

Senator Wayne A. Harper proposes the following substitute bill:

ELECTIONS AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Norman K. Thurston

LONG TITLE

General Description:

This bill amends provisions relating to election law.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ addresses the level of detail required for reports of contributions and expenditures;
- ▶ expands the rulemaking authority of the director of elections in relation to the level of detail required for reports of contributions and expenditures;
- ▶ provides that a regulated officeholder is not required to file a conflict of interest disclosure at the time of filing for reelection to office if the regulated officeholder already filed a disclosure earlier the same year and indicates that the disclosure is accurate and up-to-date;
- ▶ amends provisions relating to permissible uses of campaign funds;
- ▶ amends contribution reporting requirements for state office candidates, legislative office candidates, and school board office candidates;
- ▶ requires the lieutenant governor to conduct certain studies relating to elections; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

- 31 **20A-9-201**, as last amended by Laws of Utah 2020, Chapter 22
- 32 **20A-11-101**, as last amended by Laws of Utah 2020, Chapter 22
- 33 **20A-11-101.3**, as enacted by Laws of Utah 2014, Chapter 18
- 34 **20A-11-104**, as last amended by Laws of Utah 2019, Chapter 204
- 35 **20A-11-201**, as last amended by Laws of Utah 2019, Chapter 74
- 36 **20A-11-204**, as last amended by Laws of Utah 2019, Chapter 74
- 37 **20A-11-206**, as last amended by Laws of Utah 2020, Chapters 22 and 31
- 38 **20A-11-301**, as last amended by Laws of Utah 2019, Chapter 74
- 39 **20A-11-303**, as last amended by Laws of Utah 2019, Chapter 74
- 40 **20A-11-305**, as last amended by Laws of Utah 2020, Chapters 22 and 31
- 41 **20A-11-403**, as last amended by Laws of Utah 2020, Chapter 22
- 42 **20A-11-1303**, as last amended by Laws of Utah 2019, Chapter 74
- 43 **20A-11-1602**, as last amended by Laws of Utah 2020, Chapter 344
- 44 **20A-11-1602.5**, as enacted by Laws of Utah 2019, Chapter 266
- 45 **20A-11-1603**, as last amended by Laws of Utah 2019, Chapter 266
- 46 **20A-11-1604**, as last amended by Laws of Utah 2019, Chapter 266
- 47 **20A-11-1605**, as last amended by Laws of Utah 2020, Chapter 22
- 48 **20A-11-1706**, as enacted by Laws of Utah 2014, Chapter 60

49 ENACTS:

50 **67-1a-16**, Utah Code Annotated 1953



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

53 Section 1. Section **20A-9-201** is amended to read:

54 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
 55 **more than one political party prohibited with exceptions -- General filing and form**
 56 **requirements -- Affidavit of impecuniosity.**

57 (1) Before filing a declaration of candidacy for election to any office, an individual
58 shall:

- 59 (a) be a United States citizen;
- 60 (b) meet the legal requirements of that office; and
- 61 (c) if seeking a registered political party's nomination as a candidate for elective office,
62 state:

- 63 (i) the registered political party of which the individual is a member; or
- 64 (ii) that the individual is not a member of a registered political party.

65 (2) (a) Except as provided in Subsection (2)(b), an individual may not:

- 66 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
67 Utah during any election year;
- 68 (ii) appear on the ballot as the candidate of more than one political party; or
- 69 (iii) file a declaration of candidacy for a registered political party of which the
70 individual is not a member, except to the extent that the registered political party permits
71 otherwise in the registered political party's bylaws.

72 (b) (i) An individual may file a declaration of candidacy for, or be a candidate for,
73 president or vice president of the United States and another office, if the individual resigns the
74 individual's candidacy for the other office after the individual is officially nominated for
75 president or vice president of the United States.

76 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more
77 than one justice court judge office.

78 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
79 the individual filed a declaration of candidacy for another office in the same election year if the
80 individual withdraws as a candidate for the other office in accordance with Subsection
81 [20A-9-202\(6\)](#) before filing the declaration of candidacy for lieutenant governor.

82 (3) (a) Except for a candidate for president or vice president of the United States,
83 before the filing officer may accept any declaration of candidacy, the filing officer shall:

84 (i) read to the individual the constitutional and statutory qualification requirements for
85 the office that the individual is seeking;

86 (ii) require the individual to state whether the individual meets the requirements
87 described in Subsection (3)(a)(i); ~~and~~

88 (iii) if the declaration of candidacy is for a county office, inform the individual that an
89 individual who holds a county elected office may not, at the same time, hold a municipal
90 elected office[-]; and

91 (iv) if the declaration of candidacy is for a legislative office, inform the individual that
92 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit
93 or trust, under authority of the United States or Utah, from being a member of the Legislature.

94 (b) Before accepting a declaration of candidacy for the office of county attorney, the
95 county clerk shall ensure that the individual filing that declaration of candidacy is:

96 (i) a United States citizen;

97 (ii) an attorney licensed to practice law in the state who is an active member in good
98 standing of the Utah State Bar;

99 (iii) a registered voter in the county in which the individual is seeking office; and

100 (iv) a current resident of the county in which the individual is seeking office and either
101 has been a resident of that county for at least one year or was appointed and is currently serving
102 as county attorney and became a resident of the county within 30 days after appointment to the
103 office.

104 (c) Before accepting a declaration of candidacy for the office of district attorney, the
105 county clerk shall ensure that, as of the date of the election, the individual filing that
106 declaration of candidacy is:

107 (i) a United States citizen;

108 (ii) an attorney licensed to practice law in the state who is an active member in good
109 standing of the Utah State Bar;

110 (iii) a registered voter in the prosecution district in which the individual is seeking
111 office; and

112 (iv) a current resident of the prosecution district in which the individual is seeking
113 office and either will have been a resident of that prosecution district for at least one year as of
114 the date of the election or was appointed and is currently serving as district attorney and
115 became a resident of the prosecution district within 30 days after receiving appointment to the
116 office.

117 (d) Before accepting a declaration of candidacy for the office of county sheriff, the
118 county clerk shall ensure that the individual filing the declaration:

- 119 (i) is a United States citizen;
- 120 (ii) is a registered voter in the county in which the individual seeks office;
- 121 (iii) (A) has successfully met the standards and training requirements established for
122 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and
123 Certification Act; or
- 124 (B) has met the waiver requirements in Section 53-6-206;
- 125 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
126 53-13-103; and
- 127 (v) as of the date of the election, will have been a resident of the county in which the
128 individual seeks office for at least one year.
- 129 (e) Before accepting a declaration of candidacy for the office of governor, lieutenant
130 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of
131 Education member, the filing officer shall ensure~~[(i)]~~ that the individual filing the declaration
132 of candidacy also makes the conflict of interest disclosure ~~[required by]~~ described in Section
133 20A-11-1603~~[-and]~~.
- 134 ~~[(ii) until January 1, 2020, if the filing officer is not the lieutenant governor, that the~~
135 ~~individual provides the conflict of interest disclosure form to the lieutenant governor in~~
136 ~~accordance with Section 20A-11-1603.]~~
- 137 (4) If an individual who files a declaration of candidacy does not meet the qualification
138 requirements for the office the individual is seeking, the filing officer may not accept the
139 individual's declaration of candidacy.
- 140 (5) If an individual who files a declaration of candidacy meets the requirements
141 described in Subsection (3), the filing officer shall:
- 142 (a) inform the individual that:
- 143 (i) the individual's name will appear on the ballot as the individual's name is written on
144 the individual's declaration of candidacy;
- 145 (ii) the individual may be required to comply with state or local campaign finance
146 disclosure laws; and
- 147 (iii) the individual is required to file a financial statement before the individual's
148 political convention under:
- 149 (A) Section 20A-11-204 for a candidate for constitutional office;

