

CAMPAIGN FINANCE & REPORTING

U.S. Senate, U.S. House, Statewide, and Legislative Candidates

This is one section of a candidate guide. The full guide provides information on the caucus & convention system, gathering signatures, submitting your candidate profile, and campaign laws. [READ THE FULL GUIDE HERE.](#)

Reporting your campaign finances is required by law; however, different types of candidates report with different government entities. Refer to the chart below:

CANDIDATE	FILE WITH
Federal Candidates	Federal Election Commission (fec.gov)
Statewide & Legislative Candidates	Lieutenant Governor's Office (disclosures.utah.gov)

If you are a federal candidate, contact the Federal Election Commission ([fec.gov](https://www.fec.gov)) for more information about federal campaign finance regulations and disclosing your campaign finances.

Failure to adhere to campaign finance requirements may lead to fines and disqualification. Continue reading the sections below find out how to follow these requirements.

OPENING A CAMPAIGN BANK ACCOUNT

CONTRIBUTIONS

EXPENDITURES

REPORTING SCHEDULE & DEADLINES

HOW TO REPORT YOUR CAMPAIGN FINANCES

WHEN TO START & STOP REPORTING

PENALTIES & FINES

1

OPENING A CAMPAIGN BANK ACCOUNT

If you are a statewide and legislative candidate, opening a bank account for your campaign is one of the first things you must do. Utah law does not allow statewide and legislative candidates to use personal or business banking accounts for a campaign — you must use a separate bank account that is only used for campaign purposes. You are, however, allowed to contribute money from your personal accounts to your campaign account.

Some banks require an employer identification number (EIN) to open an account for your campaign. The Lieutenant Governor's office or your county clerk cannot provide you with this number. Contact the IRS for more information ([irs.gov](https://www.irs.gov)).

2

CONTRIBUTIONS

WHAT IS A CONTRIBUTION?

A contribution is anything of value that your campaign receives. [Utah Code §20A-11-101\(6\)](#) provides a thorough definition of a contribution, but here are some common types:



MONEY DONATIONS



GIFTS



LOANS



SERVICES

Every contribution your campaign receives must be reported. When reporting contributions you must include the contribution's value, the contributor's name, the contributor's address, and the date.

Contributions do not include unpaid volunteering or goods or services that your campaign did not authorize or coordinate.

WHO CAN CONTRIBUTE TO MY CAMPAIGN?

Any individual, corporation, PAC, or political party may contribute to your campaign. Utah law does not limit how much a contributor may contribute to your campaign.

If you receive a contribution from a PAC or political party, they may be required to file financial disclosure reports as well. It is recommended you notify these entities of this possible requirement to ensure they comply with the law and avoid fines.

IN-KIND CONTRIBUTIONS

You may be asking yourself: how can I report a contribution when it isn't a monetary donation? If your campaign receives anything of value that isn't monetary, this is considered an **in-kind contribution**. Just like monetary donations, you must report all in-kind contributions.

If your campaign receives an in-kind contribution, you need to determine its value in order to report it. Doing this is often as simple as asking the contributor. For example, if a farmers' market usually charges \$100 for booth space and gave the space to your campaign for free, you received a \$100 in-kind donation from the farmers' market.

Please note that while the in-kind amount is displayed in your ledger and on your reports, it will not be included in the running totals or the balances. For example, if you have a \$0 balance and receive a \$200 in-kind contribution of internet services on July 4, 2016, you will simply add a \$200 contribution to your ledger, check the in-kind box, and add a comment regarding the internet services. Your balance will remain \$0 (the original amount). (For more information about your ledger, refer to [page 25](#)).

AGGREGATING CONTRIBUTIONS

Prior to May 10, 2016 a candidate or officeholder could report the aggregate value of contributions worth \$50 or less. After the passage of [H.B. 290 \(2016\)](#), you must report a detailed listing of each contribution. This means that you must report the following:

- The name and address of each individual or source making the contribution
- The exact amount or value of each contribution
- The date on which the contribution was received

ANONYMOUS CONTRIBUTIONS

You cannot use a campaign contribution if it is from an anonymous source and greater than \$50. If you receive an anonymous contribution greater than \$50, you must gift the money to the state, county, city, or a non-profit 501(c)(3) organization within 30 days of receiving the contribution.

