaign finance requirements -- Candidate as a political action committee officer -- No personal use -- Report contributions within 30 days -- Report other accounts.
(1) (a) (i) Each legislative office candidate shall deposit each contribution and public service assistance received in one or more separate accounts in a financial institution that are dedicated only to that purpose.
(ii) A legislative office candidate may:
(A) receive a contribution or public service assistance from a political action committee registered under Section 20A-11-601; and
(B) be designated by a political action committee as an officer who has primary decision-making authority as described in Section 20A-11-601.
(b) A legislative office candidate or the candidate's personal campaign committee may not use money deposited in an account described in Subsection (1)(a)(i) for:
(i) a personal use expenditure; or
(ii) an expenditure prohibited by law.
(2) A legislative office candidate may not deposit or mingle any contributions or public service assistance received into a personal or business account.
(3) If a person who is no longer a legislative 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-11-302 until the statement of dissolution and final summary report required by Section 20A-11-304 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 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) and Section 20A-11-303, "received" means:
(i) for a cash contribution, that the cash is given to a legislative office candidate or a member of the candidate's personal campaign committee;
(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and
(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the legislative office candidate.
(b) Each legislative office candidate shall report each contribution and public service assistance to the lieutenant governor within 30 days after the contribution or public service assistance is received.
(6) (a) As used in this Subsection (6), "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 accordance with this part:
(i) a contribution deposited in an account:
(A) since the last campaign finance statement was filed; or
(B) that has not been reported under a statute or ordinance that governs the account; or
(ii) an expenditure made from an account:
(A) since the last campaign finance statement was filed; or
(B) that has not been reported under a statute or ordinance that governs the account.

20A-11-302. Legislative office candidate -- Financial reporting requirements -- Year-end summary report.
(1) (a) Each legislative office candidate shall file a summary report by January 10 of the year after the regular general election year.
(b) In addition to the requirements of Subsection (1)(a), a former legislative office candidate that has not filed the statement of dissolution and final summary report required under Section 20A-11-304 shall continue to file a summary report on January 10 of each year.
(2) (a) Each summary report shall include the following information as of December 31 of the previous year:
(i) the net balance of the last financial statement, if any;
(ii) a single figure equal to the total amount of receipts reported on all interim reports, if any, during the calendar year in which the summary report is due;
(iii) a single figure equal to the total amount of expenditures reported on all interim reports, if any, filed during the previous year;
(iv) a detailed listing of each receipt, contribution, and public service assistance since the last summary report that has not been reported in detail on an interim report;
(v) for each nonmonetary contribution:
(A) the fair market value of the contribution with that information provided by the contributor; and

(B) a specific description of the contribution;
(vi) a detailed listing of each expenditure made since the last summary report that has not been reported in detail on an interim report;
(vii) for each nonmonetary expenditure, the fair market value of the expenditure;
(viii) a net balance for the year consisting of the net balance from the last summary report, if any, plus all receipts minus all expenditures; and
(ix) the name of a political action committee for which the legislative office candidate is designated as an officer who has primary decision-making authority under Section 20A-11-601.
(b) (i) For all individual contributions or public service assistance of $50 or less, a single aggregate figure may be reported without separate detailed listings.
(ii) Two or more contributions from the same source that have an aggregate total of more than $50 may not be reported in the aggregate, but shall be reported separately.
(c) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the previous year.
(d) A check or negotiable instrument received by a legislative office candidate on or before December 31 of the previous year shall be included in the summary report.
(3) The legislative office candidate shall certify in the summary report that to the best of the candidate's knowledge, all receipts 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.

20A-11-303. Legislative office candidate and legislative office holder -- Financial reporting requirements -- Interim reports.
(1) (a) As used in this Subsection (1), "campaign account" means a separate campaign account required under Subsection 20A-11-301(1)(a)(i).
(b) Except as provided in Subsection (1)(d), 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:
(i) seven days before the candidate's political convention;
(ii) seven days before the regular primary election date;
(iii) August 31; and
(iv) seven days before the regular general election date.
(c) Each legislative office holder who has a campaign account that has not been dissolved under Section 20A-11-304 shall, in an even year, file an interim report at the following times, regardless of whether an election for the legislative office holder's office is held that year:
(i) seven days before the political convention for the political party of the legislative office holder;
(ii) seven days before the regular primary election date for that year;
(iii) August 31; and
(iv) seven days before the regular general election date.
(d) If a legislative office candidate is a legislative office candidate seeking appointment for a midterm vacancy, the legislative office candidate:
(i) shall file an interim report:
(A) no later than 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; or
(B) if a 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, no later than 5 p.m. on the last day of business before the day on which the party meets; and
(ii) is not required to file an interim report at the times described in Subsection (1)(b).
(2) 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 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 interim reports, if any, filed during the calendar year in which the interim report is due;
(d) a detailed listing of each contribution and public service assistance received since the last summary report that has not been reported in detail on a prior interim report;
(e) for each nonmonetary contribution:
(i) the fair market value of the contribution with that information provided by the contributor; and
(ii) a specific description of the contribution;
(f) a detailed listing of each expenditure made since the last summary report that has not been reported in detail on a prior interim report;
(g) for each nonmonetary expenditure, the fair market value of the expenditure;
(h) a net balance for the year consisting of the net balance from the last summary report, if any, plus all receipts since the last summary report minus all expenditures since the last summary report;
(i) a summary page in the form required by the lieutenant governor that identifies:
(i) beginning balance;
(ii) total contributions during the period since the last statement;
(iii) total contributions to date;
(iv) total expenditures during the period since the last statement; and
(v) total expenditures to date; and
(j) the name of a political action committee for which the legislative office candidate or legislative office holder is designated as an officer who has primary decision-making authority under Section 20A-11-601.
(3) (a) For all individual contributions or public service assistance of $50 or less, a single aggregate figure may be reported without separate detailed listings.
(b) Two or more contributions from the same source that have an aggregate total of more than $50 may not be reported in the aggregate, but shall be reported separately.
(4) (a) In preparing each interim report, all receipts and expenditures shall be reported as of five days before the required filing date of the report.
(b) Any negotiable instrument or check received by a legislative office candidate or legislative office holder more than five days before the required filing date of a report required by this section shall be included in the interim report.