150 (B) Section 20A-11-303 for a candidate for the Legislature; or
151 (C) local campaign finance disclosure laws, if applicable;
152 (b) except for a presidential candidate, provide the individual with a copy of the current
153 campaign financial disclosure laws for the office the individual is seeking and inform the
154 individual that failure to comply will result in disqualification as a candidate and removal of
155 the individual's name from the ballot;
156 (c) provide the individual with a copy of Section 20A-7-801 regarding the Statewide
157 Electronic Voter Information Website Program and inform the individual of the submission
158 deadline under Subsection 20A-7-801(4)(a);
159 (d) provide the candidate with a copy of the pledge of fair campaign practices
160 described under Section 20A-9-206 and inform the candidate that:
161 (i) signing the pledge is voluntary; and
162 (ii) signed pledges shall be filed with the filing officer;
163 (e) accept the individual's declaration of candidacy; and
164 (f) if the individual has filed for a partisan office, provide a certified copy of the
165 declaration of candidacy to the chair of the county or state political party of which the
166 individual is a member.
167 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing
168 officer shall:
169 (a) accept the candidate's pledge; and
170 (b) if the candidate has filed for a partisan office, provide a certified copy of the
171 candidate's pledge to the chair of the county or state political party of which the candidate is a
172 member.
173 (7) (a) Except for a candidate for president or vice president of the United States, the
174 form of the declaration of candidacy shall:
175 (i) be substantially as follows:
176 "State of Utah, County of ____
177 I, _____, declare my candidacy for the office of _____, seeking the
178 nomination of the _____ party. I do solemnly swear that: I will meet the qualifications to
179 hold the office, both legally and constitutionally, if selected; I reside at _____
180 in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not

181 knowingly violate any law governing campaigns and elections; if filing via a designated agent,
 182 I will be out of the state of Utah during the entire candidate filing period; I will file all
 183 campaign financial disclosure reports as required by law; and I understand that failure to do so
 184 will result in my disqualification as a candidate for this office and removal of my name from
 185 the ballot. The mailing address that I designate for receiving official election notices is
 186 _____.

187 _____

188 Subscribed and sworn before me this _____ (month\day\year).

189 Notary Public (or other officer qualified to administer oath)."; and

190 (ii) require the candidate to state, in the sworn statement described in Subsection

191 (7)(a)(i):

192 (A) the registered political party of which the candidate is a member; or

193 (B) that the candidate is not a member of a registered political party.

194 (b) An agent designated under Subsection 20A-9-202(1)(c) to file a declaration of
 195 candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.

196 (8) (a) Except for a candidate for president or vice president of the United States, the
 197 fee for filing a declaration of candidacy is:

198 (i) \$50 for candidates for the local school district board; and

199 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
 200 person holding the office for all other federal, state, and county offices.

201 (b) Except for presidential candidates, the filing officer shall refund the filing fee to
 202 any candidate:

203 (i) who is disqualified; or

204 (ii) who the filing officer determines has filed improperly.

205 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received
 206 from candidates.

207 (ii) The lieutenant governor shall:

208 (A) apportion to and pay to the county treasurers of the various counties all fees
 209 received for filing of nomination certificates or acceptances; and

210 (B) ensure that each county receives that proportion of the total amount paid to the
 211 lieutenant governor from the congressional district that the total vote of that county for all

212 candidates for representative in Congress bears to the total vote of all counties within the
213 congressional district for all candidates for representative in Congress.

214 (d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy
215 without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by
216 an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer,
217 a financial statement filed at the time the affidavit is submitted.

218 (ii) A person who is able to pay the filing fee may not claim impecuniosity.

219 (iii) (A) False statements made on an affidavit of impecuniosity or a financial
220 statement filed under this section shall be subject to the criminal penalties provided under
221 Sections 76-8-503 and 76-8-504 and any other applicable criminal provision.

222 (B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be
223 considered an offense under this title for the purposes of assessing the penalties provided in
224 Subsection 20A-1-609(2).

225 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in
226 substantially the following form:

227 "Affidavit of Impecuniosity

228 Individual Name

229 _____ Address _____

230 Phone Number _____

231 I, _____ (name), do solemnly [swear] [affirm], under penalty of law
232 for false statements, that, owing to my poverty, I am unable to pay the filing fee required by
233 law.

234 Date _____ Signature _____

235 Affiant

236 Subscribed and sworn to before me on _____ (month\day\year)

237 _____
238 (signature)

239 Name and Title of Officer Authorized to Administer Oath _____".

240 (v) The filing officer shall provide to a person who requests an affidavit of
241 impecuniosity a statement printed in substantially the following form, which may be included
242 on the affidavit of impecuniosity:

243 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a
244 candidate who is found guilty of filing a false statement, in addition to being subject to criminal
245 penalties, will be removed from the ballot."

246 (vi) The filing officer may request that a person who makes a claim of impecuniosity
247 under this Subsection (8)(d) file a financial statement on a form prepared by the election
248 official.

249 (9) An individual who fails to file a declaration of candidacy or certificate of
250 nomination within the time provided in this chapter is ineligible for nomination to office.

251 (10) A declaration of candidacy filed under this section may not be amended or
252 modified after the final date established for filing a declaration of candidacy.

253 Section 2. Section 20A-11-101 is amended to read:

254 **20A-11-101. Definitions.**

255 As used in this chapter:

256 (1) (a) "Address" means the number and street where an individual resides or where a
257 reporting entity has its principal office.

258 (b) "Address" does not include a post office box.

259 (2) "Agent of a reporting entity" means:

260 (a) a person acting on behalf of a reporting entity at the direction of the reporting
261 entity;

262 (b) a person employed by a reporting entity in the reporting entity's capacity as a
263 reporting entity;

264 (c) the personal campaign committee of a candidate or officeholder;

265 (d) a member of the personal campaign committee of a candidate or officeholder in the
266 member's capacity as a member of the personal campaign committee of the candidate or
267 officeholder; or

268 (e) a political consultant of a reporting entity.

269 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
270 amendments, and any other ballot propositions submitted to the voters that are authorized by
271 the Utah Code Annotated 1953.

272 (4) "Candidate" means any person who:

273 (a) files a declaration of candidacy for a public office; or

274 (b) receives contributions, makes expenditures, or gives consent for any other person to
275 receive contributions or make expenditures to bring about the person's nomination or election
276 to a public office.

277 (5) "Chief election officer" means:

278 (a) the lieutenant governor for state office candidates, legislative office candidates,
279 officeholders, political parties, political action committees, corporations, political issues
280 committees, state school board candidates, judges, and labor organizations, as defined in
281 Section 20A-11-1501; and

282 (b) the county clerk for local school board candidates.

283 (6) (a) "Contribution" means any of the following when done for political purposes:

284 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
285 value given to the filing entity;

286 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
287 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
288 anything of value to the filing entity;

289 (iii) any transfer of funds from another reporting entity to the filing entity;

290 (iv) compensation paid by any person or reporting entity other than the filing entity for
291 personal services provided without charge to the filing entity;

292 (v) remuneration from:

293 (A) any organization or its directly affiliated organization that has a registered lobbyist;

294 or

295 (B) any agency or subdivision of the state, including school districts;

296 (vi) a loan made by a candidate deposited to the candidate's own campaign; and

297 (vii) in-kind contributions.

298 (b) "Contribution" does not include:

299 (i) services provided by individuals volunteering a portion or all of their time on behalf
300 of the filing entity if the services are provided without compensation by the filing entity or any
301 other person;

302 (ii) money lent to the filing entity by a financial institution in the ordinary course of
303 business; or

304 (iii) goods or services provided for the benefit of a political entity at less than fair

305 market value that are not authorized by or coordinated with the political entity.

306 (7) "Coordinated with" means that goods or services provided for the benefit of a
307 political entity are provided:

308 (a) with the political entity's prior knowledge, if the political entity does not object;

309 (b) by agreement with the political entity;

310 (c) in coordination with the political entity; or

311 (d) using official logos, slogans, and similar elements belonging to a political entity.

312 (8) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
313 organization that is registered as a corporation or is authorized to do business in a state and
314 makes any expenditure from corporate funds for:

315 (i) the purpose of expressly advocating for political purposes; or

316 (ii) the purpose of expressly advocating the approval or the defeat of any ballot

317 proposition.

318 (b) "Corporation" does not mean:

319 (i) a business organization's political action committee or political issues committee; or

320 (ii) a business entity organized as a partnership or a sole proprietorship.