CONTRIBUTIONS THROUGH PASS-THROUGH ENTITIES

Many candidates use pass-through entities to collect donations (such as PayPal, Act Blue, or GoFundMe). When you report your contributions, do not report that you received the contribution from the pass-through entity (unless the actual corporation donated to your campaign). Instead, report the original source of the contribution.

3

EXPENDITURES

WHAT IS AN EXPENDITURE?

An expenditure is anything of value that your campaign spends. [Utah Code §20A-11-101\(15\)](#) provides an extensive definition of an expenditure, but here are some common types:



PURCHASES OR PAYMENTS



COMPENSATION FOR STAFF OR SERVICES



CAMPAIGN LOAN REPAYMENTS

Every expenditure that your campaign makes must be reported. When you report expenditures you must include the amount, date, and clear purpose of each expenditure.

PROHIBITED EXPENDITURES

Utah law prohibits using your campaign funds for you or your family's personal use. Generally, if an expenditure is not related to your campaign or officeholder duties and benefits you or your family, the expenditure is prohibited. Below is a non-inclusive list of prohibited expenditures:

- Rent, mortgage, or utilities for your *personal* property (campaign office space is exempt)
- Household food items or supplies
- Clothing (except clothes that have your campaign's logo and are used in the campaign)
- Admission to events
- Dues or fees to clubs or gyms
- Salary for anyone who does not work for your campaign
- Vehicle payment
- Personal debt
- Personal service (attorney & physician fees)
- Membership fee to a professional organization
- Travel expenses unrelated to the campaign
- Meal expenses unrelated to the campaign
- Vacation expenses

MAKING EXPENDITURES USING CREDIT CARDS

Many candidates use credit cards to pay for campaign expenses. When you report your expenditures, do not put your monthly credit card payment as an expenditure. Instead, report each transaction on your credit card's billing statement.

For example, if you spent \$200 on your credit card, report all transactions (such as \$100 for printing and \$100 for signs) instead of the lump \$200 sum.

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REPORTING SCHEDULE & DEADLINES

30-DAY & 3-BUSINESS DAY CONTRIBUTION REPORTING REQUIREMENTS

You must regularly report your campaign contributions—including in-kind contributions. You must report each contribution within **30 calendar days** of receiving it (see box to the right).

If you have an opponent for the convention, primary election, or general election, you must report all campaign contributions within **3 business days** beginning 30 days before the convention, primary election, or general election. If the office you are seeking is contested, refer to the table below to determine when the 3 business day reporting requirement begins:

Convention/Election	3-Business Day Requirement Begins:
30 Days Prior to Convention	Contact your party to determine your convention date
30 Days Prior to Primary Election	Sunday, May 29, 2016
30 Days Prior to General Election	Sunday, October 9, 2016

What exactly is "Received?"

A contribution is considered received when you:

- Deposit the check
- Have the cash in hand
- Benefit from an in-kind contribution



AVOID FINES:

Because several months have 31 days, reporting your contributions on the same day of each month can lead to late reporting. For example, if you receive a contribution on January 1st but report it on February 1st, the contribution was reported after the 30 day deadline because there are 31 days in January.

FINANCIAL DISCLOSURE REPORT DEADLINES

In addition to regular contribution reporting (see above), state and legislative candidates are required to submit 5 reports to the Lieutenant Governor's office throughout the 2016 election year.

REPORT NAME	DUE DATE	DATES INCLUDED IN THE REPORT
Convention	7 days before convention (11:59 p.m.)	January 1, 2016 - 5 days before convention report is due
Primary Election	June 21, 2016 (11:59 p.m.)	4 days before convention report due - June 16, 2016
September 30th	September 30, 2016 (11:59 p.m.)	June 17, 2016 - September 25, 2016
General Election	November 1, 2016 (11:59 p.m.)	September 26, 2016 - October 27, 2016
Year-End	January 10, 2017 (11:59 p.m.)	October 28, 2016 - December 31, 2016

When filing reports you must include all campaign contributions received and expenditures made between the dates included in each report. Turn to the next page to learn how to file these reports.

Reporting deadlines are the same for all candidates except for the convention report. This report is due 7 days before your party's convention—even if you do not attend. Contact your party ([page 36](#)) to determine the exact date of the convention. If the 7-days-before-date falls on a weekend or holiday, your report will be due the following business day.