20A-11-304. Legislative office candidate -- Financial reporting requirements -- Termination of duty to report.

(1) Each legislative office candidate is subject to interim reporting requirements until:
(a) the candidate withdraws or is eliminated in a convention or primary; or
(b) if seeking appointment as a midterm vacancy legislative office candidate:
(i) the political party liaison fails to forward the person's name to the governor; or
(ii) the governor fails to appoint the person to fill the vacancy.
(2) Each legislative office candidate is subject to year-end summary reporting requirements until the candidate has filed a statement of dissolution with the lieutenant governor stating that:
(a) the legislative office candidate is no longer receiving contributions and is no longer making expenditures;
(b) the ending balance on the last summary report filed is zero and the balance in the separate bank account required in Section 20A-11-301 is zero; and
(c) a final summary report in the form required by Section 20A-11-302 showing a zero balance is attached to the statement of dissolution.
(3) A statement of dissolution and a final summary report may be filed at any time.
(4) Each legislative office candidate shall continue to file the year-end summary report required by Section 20A-11-302 until the statement of dissolution and final summary report required by this section are filed with the lieutenant governor.

20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.
(1) (a) A legislative office candidate who fails to file a financial statement by the deadline is subject to a fine imposed in accordance with Section 20A-11-1005.
(b) If a legislative office candidate fails to file an interim report due before the regular primary election, on August 31, or before the regular general election, the lieutenant governor shall, after making a reasonable attempt to discover if the report was timely filed, inform the county clerk and other appropriate election officials that the legislative office candidate is disqualified.
(c) (i) The vacancy on the ballot resulting from the disqualification may be filled as provided in Section 20A-1-501.
(ii) If a legislative office candidate is disqualified under Subsection (1)(a), the election officer shall:
(A) remove the candidate's name from the ballot; or
(B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted.
(d) Notwithstanding Subsections (1)(b) and (1)(c), a legislative office candidate is not disqualified if:
(i) the candidate timely files the reports required by this section no later than the due date in accordance with Section 20A-11-103;
(ii) the reports are completed, detailing accurately and completely the information required by this part except for inadvertent omissions or insignificant errors or inaccuracies; and
(iii) the omissions, errors, or inaccuracies described in Subsection (1)(d)(ii) are corrected in:
(A) an amended report; or
(B) the next scheduled report.
(2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant governor shall review each filed summary report to ensure that:
(i) each legislative office candidate that is required to file a summary report has filed one; and
(ii) each summary report contains the information required by this part.
(b) If it appears that any legislative office candidate has failed to file the summary report required by law, if it appears that a filed summary report does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any summary report, the lieutenant governor shall, within five days of discovery of a violation or receipt of a written complaint, notify the legislative office candidate of the violation or written complaint and direct the legislative office candidate to file a summary report correcting the problem.
(c) (i) It is unlawful for any legislative office candidate to fail to file or amend a summary report within seven days after receiving notice from the lieutenant governor under this section.
(ii) Each legislative office candidate who violates Subsection (2)(c)(i) is guilty of a class B misdemeanor.
(iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the attorney general.
(iv) In addition to the criminal penalty described in Subsection (2)(c)(ii), the lieutenant governor shall impose a civil fine of $100 against a legislative office candidate who violates Subsection (2)(c)(i).

20A-11-1005. Fines for failing to file a financial statement.
(1) Except as provided in Subsections 20A-11-512(1)(b) and (4), the chief election officer shall fine a filing entity $100 for failing to file a financial statement by the filing deadline.
(2) If a filing entity is unable to pay the fine or files an affidavit of impecuniosity in a manner similar to Subsection 20A-9-201(5)(d), the chief election officer shall impose the fine against the candidate or treasurer, as appropriate.
(3) The chief election officer shall deposit fines collected under this chapter in the General Fund.