321 (9) "County political party" means, for each registered political party, all of the persons
322 within a single county who, under definitions established by the political party, are members of
323 the registered political party.

324 (10) "County political party officer" means a person whose name is required to be
325 submitted by a county political party to the lieutenant governor in accordance with Section
326 [20A-8-402](#).

327 (11) (a) "Detailed listing" means:

328 [~~(a)~~] (i) for each contribution or public service assistance:

329 [~~(i)~~] (A) the name and address of the individual or source making the contribution or
330 public service assistance, except to the extent that the name or address of the individual or
331 source is unknown;

332 [~~(ii)~~] (B) the amount or value of the contribution or public service assistance; and

333 [~~(iii)~~] (C) the date the contribution or public service assistance was made; and

334 [~~(b)~~] (ii) for each expenditure:

335 [~~(i)~~] (A) the amount of the expenditure;

336 [(ii)] (B) the person or entity to whom it was disbursed if, and as, required by rule;

337 [(iii)] (C) the [~~specific purpose, item, or service~~] goods or services acquired by the
338 expenditure; and

339 [(iv)] (D) the date the expenditure was made.

340 (b) "Detailed listing" includes the level of detail described in, or established by rule
341 under, Section 20A-11-101.3.

342 (12) (a) "Donor" means a person that gives money, including a fee, due, or assessment
343 for membership in the corporation, to a corporation without receiving full and adequate
344 consideration for the money.

345 (b) "Donor" does not include a person that signs a statement that the corporation may
346 not use the money for an expenditure or political issues expenditure.

347 (13) "Election" means each:

348 (a) regular general election;

349 (b) regular primary election; and

350 (c) special election at which candidates are eliminated and selected.

351 (14) "Electioneering communication" means a communication that:

352 (a) has at least a value of \$10,000;

353 (b) clearly identifies a candidate or judge; and

354 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
355 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
356 identified candidate's or judge's election date.

357 (15) (a) "Expenditure" means any of the following made by a reporting entity or an
358 agent of a reporting entity on behalf of the reporting entity:

359 (i) any disbursement from contributions, receipts, or from the separate bank account
360 required by this chapter;

361 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
362 or anything of value made for political purposes;

363 (iii) an express, legally enforceable contract, promise, or agreement to make any
364 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
365 value for political purposes;

366 (iv) compensation paid by a filing entity for personal services rendered by a person

367 without charge to a reporting entity;

368 (v) a transfer of funds between the filing entity and a candidate's personal campaign
369 committee; ~~or~~

370 (vi) goods or services provided by the filing entity to or for the benefit of another
371 reporting entity for political purposes at less than fair market value~~[-];~~ or

372 (vii) an independent expenditure.

373 (b) "Expenditure" does not include:

374 (i) services provided without compensation by individuals volunteering a portion or all
375 of their time on behalf of a reporting entity;

376 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
377 business; or

378 (iii) anything listed in Subsection (15)(a) that is given by a reporting entity to
379 candidates for office or officeholders in states other than Utah.

380 (16) "Federal office" means the office of president of the United States, United States
381 Senator, or United States Representative.

382 (17) "Filing entity" means the reporting entity that is required to file a financial
383 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

384 (18) "Financial statement" includes any summary report, interim report, verified
385 financial statement, or other statement disclosing contributions, expenditures, receipts,
386 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial
387 Retention Elections.

388 (19) "Governing board" means the individual or group of individuals that determine the
389 candidates and committees that will receive expenditures from a political action committee,
390 political party, or corporation.

391 (20) "Incorporation" means the process established by Title 10, Chapter 2a, Municipal
392 Incorporation, by which a geographical area becomes legally recognized as a city, town, or
393 metro township.

394 (21) "Incorporation election" means the election conducted under Section [10-2a-210](#) or
395 [10-2a-404](#).

396 (22) "Incorporation petition" means a petition described in Section [10-2a-208](#).

397 (23) "Individual" means a natural person.

398 (24) "In-kind contribution" means anything of value, other than money, that is accepted
399 by or coordinated with a filing entity.

400 (25) "Interim report" means a report identifying the contributions received and
401 expenditures made since the last report.

402 (26) "Legislative office" means the office of state senator, state representative, speaker
403 of the House of Representatives, president of the Senate, and the leader, whip, and assistant
404 whip of any party caucus in either house of the Legislature.

405 (27) "Legislative office candidate" means a person who:

406 (a) files a declaration of candidacy for the office of state senator or state representative;

407 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
408 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
409 assistant whip of any party caucus in either house of the Legislature; or

410 (c) 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 legislative office.

413 (28) "Loan" means any of the following provided by a person that benefits a filing
414 entity if the person expects repayment or reimbursement:

415 (a) an expenditure made using any form of payment;

416 (b) money or funds received by the filing entity;

417 (c) the provision of a good or service with an agreement or understanding that payment
418 or reimbursement will be delayed; or

419 (d) use of any line of credit.

420 (29) "Major political party" means either of the two registered political parties that
421 have the greatest number of members elected to the two houses of the Legislature.

422 (30) "Officeholder" means a person who holds a public office.

423 (31) "Party committee" means any committee organized by or authorized by the
424 governing board of a registered political party.

425 (32) "Person" means both natural and legal persons, including individuals, business
426 organizations, personal campaign committees, party committees, political action committees,
427 political issues committees, and labor organizations, as defined in Section [20A-11-1501](#).

428 (33) "Personal campaign committee" means the committee appointed by a candidate to

429 act for the candidate as provided in this chapter.

430 (34) "Personal use expenditure" has the same meaning as provided under Section
431 20A-11-104.

432 (35) (a) "Political action committee" means an entity, or any group of individuals or
433 entities within or outside this state, a major purpose of which is to:

434 (i) solicit or receive contributions from any other person, group, or entity for political
435 purposes; or

436 (ii) make expenditures to expressly advocate for any person to refrain from voting or to
437 vote for or against any candidate or person seeking election to a municipal or county office.

438 (b) "Political action committee" includes groups affiliated with a registered political
439 party but not authorized or organized by the governing board of the registered political party
440 that receive contributions or makes expenditures for political purposes.

441 (c) "Political action committee" does not mean:

442 (i) a party committee;

443 (ii) any entity that provides goods or services to a candidate or committee in the regular
444 course of its business at the same price that would be provided to the general public;

445 (iii) an individual;

446 (iv) individuals who are related and who make contributions from a joint checking
447 account;

448 (v) a corporation, except a corporation a major purpose of which is to act as a political
449 action committee; or

450 (vi) a personal campaign committee.

451 (36) (a) "Political consultant" means a person who is paid by a reporting entity, or paid
452 by another person on behalf of and with the knowledge of the reporting entity, to provide
453 political advice to the reporting entity.

454 (b) "Political consultant" includes a circumstance described in Subsection (36)(a),
455 where the person:

456 (i) has already been paid, with money or other consideration;

457 (ii) expects to be paid in the future, with money or other consideration; or

458 (iii) understands that the person may, in the discretion of the reporting entity or another
459 person on behalf of and with the knowledge of the reporting entity, be paid in the future, with

460 money or other consideration.

461 (37) "Political convention" means a county or state political convention held by a
462 registered political party to select candidates.

463 (38) "Political entity" means a candidate, a political party, a political action committee,
464 or a political issues committee.

465 (39) (a) "Political issues committee" means an entity, or any group of individuals or
466 entities within or outside this state, a major purpose of which is to:

467 (i) solicit or receive donations from any other person, group, or entity to assist in
468 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
469 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

470 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
471 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
472 proposed ballot proposition or an incorporation in an incorporation election; or

473 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
474 ballot or to assist in keeping a ballot proposition off the ballot.