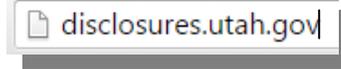
5

HOW TO REPORT YOUR CAMPAIGN FINANCES

All state and legislative candidates must file financial disclosure reports on the Lieutenant Governor’s website, disclosures.utah.gov. Candidates should follow the steps below to report contributions, expenditures, and file reports.

STEP 1: CREATE A USERNAME & REGISTER YOUR CAMPAIGN

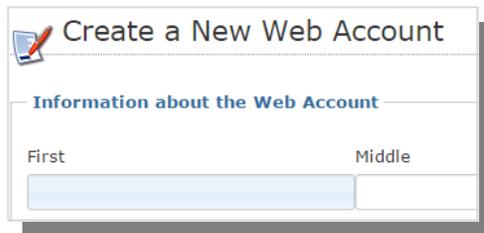
1. Using a web browser, go to disclosures.utah.gov.



2. Select “New User” on the toolbar located on the left of your screen. Skip this and the next item if you already have a username.



3. The “Create a New Web Account” screen will appear. Here you will create a username which allows you to log into the disclosures website. This is **NOT** the same as registering your campaign; that will be done in the next step.



Fill out your personal information and create your username and password. Click “Register.”

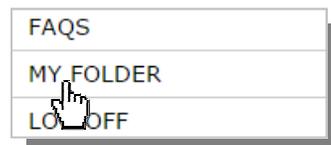
4. After you have created your username, call the Lieutenant Governor’s office (801-538-1041) to register your campaign.

You will be asked for your contact information as well as contact information for any campaign committee members you may have. This information will be available to the public.



STEP 2: NAVIGATE YOUR FINANCIAL LEDGER

1. All contributions and expenditures are entered in your financial ledger. This is also where reports are filed. To access your ledger, log into disclosures.utah.gov with your username and then click on the “My Folder” tab on the left of your screen.



(Continued on the next page.)

STEP 2: NAVIGATE YOUR FINANCIAL LEDGER *(Continued)*

2. On the “My Folder” screen, you will notice three red links in the middle of the screen under the bolded word “**Actions.**” Select “[Financial Ledger.](#)”

Actions:

- [Manage Folder](#) (Update Stater
- [Public View](#)
- [Financial Ledger](#) (Enter Contri

3. Familiarize yourself with the financial ledger:

- In the top left corner are the names of the required reports for a given year. When you enter a contribution or expenditure, the ledger automatically sorts them under the appropriate report based on date. You can view [reporting period dates](#) by hovering your cursor over a report name. To see all contributions and expenditures under a particular report, click “Show Details” next to the report’s name.

#	Date	Name
Manage Beginning Balance for 2014		
Show Details Convention		
Show Details Primary		
Show Details August 31st		
Show Details General		
Show Details Year End		

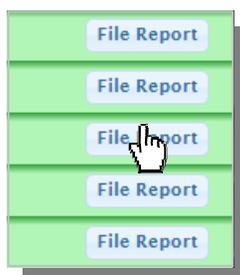
#	Date	Name
Manage Beginning Balance for 2014		
Hide Details Convention		
1	1/1/2014	Jane Doe
2	3/1/2014	Print Shop
		Report Totals:
		Show Details Primary

- At the top of the ledger are the columns for contributions, expenditures, and account balance.

To add a contribution or expenditure, simply click “Add” in the appropriate column. Balance totals will be displayed in the column on the right and in the grey row.

Contributions (+)	Add	Expenditures (-)	Add	Balance
				\$0.00
		Beginning Balance		\$0.00
\$20.00				\$20.00
		(\$10.00)		\$10.00
\$20.00		(\$10.00)		\$10.00

- At the far right of the ledger are the “File Report” buttons. You only need to click “File Report” once you have entered all contributions and expenditures for a reporting period.



You may make changes to a report once you submit it, but any changes will be publicly displayed as amendments.

(Continued on the next page.)

STEP 2: NAVIGATE YOUR FINANCIAL LEDGER *(Continued)*

- To the left of the “File Report” buttons are columns:

I = In-Kind Contribution

L = Loan

A = Report Amendment

P = Public Service Assistance

If a contribution or expenditure falls into these categories, the ledger will note it in these columns.