475 (b) "Political issues committee" does not mean:

476 (i) a registered political party or a party committee;

477 (ii) any entity that provides goods or services to an individual or committee in the
478 regular course of its business at the same price that would be provided to the general public;

479 (iii) an individual;

480 (iv) individuals who are related and who make contributions from a joint checking
481 account;

482 (v) a corporation, except a corporation a major purpose of which is to act as a political
483 issues committee; or

484 (vi) a group of individuals who:

485 (A) associate together for the purpose of challenging or supporting a single ballot
486 proposition, ordinance, or other governmental action by a county, city, town, local district,
487 special service district, or other local political subdivision of the state;

488 (B) have a common liberty, property, or financial interest that is directly impacted by
489 the ballot proposition, ordinance, or other governmental action;

490 (C) do not associate together, for the purpose described in Subsection (39)(b)(vi)(A),

491 via a legal entity;

492 (D) do not receive funds for challenging or supporting the ballot proposition,
493 ordinance, or other governmental action from a person other than an individual in the group;
494 and

495 (E) do not expend a total of more than \$5,000 for the purpose described in Subsection
496 (39)(b)(vi)(A).

497 (40) (a) "Political issues contribution" means any of the following:

498 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
499 anything of value given to a political issues committee;

500 (ii) an express, legally enforceable contract, promise, or agreement to make a political
501 issues donation to influence the approval or defeat of any ballot proposition;

502 (iii) any transfer of funds received by a political issues committee from a reporting
503 entity;

504 (iv) compensation paid by another reporting entity for personal services rendered
505 without charge to a political issues committee; and

506 (v) goods or services provided to or for the benefit of a political issues committee at
507 less than fair market value.

508 (b) "Political issues contribution" does not include:

509 (i) services provided without compensation by individuals volunteering a portion or all
510 of their time on behalf of a political issues committee; or

511 (ii) money lent to a political issues committee by a financial institution in the ordinary
512 course of business.

513 (41) (a) "Political issues expenditure" means any of the following when made by a
514 political issues committee or on behalf of a political issues committee by an agent of the
515 reporting entity:

516 (i) any payment from political issues contributions made for the purpose of influencing
517 the approval or the defeat of:

518 (A) a ballot proposition; or

519 (B) an incorporation petition or incorporation election;

520 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
521 the express purpose of influencing the approval or the defeat of:

- 522 (A) a ballot proposition; or
523 (B) an incorporation petition or incorporation election;
524 (iii) an express, legally enforceable contract, promise, or agreement to make any
525 political issues expenditure;
526 (iv) compensation paid by a reporting entity for personal services rendered by a person
527 without charge to a political issues committee; or
528 (v) goods or services provided to or for the benefit of another reporting entity at less
529 than fair market value.
- 530 (b) "Political issues expenditure" does not include:
531 (i) services provided without compensation by individuals volunteering a portion or all
532 of their time on behalf of a political issues committee; or
533 (ii) money lent to a political issues committee by a financial institution in the ordinary
534 course of business.
- 535 (42) "Political purposes" means an act done with the intent or in a way to influence or
536 tend to influence, directly or indirectly, any person to refrain from voting or to vote for or
537 against any:
538 (a) candidate or a person seeking a municipal or county office at any caucus, political
539 convention, or election; or
540 (b) judge standing for retention at any election.
- 541 (43) (a) "Poll" means the survey of a person regarding the person's opinion or
542 knowledge of an individual who has filed a declaration of candidacy for public office, or of a
543 ballot proposition that has legally qualified for placement on the ballot, which is conducted in
544 person or by telephone, facsimile, Internet, postal mail, or email.
545 (b) "Poll" does not include:
546 (i) a ballot; or
547 (ii) an interview of a focus group that is conducted, in person, by one individual, if:
548 (A) the focus group consists of more than three, and less than thirteen, individuals; and
549 (B) all individuals in the focus group are present during the interview.
- 550 (44) "Primary election" means any regular primary election held under the election
551 laws.
- 552 (45) "Publicly identified class of individuals" means a group of 50 or more individuals

553 sharing a common occupation, interest, or association that contribute to a political action
554 committee or political issues committee and whose names can be obtained by contacting the
555 political action committee or political issues committee upon whose financial statement the
556 individuals are listed.

557 (46) "Public office" means the office of governor, lieutenant governor, state auditor,
558 state treasurer, attorney general, state school board member, state senator, state representative,
559 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
560 assistant whip of any party caucus in either house of the Legislature.

561 (47) (a) "Public service assistance" means the following when given or provided to an
562 officeholder to defray the costs of functioning in a public office or aid the officeholder to
563 communicate with the officeholder's constituents:

564 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
565 money or anything of value to an officeholder; or

566 (ii) goods or services provided at less than fair market value to or for the benefit of the
567 officeholder.

568 (b) "Public service assistance" does not include:

569 (i) anything provided by the state;

570 (ii) services provided without compensation by individuals volunteering a portion or all
571 of their time on behalf of an officeholder;

572 (iii) money lent to an officeholder by a financial institution in the ordinary course of
573 business;

574 (iv) news coverage or any publication by the news media; or

575 (v) any article, story, or other coverage as part of any regular publication of any
576 organization unless substantially all the publication is devoted to information about the
577 officeholder.

578 (48) "Receipts" means contributions and public service assistance.

579 (49) "Registered lobbyist" means a person licensed under Title 36, Chapter 11,
580 Lobbyist Disclosure and Regulation Act.

581 (50) "Registered political action committee" means any political action committee that
582 is required by this chapter to file a statement of organization with the Office of the Lieutenant
583 Governor.

584 (51) "Registered political issues committee" means any political issues committee that
585 is required by this chapter to file a statement of organization with the Office of the Lieutenant
586 Governor.

587 (52) "Registered political party" means an organization of voters that:

588 (a) participated in the last regular general election and polled a total vote equal to 2%
589 or more of the total votes cast for all candidates for the United States House of Representatives
590 for any of its candidates for any office; or

591 (b) has complied with the petition and organizing procedures of Chapter 8, Political
592 Party Formation and Procedures.

593 (53) (a) "Remuneration" means a payment:

594 (i) made to a legislator for the period the Legislature is in session; and

595 (ii) that is approximately equivalent to an amount a legislator would have earned
596 during the period the Legislature is in session in the legislator's ordinary course of business.

597 (b) "Remuneration" does not mean anything of economic value given to a legislator by:

598 (i) the legislator's primary employer in the ordinary course of business; or

599 (ii) a person or entity in the ordinary course of business:

600 (A) because of the legislator's ownership interest in the entity; or

601 (B) for services rendered by the legislator on behalf of the person or entity.

602 (54) "Reporting entity" means a candidate, a candidate's personal campaign committee,
603 a judge, a judge's personal campaign committee, an officeholder, a party committee, a political
604 action committee, a political issues committee, a corporation, or a labor organization, as
605 defined in Section [20A-11-1501](#).

606 (55) "School board office" means the office of state school board.

607 (56) (a) "Source" means the person or entity that is the legal owner of the tangible or
608 intangible asset that comprises the contribution.

609 (b) "Source" means, for political action committees and corporations, the political
610 action committee and the corporation as entities, not the contributors to the political action
611 committee or the owners or shareholders of the corporation.

612 (57) "State office" means the offices of governor, lieutenant governor, attorney general,
613 state auditor, and state treasurer.

614 (58) "State office candidate" means a person who:

- 615 (a) files a declaration of candidacy for a state office; or
- 616 (b) receives contributions, makes expenditures, or gives consent for any other person to
- 617 receive contributions or make expenditures to bring about the person's nomination, election, or
- 618 appointment to a state office.

619 (59) "Summary report" means the year end report containing the summary of a
620 reporting entity's contributions and expenditures.

621 (60) "Supervisory board" means the individual or group of individuals that allocate
622 expenditures from a political issues committee.

623 Section 3. Section **20A-11-101.3** is amended to read:

624 **20A-11-101.3. Detailed listing and report requirements -- Rulemaking authority.**

625 (1) As it relates to an expenditure, a detailed listing requires:

- 626 (a) more than simply disclosing a lump sum paid to a campaign manager or consultant
- 627 for campaign services or other broad categories of goods or services; and
- 628 (b) a list of goods or services.

629 (2) The director of elections, within the Lieutenant Governor's Office, may make rules,
630 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in relation to
631 the form, type, and level of detail required ~~[in]~~ for a detailed listing ~~[or]~~, a financial disclosure
632 form, or another report described in this chapter.

633 Section 4. Section **20A-11-104** is amended to read:

634 **20A-11-104. Personal use expenditure -- Authorized and prohibited uses of**
635 **campaign funds -- Enforcement -- Penalties.**

636 (1) (a) As used in this chapter, "personal use expenditure" means an expenditure that:

- 637 (i) (A) is not excluded from the definition of personal use expenditure by Subsection
- 638 (2); and

639 (B) primarily furthers a personal interest of a candidate or officeholder or a candidate's
640 or officeholder's family, which interest is not connected with the performance of an activity as
641 a candidate or an activity or duty of an officeholder; or

642 (ii) would likely cause the candidate or officeholder to recognize the expenditure as
643 taxable income under federal or state law.

644 (b) "Personal use expenditure" includes:

- 645 (i) a mortgage, rent, utility, or vehicle payment;

- 646 (ii) a household food item or supply;
- 647 [~~(iii) clothing, except for clothing:~~]
- 648 (iii) a clothing expense, except:
- 649 (A) clothing bearing the candidate's name or campaign slogan or logo[~~;~~ and ~~(B)~~] that is
- 650 used in the candidate's campaign; or
- 651 (B) repair or replacement of clothing that is damaged while the candidate or
- 652 officeholder is engaged in an activity of a candidate or officeholder;
- 653 (iv) an admission to a sporting, artistic, or recreational event or other form of
- 654 entertainment;
- 655 (v) dues, fees, or gratuities at a country club, health club, or recreational facility;
- 656 (vi) a salary payment made to:
- 657 (A) a candidate or officeholder; or
- 658 (B) a person who has not provided a bona fide service to a candidate or officeholder;
- 659 (vii) a vacation;
- 660 (viii) a vehicle expense;
- 661 (ix) a meal expense;
- 662 (x) a travel expense;
- 663 (xi) a payment of an administrative, civil, or criminal penalty;
- 664 (xii) a satisfaction of a personal debt;
- 665 (xiii) a personal service, including the service of an attorney, accountant, physician, or
- 666 other professional person;
- 667 (xiv) a membership fee for a professional or service organization; and
- 668 (xv) a payment in excess of the fair market value of the item or service purchased.
- 669 (2) As used in this chapter, "personal use expenditure" does not [~~mean~~] include an
- 670 expenditure made:
- 671 (a) for a political purpose;
- 672 (b) for candidacy for public office;
- 673 (c) to fulfill a duty or activity of an officeholder;
- 674 (d) for a donation to a registered political party;
- 675 (e) for a contribution to another candidate's campaign account, including sponsorship
- 676 of or attendance at an event, the primary purpose of which is to solicit a contribution for

- 677 another candidate's campaign account;
- 678 (f) to return all or a portion of a contribution to a contributor;
- 679 (g) for the following items, if made in connection with the candidacy for public office
- 680 or an activity or duty of an officeholder:
- 681 (i) (A) a mileage allowance at the rate established by the Division of Finance under
- 682 Section [63A-3-107](#); or
- 683 (B) for motor fuel or special fuel, as defined in Section [59-13-102](#);
- 684 ~~[(ii) a meal expense;]~~
- 685 ~~[(iii) a travel expense, including an expense incurred for airfare or a rental vehicle;]~~
- 686 (ii) a food expense, including food or beverages:
- 687 (A) served at a campaign event;
- 688 (B) served at a charitable event;
- 689 (C) consumed, or provided to others, by a candidate while the candidate is engaged in
- 690 campaigning;
- 691 (D) consumed, or provided to others, by an officeholder while the officeholder is acting
- 692 in the capacity of an officeholder; or
- 693 (E) provided as a gift to an individual who works on a candidate's campaign or who
- 694 assists an officeholder in the officeholder's capacity as an officeholder;
- 695 (iii) a travel expense of a candidate, if the primary purpose of the travel is related to the
- 696 candidate's campaign, including airfare, car rental, other transportation, hotel, or other expenses
- 697 incidental to the travel;
- 698 (iv) a travel expense of an individual assisting a candidate, if the primary purpose of
- 699 the travel by the individual is to assist the candidate with the candidate's campaign, including
- 700 an expense described in Subsection (2)(g)(iii);
- 701 (v) a travel expense of an officeholder, if the primary purpose of the travel is related to
- 702 an activity or duty of the officeholder, including an expense described in Subsection (2)(g)(iii);
- 703 (vi) a travel expense of an an individual assisting an officeholder, if the primary
- 704 purpose of the travel by the individual is to assist the officeholder in an activity or duty of an
- 705 officeholder, including an expense described in Subsection (2)(g)(iii);
- 706 ~~[(iv)]~~ (vii) a payment for a service provided by an attorney or accountant;
- 707 ~~[(v)]~~ (viii) a tuition payment or registration fee for participation in a meeting or

708 conference;

709 [~~(vi)~~] (ix) a gift;

710 [~~(vii)~~] (x) a payment for the following items in connection with an office space:

711 (A) rent;

712 (B) utilities;

713 (C) a supply; or

714 (D) furnishing;

715 [~~(viii)~~] (xi) a booth at a meeting or event; [~~or~~]

716 [~~(ix)~~] (xii) educational material; or

717 (xiii) an item purchased for a purpose related to a campaign or to an activity or duty of

718 an officeholder;

719 (h) to purchase or mail informational material, a survey, or a greeting card;

720 (i) for a donation to a charitable organization, as defined by Section 13-22-2, including

721 admission to or sponsorship of an event, the primary purpose of which is charitable solicitation,

722 as defined in Section 13-22-2;

723 (j) to repay a loan a candidate makes from the candidate's personal account to the

724 candidate's campaign account;

725 (k) to pay membership dues to a national organization whose primary purpose is to

726 address general public policy;

727 (l) for admission to or sponsorship of an event, the primary purpose of which is to

728 promote the social, educational, or economic well-being of the state or the candidate's or

729 officeholder's community;

730 (m) for one or more guests of an officeholder or candidate to attend an event, meeting,

731 or conference described in this Subsection (2), including related travel expenses and other

732 expenses, if attendance by the guest is for a primary purpose described in Subsection (2)(g)(iv)

733 or (vi); or

734 (n) to pay childcare expenses of:

735 (i) a candidate while the candidate is engaging in campaign activity; or

736 (ii) an officeholder while the officeholder is engaging in the duties of an officeholder.

737 (3) (a) The lieutenant governor shall enforce this chapter prohibiting a personal use

738 expenditure by:

739 (i) evaluating a financial statement to identify a personal use expenditure; and
740 (ii) commencing an informal adjudicative proceeding in accordance with Title 63G,
741 Chapter 4, Administrative Procedures Act, if the lieutenant governor has probable cause to
742 believe a candidate or officeholder has made a personal use expenditure.

743 (b) Following the proceeding, the lieutenant governor may issue a signed order
744 requiring a candidate or officeholder who has made a personal use expenditure to:

745 (i) remit an administrative penalty of an amount equal to 50% of the personal use
746 expenditure to the lieutenant governor; and

747 (ii) deposit the amount of the personal use expenditure in the campaign account from
748 which the personal use expenditure was disbursed.

749 (c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) in
750 the General Fund.

751 Section 5. Section **20A-11-201** is amended to read:

752 **20A-11-201. State office -- Separate bank account for campaign funds -- No**
753 **personal use -- State office candidate reporting deadline -- Report other accounts --**
754 **Anonymous contributions.**

755 (1) (a) Each state office candidate or the candidate's personal campaign committee
756 shall deposit each contribution received in one or more separate campaign accounts in a
757 financial institution.

758 (b) A state office candidate or a candidate's personal campaign committee may not use
759 money deposited in a campaign account for:

760 (i) a personal use expenditure; or

761 (ii) an expenditure prohibited by law.

762 (c) Each state officeholder or the state officeholder's personal campaign committee
763 shall deposit each contribution and public service assistance received in one or more separate
764 campaign accounts in a financial institution.

765 (d) A state officeholder or a state officeholder's personal campaign committee may not
766 use money deposited in a campaign account for:

767 (i) a personal use expenditure; or

768 (ii) an expenditure prohibited by law.