In-kind contributions will not affect the balance of your ledger.

Balance	I	L	A	P
\$0.00				
\$0.00				
\$25.00				✓
\$75.00		✓		
\$95.00	✓		H	
\$85.00				

STEP 3: ADD A CONTRIBUTION OR EXPENDITURE

- To add a contribution or expenditure, simply click “Add” in the appropriate ledger column.

Contributions (+)	Add	Expenditures (-)	Add
\$0.00		\$0.00	
\$0.00		\$0.00	

- CONTRIBUTIONS.** Clicking the “Add” button in the contributions column will display the pop-up shown to the right. You must enter the date of the contribution, the contributor’s name and address, and the contribution amount. There are also checkboxes to indicate whether the contribution was an in-kind, loan, or public service assistance. You may add a comment, but this is optional.

Contribution

Contribution Date: Name of Contributor:

Amount: In-kind Loan PSA

Contributor's Address

1:

2:

City: State: Zip:

Optional Comment (will be viewed publicly):

- EXPENDITURES.** Clicking the “Add” button in the expenditure column will display the pop-up shown to the right. You must enter the date of the expenditure, the purpose of the expenditure, and the expenditure amount. The expenditure and purpose must be detailed and clear. There is a checkbox to indicate the expenditure is related to a loan.

Expenditure

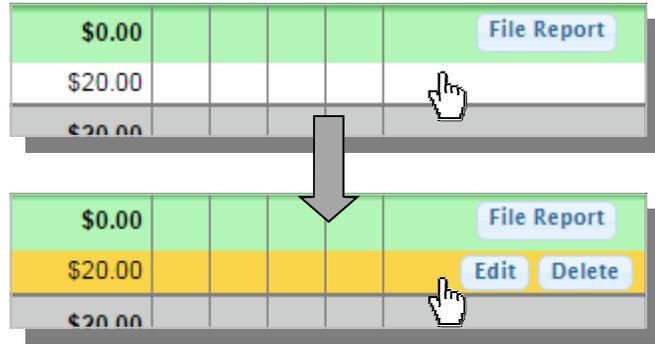
Expenditure Date: Name of Payee:

Amount: Loan

Purpose:

STEP 4: EDIT OR DELETE A CONTRIBUTION OR EXPENDITURE

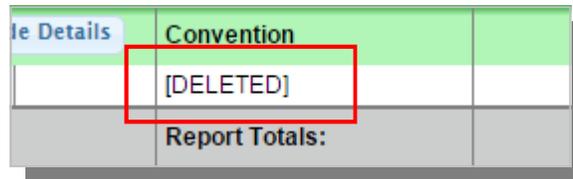
- To edit or delete a contribution, click on the row of the contribution or expenditure. The row will highlight and the “Edit” and “Delete” buttons will appear. If the report is already filed, the “Amend” and “Delete” buttons will appear.



- To edit a contribution or expenditure, press the “Edit” button. After editing a transaction, it will be noted as an amendment.



- To delete a contribution or expenditure, press the “Delete” button. The transaction’s details will be deleted, but the transaction’s name will be change to [DELETED]. If you delete a transaction, it will no longer affect the balance.



STEP 5: FILE YOUR REPORTS

- Before submitting your report, ensure that all of your contributions and expenditures have been entered into the ledger and are accurate.

When you are ready to submit a report, click on the report’s “File Report” button at the far right of the ledger. You will be asked to confirm the filing.

You will receive both an on-screen and email confirmation that you submitted the report successfully.



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WHEN TO START & STOP REPORTING

WHEN DO I START REPORTING MY CAMPAIGN FINANCES?

Once you declare candidacy, receive a contribution, or spend money on campaigning, you must begin reporting campaign finances - even if you have not officially declared candidacy or declared intent to gather signatures.

WHEN DO I STOP REPORTING MY CAMPAIGN FINANCES?

If you lose an election, resign from office, or affirm that you are no longer receiving or expending money, you have the option of closing your financial disclosure account. You will no longer need to report your campaign finances after closing your account. If you decide to run for office in the future, you must open a new account (though you may use the same username) and begin disclosing your campaign finances once you receive a contribution or make a campaign expenditure.