769 (2) (a) A state office candidate or the candidate's personal campaign committee may

770 not deposit or mingle any contributions received into a personal or business account.

771 (b) A state officeholder or the state officeholder's personal campaign committee may
772 not deposit or mingle any contributions or public service assistance received into a personal or
773 business account.

774 (3) If a person who is no longer a state office candidate chooses not to expend the
775 money remaining in a campaign account, the person shall continue to file the year-end
776 summary report required by Section 20A-11-203 until the statement of dissolution and final
777 summary report required by Section 20A-11-205 are filed with the lieutenant governor.

778 (4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who
779 is no longer a state office candidate may not expend or transfer the money in a campaign
780 account in a manner that would cause the former state office candidate to recognize the money
781 as taxable income under federal tax law.

782 (b) A person who is no longer a state office candidate may transfer the money in a
783 campaign account in a manner that would cause the former state office candidate to recognize
784 the money as taxable income under federal tax law if the transfer is made to a campaign
785 account for federal office.

786 (5) (a) As used in this Subsection (5) [~~and Section 20A-11-204, "received" means:~~],
787 "received means the same as that term is defined in Subsection 20A-11-204(1)(b).

788 [~~(i) for a cash contribution, that the cash is given to a state office candidate or a
789 member of the candidate's personal campaign committee;~~]

790 [~~(ii) for a contribution that is a negotiable instrument or check, that the negotiable
791 instrument or check is negotiated; and]~~

792 [~~(iii) for any other type of contribution, that any portion of the contribution's benefit
793 inures to the state office candidate.]~~

794 (b) Each state office candidate shall report to the lieutenant governor each contribution
795 received by the state office candidate:

796 (i) except as provided in Subsection (5)(b)(ii), within 31 days after the day on which
797 the contribution is received; or

798 (ii) within three business days after the day on which the contribution is received, if:

799 (A) the state office candidate is contested in a convention and the contribution is
800 received within 30 days before the day on which the convention is held;

801 (B) the state office candidate is contested in a primary election and the contribution is
802 received within 30 days before the day on which the primary election is held; or

803 (C) the state office candidate is contested in a general election and the contribution is
804 received within 30 days before the day on which the general election is held.

805 (c) Except as provided in Subsection (5)(d), for each contribution that a state office
806 candidate fails to report within the time period described in Subsection (5)(b), the lieutenant
807 governor shall impose a fine against the state office candidate in an amount equal to:

808 (i) 10% of the amount of the contribution, if the state office candidate reports the
809 contribution within 60 days after the day on which the time period described in Subsection
810 (5)(b) ends; or

811 (ii) 20% of the amount of the contribution, if the state office candidate fails to report
812 the contribution within 60 days after the day on which the time period described in Subsection
813 (5)(b) ends.

814 (d) The lieutenant governor may waive the fine described in Subsection (5)(c) and
815 issue a warning to the state office candidate if:

816 (i) the contribution that the state office candidate fails to report is paid by the state
817 office candidate from the state office candidate's personal funds;

818 (ii) the state office candidate has not previously violated Subsection (5)(c) in relation to
819 a contribution paid by the state office candidate from the state office candidate's personal
820 funds; and

821 (iii) the lieutenant governor determines that the failure to timely report the contribution
822 is due to the state office candidate not understanding that the reporting requirement includes a
823 contribution paid by a state office candidate from the state office candidate's personal funds.

824 (e) The lieutenant governor shall:

825 (i) deposit money received under Subsection (5)(c) into the General Fund; and

826 (ii) report on the lieutenant governor's website, in the location where reports relating to
827 each state office candidate are available for public access:

828 (A) each fine imposed by the lieutenant governor against the state office candidate;

829 (B) the amount of the fine;

830 (C) the amount of the contribution to which the fine relates; and

831 (D) the date of the contribution.

832 (6) (a) As used in this Subsection (6), "account" means an account in a financial
833 institution:

834 (i) that is not described in Subsection (1)(a); and

835 (ii) into which or from which a person who, as a candidate for an office, other than the
836 state office for which the person files a declaration of candidacy or federal office, or as a holder
837 of an office, other than a state office for which the person files a declaration of candidacy or
838 federal office, deposits a contribution or makes an expenditure.

839 (b) A state office candidate shall include on any financial statement filed in accordance
840 with this part:

841 (i) a contribution deposited in an account:

842 (A) since the last campaign finance statement was filed; or

843 (B) that has not been reported under a statute or ordinance that governs the account; or

844 (ii) an expenditure made from an account:

845 (A) since the last campaign finance statement was filed; or

846 (B) that has not been reported under a statute or ordinance that governs the account.

847 (7) Within 31 days after receiving a contribution that is cash or a negotiable
848 instrument, exceeds \$50, and is from an unknown source, a state office candidate shall disburse
849 the amount of the contribution to:

850 (a) the treasurer of the state or a political subdivision for deposit into the state's or
851 political subdivision's general fund; or

852 (b) an organization that is exempt from federal income taxation under Section
853 501(c)(3), Internal Revenue Code.

854 Section 6. Section **20A-11-204** is amended to read:

855 **20A-11-204. State office candidate and state officeholder -- Financial reporting**
856 **requirements -- Interim reports.**

857 (1) As used in this section:

858 (a) "Campaign account" means a separate campaign account required under Subsection
859 20A-11-201(1)(a) or (c).

860 (b) "Received" means:

861 (i) for a cash contribution, that the cash is given to a state office candidate or a member
862 of the state office candidate's personal campaign committee;

863 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
864 instrument or check is negotiated;

865 (iii) for a direct deposit made into a campaign account by a person not associated with
866 the campaign, the earlier of:

867 (A) the day on which the state office candidate or a member of the state office
868 candidate's personal campaign committee becomes aware of the deposit and the source of the
869 deposit;

870 (B) the day on which the state office candidate or a member of the state office
871 candidate's personal campaign committee receives notice of the deposit and the source of the
872 deposit by mail, email, text, or similar means; or

873 (C) thirty-one days after the day on which the direct deposit occurs; or

874 (iv) for any other type of contribution, that any portion of the contribution's benefit
875 inures to the state office candidate.

876 ~~[(1)]~~ (2) Except as provided in Subsection ~~[(2)]~~ (3), each state office candidate shall
877 file an interim report at the following times in any year in which the candidate has filed a
878 declaration of candidacy for a public office:

879 (a) (i) seven days before the candidate's political convention; or

880 (ii) for an unaffiliated candidate, the fourth Saturday in March;

881 (b) seven days before the regular primary election date;

882 (c) September 30; and

883 (d) seven days before the regular general election date.

884 ~~[(2)]~~ (3) If a state office candidate is a state office candidate seeking appointment for a
885 midterm vacancy, the state office candidate:

886 (a) shall file an interim report:

887 (i) (A) no later than seven days before the day on which the political party of the party
888 for which the state office candidate seeks nomination meets to declare a nominee for the
889 governor to appoint in accordance with Section [20A-1-504](#); and

890 (B) two days before the day on which the political party of the party for which the state
891 office candidate seeks nomination meets to declare a nominee for the governor to appoint in
892 accordance with Subsection [20A-1-504](#)(1)(b)(i); or

893 (ii) if a state office candidate decides to seek the appointment with less than seven days

894 before the party meets, or the political party schedules the meeting to declare a nominee less
895 than seven days before the day of the meeting, no later than 5 p.m. on the last day of business
896 before the day on which the party meets; and

897 (b) is not required to file an interim report at the times described in Subsection (1).

898 ~~[(3)(a) As used in this Subsection (3), "campaign account" means a separate campaign~~
899 ~~account required under Subsection 20A-11-201(1)(a) or (c).]~~

900 ~~[(b)]~~ (4) Each state officeholder who has a campaign account that has not been
901 dissolved under Section 20A-11-205 shall, in an even year, file an interim report at the
902 following times, regardless of whether an election for the state officeholder's office is held that
903 year:

904 ~~[(i)(A)]~~ (a) (i) seven days before the political convention for the political party of the
905 state officeholder; or

906 ~~[(B)]~~ (ii) for an unaffiliated state officeholder, the fourth Saturday in March;

907 ~~[(ii)]~~ (b) seven days before the regular primary election date;

908 ~~[(iii)]~~ (c) September 30; and

909 ~~[(iv)]~~ (d) seven days before the regular general election date.

910 ~~[(4)]~~ (5) Each interim report shall include the following information:

911 (a) the net balance of the last summary report, if any;

912 (b) a single figure equal to the total amount of receipts reported on all prior interim
913 reports, if any, during the calendar year in which the interim report is due;

914 (c) a single figure equal to the total amount of expenditures reported on all prior
915 interim reports, if any, filed during the calendar year in which the interim report is due;

916 (d) a detailed listing of:

917 (i) for a state office candidate, each contribution received since the last summary report
918 that has not been reported in detail on a prior interim report; or

919 (ii) for a state officeholder, each contribution and public service assistance received
920 since the last summary report that has not been reported in detail on a prior interim report;

921 (e) for each nonmonetary contribution:

922 (i) the fair market value of the contribution with that information provided by the
923 contributor; and

924 (ii) a specific description of the contribution;

925 (f) a detailed listing of each expenditure made since the last summary report that has
926 not been reported in detail on a prior interim report;

927 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

928 (h) a net balance for the year consisting of the net balance from the last summary
929 report, if any, plus all receipts since the last summary report minus all expenditures since the
930 last summary report;

931 (i) a summary page in the form required by the lieutenant governor that identifies:

932 (i) beginning balance;

933 (ii) total contributions and public service assistance received during the period since
934 the last statement;

935 (iii) total contributions and public service assistance received to date;

936 (iv) total expenditures during the period since the last statement; and

937 (v) total expenditures to date; and

938 (j) the name of a political action committee for which the state office candidate or state
939 officeholder is designated as an officer who has primary decision-making authority under
940 Section 20A-11-601.

941 ~~[(5)]~~ (6) (a) In preparing each interim report, all receipts and expenditures shall be
942 reported as of five days before the required filing date of the report.

943 (b) Any negotiable instrument or check received by a state office candidate or state
944 officeholder more than five days before the required filing date of a report required by this
945 section shall be included in the interim report.

946 Section 7. Section 20A-11-206 is amended to read:

947 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

948 (1) A state office candidate who fails to file a financial statement before the deadline is
949 subject to a fine imposed in accordance with Section 20A-11-1005.

950 (2) If a state office candidate fails to file an interim report described in Subsections
951 20A-11-204~~[(1)]~~(2)(b) through (d), the lieutenant governor may send an electronic notice to the
952 state office candidate and the political party of which the state office candidate is a member, if
953 any, that states:

954 (a) that the state office candidate failed to timely file the report; and

955 (b) that, if the state office candidate fails to file the report within 24 hours after the

956 deadline for filing the report, the state office candidate will be disqualified and the political
957 party will not be permitted to replace the candidate.

958 (3) (a) The lieutenant governor shall disqualify a state office candidate and inform the
959 county clerk and other appropriate election officials that the state office candidate is
960 disqualified if the state office candidate fails to file an interim report described in Subsections
961 [20A-11-204](#)~~(1)~~(2)(b) through (d) within 24 hours after the deadline for filing the report.

962 (b) The political party of a state office candidate who is disqualified under Subsection
963 (3)(a) may not replace the state office candidate.

964 (4) (a) If a state office candidate is disqualified under Subsection (3)(a), the election
965 official shall:

966 (i) remove the state office candidate's name from the ballot; or

967 (ii) if removing the state office candidate's name from the ballot is not practicable,
968 inform the voters by any practicable method that the state office candidate has been
969 disqualified and that votes cast for the state office candidate will not be counted.

970 (b) An election official may fulfill the requirement described in Subsection (4)(a) in
971 relation to a mailed ballot, including a military or overseas ballot, by including with the ballot a
972 written notice directing the voter to a public website that will inform the voter whether a
973 candidate on the ballot is disqualified.

974 (5) A state office candidate is not disqualified if:

975 (a) the state office candidate timely files the reports described in Subsections
976 [20A-11-204](#)~~(1)~~(2)(b) through (d) no later than 24 hours after the applicable deadlines for
977 filing the reports;

978 (b) the reports are completed, detailing accurately and completely the information
979 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
980 and

981 (c) the omissions, errors, or inaccuracies described in Subsection (5)(b) are corrected in
982 an amended report or the next scheduled report.

983 (6) (a) Within 60 days after a deadline for the filing of a summary report, the lieutenant
984 governor shall review each filed summary report to ensure that:

985 (i) each state office candidate that is required to file a summary report has filed one;
986 and

987 (ii) each summary report contains the information required by this part.

988 (b) If it appears that any state office candidate has failed to file the summary report
989 required by law, if it appears that a filed summary report does not conform to the law, or if the
990 lieutenant governor has received a written complaint alleging a violation of the law or the
991 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
992 violation or receipt of a written complaint, notify the state office candidate of the violation or
993 written complaint and direct the state office candidate to file a summary report correcting the
994 problem.

995 (c) (i) It is unlawful for a state office candidate to fail to file or amend a summary
996 report within seven days after receiving notice from the lieutenant governor described in this
997 Subsection (6).

998 (ii) Each state office candidate who violates Subsection (6)(c)(i) is guilty of a class B
999 misdemeanor.

1000 (iii) The lieutenant governor shall report all violations of Subsection (6)(c)(i) to the
1001 attorney general.

1002 (iv) In addition to the criminal penalty described in Subsection (6)(c)(ii), the lieutenant
1003 governor shall impose a civil fine of \$100 against a state office candidate who violates
1004 Subsection (6)(c)(i).

1005 Section 8. Section **20A-11-301** is amended to read:

1006 **20A-11-301. Legislative office -- Campaign finance requirements -- Candidate as**
1007 **a political action committee officer -- No personal use -- Contribution reporting deadline**
1008 **-- Report other accounts -- Anonymous contributions.**

1009 (1) (a) (i) Each legislative office candidate shall deposit each contribution received in
1010 one or more separate accounts in a financial institution that are dedicated only to that purpose.

1011 (ii) A legislative office candidate may:

1012 (A) receive a contribution from a political action committee registered under Section
1013 [20A-11-601](#); and

1014 (B) be designated by a political action committee as an officer who has primary
1015 decision-making authority as described in Section [20A-11-601](#).

1016 (b) A legislative office candidate or the candidate's personal campaign committee may
1017 not use money deposited in an account described in Subsection (1)(a)(i) for:

- 1018 (i) a personal use expenditure; or
1019 (ii) an expenditure prohibited by law.
- 1020 (c) (i) Each legislative officeholder shall deposit each contribution and public service
1021 assistance received in one or more separate accounts in a financial institution that are dedicated
1022 only to that purpose.
- 1023 (ii) A legislative officeholder may:
1024 (A) receive a contribution or public service assistance from a political action
1025 committee registered under Section 20A-11-601; and
1026 (B) be designated by a political action committee as an officer who has primary
1027 decision-making authority as described in Section 20A-11-601.
- 1028 (d) A legislative officeholder or the legislative officeholder's personal campaign
1029 committee may not use money deposited in an account described in Subsection (1)(c)(i) for:
1030 (i) a personal use expenditure; or
1031 (ii) an expenditure prohibited by law.
- 1032 (2) (a) A legislative office candidate may not deposit or mingle any contributions
1033 received into a personal or business account.
1034 (b) A legislative officeholder may not deposit or mingle any contributions or public
1035 service assistance received into a personal or business account.
- 1036 (3) If a person who is no longer a legislative candidate chooses not to expend the
1037 money remaining in a campaign account, the person shall continue to file the year-end
1038 summary report required by Section 20A-11-302 until the statement of dissolution and final
1039 summary report required by Section 20A-11-304 are filed with the lieutenant governor.
- 1040 (4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who
1041 is no longer a legislative office candidate may not expend or transfer the money in a campaign
1042 account in a manner that would cause the former legislative office candidate to recognize the
1043 money as taxable income under federal tax law.
- 1044 (b) A person who is no longer a legislative office candidate may transfer the money in
1045 a campaign account in a manner that would cause the former legislative office candidate to
1046 recognize the money as taxable income under federal tax law if the transfer is made to a
1047 campaign account for federal office.
- 1048 (5) (a) As used in this Subsection (5) [~~and Section 20A-11-303, "received" means:~~],

1049 "received" means the same as that term is defined in Subsection [20A-11-303\(1\)\(b\)](#).