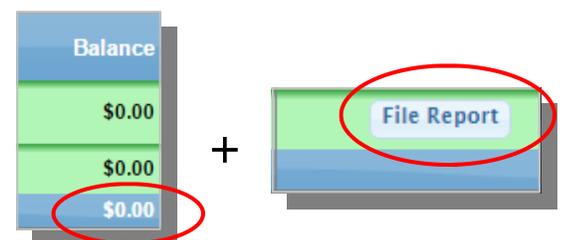
HOW DO I CLOSE MY ACCOUNT?

You must return or donate your campaign funds to close your account. You may:

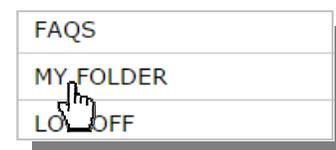
- Pay back loans your campaign received (including loans you made to your own campaign)
- Return funds to your contributors
- Donate the funds to another candidate, political party, or PAC
- Donate the funds to a non-profit, 501(c)(3) organization

To close your financial disclosures account, follow these instructions:

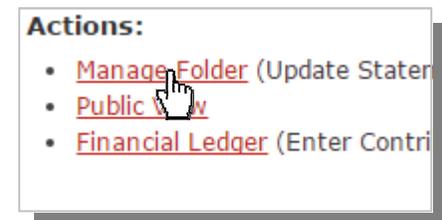
1. Log into disclosures.utah.gov with your username. Ensure that your ledger is updated, your account balance is \$0, and you have filed the next report.



2. Return to the home page after updating your ledger. Click "My Folder" on the toolbar located on the left of the home page.



3. In the "My Folder" screen, you will notice three red links in the middle of your screen under "Actions." Click "[Manage Folder](#)."



(Continued on the next page)

HOW DO I CLOSE MY ACCOUNTS? *(Continued)*

4. In the “Manage Folder” screen click the link labeled “**Close Account.**”



5. A pop-up will appear and ask for confirmation. Read and click “Submit.”

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PENALTIES & FINES

If you fail to adhere to campaign finance and disclosure laws—including failure to file a report by the deadline—you may face fines, criminal penalties, and disqualification from the election. The table below outlines the penalties for filing a late report:

REPORT NAME	DUE DATE	FINE AND/OR PENALTY
Convention	7 days before convention (11:59 p.m.)	\$100 fine
Primary Election	June 21, 2016 (11:59 p.m.)	\$100 fine & potential disqualification from the election
September 30th	September 30, 2016 (11:59 p.m.)	\$100 fine & potential disqualification from the election
General Election	November 1, 2016 (11:59 p.m.)	\$100 fine & potential disqualification from the election
Year-End	January 10, 2017 (11:59 p.m.)	\$100 fine

If you fail to file the Primary, September 30th, or General Election reports, you will be fined and given a 24-hour grace period to file the report. If you do not file the report within this grace period, you will be disqualified from the ballot.

There are also penalties for failing to report contributions within the 30-calendar day or 3-business day requirement ([see page 23](#)):

- 10% of each late contribution if it is reported within 60 days after the deadline
- 20% of each late contribution if it is reported more than 60 days after the deadline

HOW DO I PAY FINES?

State and legislative candidates must pay fines through the Lieutenant Governor’s office. You may submit a check (made payable to the “State of Utah”) or call the Lieutenant Governor’s office (801-538-1041) to conduct a credit card transaction over the phone.

State and legislative candidates are required to pay the Lieutenant Governor’s office within 30 calendar days of receiving the fine. They are subject to a class B misdemeanor for failure to pay within this time period.

POLITICAL PARTY CONTACT INFORMATION



CONSTITUTION PARTY OF UTAH

Address: P.O. Box 1215
Bountiful, UT 84010
Phone: (435) 822-5630 or (801) 544-4056
Website: constitutionpartyofutah.com



LIBERTARIAN PARTY OF UTAH

Address: 6885 South State Street, Suite 200
Midvale, UT 84047
Phone: (805) 500-8857
Website: lputah.org



UTAH DEMOCRATIC PARTY

Address: 825 N. 300 W., Suite C400
Salt Lake City, UT 84103
Phone: (801) 328-1212
Website: utahdemocrats.org



UTAH REPUBLICAN PARTY

Address: 117 E. South Temple Street
Salt Lake City, UT 84111
Phone: (801) 533-9777
Website: utgop.org



INDEPENDENT AMERICAN PARTY OF UTAH

Address: 4270 Normandie
Salt Lake City, UT 84107
Phone: (801) 243-5638
Website: utahiap.org

COUNTY CLERK CONTACT INFORMATION

BEAVER COUNTY CLERK

P.O. Box 392
Beaver, UT 84713
(435) 438-6463

BOX ELDER COUNTY CLERK

01 S. Main Street
Brigham City, UT 84302
(435) 734-3355

CACHE COUNTY CLERK

179 North Main Street, Suite 102
Logan, UT 84321
(435) 755-1460

CARBON COUNTY CLERK

751 East 100 North, Suite 1100
Price, UT 84501
(435) 636-3224

DAGGETT COUNTY CLERK

P.O. Box 400
Manila, UT 84046
(435) 784-3154

DAVIS COUNTY CLERK

61 South Main
Farmington, UT 84025
(801) 451-3324

DUCHESNE COUNTY CLERK

P.O. Box 270
Duchesne, UT 84021
(435) 738-1228

EMERY COUNTY CLERK

P.O. Box 907
Castle Dale, UT 84513
(435) 381-5106

GARFIELD COUNTY CLERK

55 S. Main
Panguitch, UT 84759
(435) 676-8826

GRAND COUNTY CLERK

125 E. Center
Moab, UT 84532
(435) 259-1321

IRON COUNTY CLERK

P.O. Box 429
Parowan, UT 84761
(435) 477-8340

JUAB COUNTY CLERK

160 North Main
Nephi, UT 84648
(435) 623-3410

KANE COUNTY CLERK

76 N. Main St.
Kanab, UT 84741
(435) 644-2458

MILLARD COUNTY CLERK

765 S. Highway 99, Suite 6
Fillmore, UT 84631
(435) 743-6223

MORGAN COUNTY CLERK

P.O. Box 886
Morgan, UT 84050
(801) 845-4011

PIUTE COUNTY CLERK

P.O. Box 99
Junction, UT 84740
(435) 577-2840

RICH COUNTY CLERK

20 South Main
Randolph, UT 84064
(435) 793-2415

SALT LAKE COUNTY CLERK

2001 South State St., #S1100
Salt Lake City, UT 84190
(385) 468-7400

SAN JUAN COUNTY CLERK

P.O. Box 338
Monticello, UT 84535
(435) 587-3223

SANPETE COUNTY CLERK

160 North Main, Suite 202
Manti, UT 84642
(435) 835-2131

SEVIER COUNTY CLERK

P.O. Box 607
Richfield, UT 84701
(435) 893-0401

SUMMIT COUNTY CLERK

60 N. Main
Coalville, UT 84017
(435) 336-3204

TOOELE COUNTY CLERK

47 S. Main
Tooele, UT 84074
(435) 843-3140

UINTAH COUNTY CLERK

147 East Main
Vernal, UT 84078
(435) 781-5361

UTAH COUNTY CLERK

100 E. Center, Room 3100
Provo, UT 84606
(801) 851-8128

WASATCH COUNTY CLERK

25 North Main
Heber City, UT 84032
(435) 654-3211

WASHINGTON COUNTY CLERK

197 East Tabernacle
St. George, UT 84770
(435) 634-5712

WAYNE COUNTY CLERK

P.O. Box 189
Loa, UT 84747
(435) 836-1300

WEBER COUNTY CLERK

2380 Washington Blvd., #320
Ogden, UT 84401
(801) 399-8400

STATE OF UTAH

2016 CANDIDATE GUIDE

A guide for U.S. Senate, U.S. House, Statewide, and Legislative Candidates

Prepared by the Office of the Utah Lieutenant Governor, Spencer J. Cox

Published May 10, 2016

Version 2

DISCLAIMER: This guide is not a substitute for Utah State Code, and it is not intended to be comprehensive or an authoritative statement of law. For further legal information, please consult Utah State Code or other appropriate legal resources. The contents of this guide are subject to change by legislative or judicial action. Additionally, the contents of this guide are exclusively for the use of Qualified Political Party (QPP) candidates. As of January 6, 2016, all political parties in Utah are classified as a Qualified Political Party.