1050 ~~[(i) for a cash contribution, that the cash is given to a legislative office candidate or a~~
1051 ~~member of the candidate's personal campaign committee;]~~

1052 ~~[(ii) for a contribution that is a negotiable instrument or check, that the negotiable~~
1053 ~~instrument or check is negotiated; and]~~

1054 ~~[(iii) for any other type of contribution, that any portion of the contribution's benefit~~
1055 ~~inures to the legislative office candidate.]~~

1056 (b) Each legislative office candidate shall report to the lieutenant governor each
1057 contribution received by the legislative office candidate:

1058 (i) except as provided in Subsection (5)(b)(ii), within 31 days after the day on which
1059 the contribution is received; or

1060 (ii) within three business days after the day on which the contribution is received, if:

1061 (A) the legislative office candidate is contested in a convention and the contribution is
1062 received within 30 days before the day on which the convention is held;

1063 (B) the legislative office candidate is contested in a primary election and the
1064 contribution is received within 30 days before the day on which the primary election is held; or

1065 (C) the legislative office candidate is contested in a general election and the
1066 contribution is received within 30 days before the day on which the general election is held.

1067 (c) Except as provided in Subsection (5)(d), for each contribution that a legislative
1068 office candidate fails to report within the time period described in Subsection (5)(b), the
1069 lieutenant governor shall impose a fine against the legislative office candidate in an amount
1070 equal to:

1071 (i) 10% of the amount of the contribution, if the legislative office candidate reports the
1072 contribution within 60 days after the day on which the time period described in Subsection
1073 (5)(b) ends; or

1074 (ii) 20% of the amount of the contribution, if the legislative office candidate fails to
1075 report the contribution within 60 days after the day on which the time period described in
1076 Subsection (5)(b) ends.

1077 (d) The lieutenant governor may waive the fine described in Subsection (5)(c) and
1078 issue a warning to the legislative office candidate if:

1079 (i) the contribution that the legislative office candidate fails to report is paid by the

1080 legislative office candidate from the legislative office candidate's personal funds;

1081 (ii) the legislative office candidate has not previously violated Subsection (5)(c) in
1082 relation to a contribution paid by the legislative office candidate from the legislative office
1083 candidate's personal funds; and

1084 (iii) the lieutenant governor determines that the failure to timely report the contribution
1085 is due to the legislative office candidate not understanding that the reporting requirement
1086 includes a contribution paid by a legislative office candidate from the legislative office
1087 candidate's personal funds.

1088 (e) The lieutenant governor shall:

1089 (i) deposit money received under Subsection (5)(c) into the General Fund; and

1090 (ii) report on the lieutenant governor's website, in the location where reports relating to
1091 each legislative office candidate are available for public access:

1092 (A) each fine imposed by the lieutenant governor against the legislative office
1093 candidate;

1094 (B) the amount of the fine;

1095 (C) the amount of the contribution to which the fine relates; and

1096 (D) the date of the contribution.

1097 (6) Within 31 days after receiving a contribution that is cash or a negotiable
1098 instrument, exceeds \$50, and is from an unknown source, a legislative office candidate shall
1099 disburse the amount of the contribution to:

1100 (a) the treasurer of the state or a political subdivision for deposit into the state's or
1101 political subdivision's general fund; or

1102 (b) an organization that is exempt from federal income taxation under Section
1103 501(c)(3), Internal Revenue Code.

1104 (7) (a) As used in this Subsection (7), "account" means an account in a financial
1105 institution:

1106 (i) that is not described in Subsection (1)(a)(i); and

1107 (ii) into which or from which a person who, as a candidate for an office, other than a
1108 legislative office for which the person files a declaration of candidacy or federal office, or as a
1109 holder of an office, other than a legislative office for which the person files a declaration of
1110 candidacy or federal office, deposits a contribution or makes an expenditure.

1111 (b) A legislative office candidate shall include on any financial statement filed in
1112 accordance with this part:

1113 (i) a contribution deposited in an account:

1114 (A) since the last campaign finance statement was filed; or

1115 (B) that has not been reported under a statute or ordinance that governs the account; or

1116 (ii) an expenditure made from an account:

1117 (A) since the last campaign finance statement was filed; or

1118 (B) that has not been reported under a statute or ordinance that governs the account.

1119 Section 9. Section **20A-11-303** is amended to read:

1120 **20A-11-303. Legislative office candidate and legislative officeholder -- Financial**
1121 **reporting requirements -- Interim reports.**

1122 [~~(1)(a) As used in this Subsection (1), "campaign]~~

1123 (1) As used in this section:

1124 (a) "Campaign account" means a separate campaign account required under Subsection
1125 20A-11-301(1)(a)(i) or (c)(i).

1126 (b) "Received" means:

1127 (i) for a cash contribution, that the cash is given to a legislative office candidate or a
1128 member of the legislative office candidate's personal campaign committee;

1129 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
1130 instrument or check is negotiated;

1131 (iii) for a direct deposit made into a campaign account by a person not associated with
1132 the campaign, the earlier of:

1133 (A) the day on which the legislative office candidate or a member of the legislative
1134 office candidate's personal campaign committee becomes aware of the deposit and the source
1135 of the deposit;

1136 (B) the day on which the legislative office candidate or a member of the legislative
1137 office candidate's personal campaign committee receives notice of the deposit and the source of
1138 the deposit by mail, email, text, or similar means; or

1139 (C) thirty-one days after the day on which the direct deposit occurs; or

1140 (iv) for any other type of contribution, that any portion of the contribution's benefit
1141 inures to the legislative office candidate.

1142 ~~[(b)]~~ (2) (a) Except as provided in Subsection ~~[(2)]~~ (3), each legislative office
1143 candidate shall file an interim report at the following times in any year in which the candidate
1144 has filed a declaration of candidacy for a public office:

- 1145 (i) (A) seven days before the candidate's political convention; or
- 1146 (B) for an unaffiliated candidate, the fourth Saturday in March;
- 1147 (ii) seven days before the regular primary election date;
- 1148 (iii) September 30; and
- 1149 (iv) seven days before the regular general election date.

1150 ~~[(c)]~~ (b) Each legislative officeholder who has a campaign account that has not been
1151 dissolved under Section [20A-11-304](#) shall, in an even year, file an interim report at the
1152 following times, regardless of whether an election for the legislative officeholder's office is
1153 held that year:

- 1154 (i) (A) seven days before the political convention for the political party of the
1155 legislative officeholder; or
- 1156 (B) for an unaffiliated legislative officeholder, the fourth Saturday in March;
- 1157 (ii) seven days before the regular primary election date for that year;
- 1158 (iii) September 30; and
- 1159 (iv) seven days before the regular general election date.

1160 ~~[(2)]~~ (3) If a legislative office candidate is a legislative office candidate seeking
1161 appointment for a midterm vacancy, the legislative office candidate:

1162 (a) shall file an interim report:

1163 (i) (A) seven days before the day on which the political party of the party for which the
1164 legislative office candidate seeks nomination meets to declare a nominee for the governor to
1165 appoint in accordance with Section [20A-1-503](#); and

1166 (B) two days before the day on which the political party of the party for which the
1167 legislative office candidate seeks nomination meets to declare a nominee for the governor to
1168 appoint in accordance with Section [20A-1-503](#); or

1169 (ii) if the legislative office candidate decides to seek the appointment with less than
1170 seven days before the party meets, or the political party schedules the meeting to declare a
1171 nominee less than seven days before the day of the meeting, two days before the day on which
1172 the party meets; and

- 1173 (b) is not required to file an interim report at the times described in Subsection [~~(1)~~(b)]
1174 (2)(a).
- 1175 [~~(3)~~] (4) Each interim report shall include the following information:
- 1176 (a) the net balance of the last summary report, if any;
- 1177 (b) a single figure equal to the total amount of receipts reported on all prior interim
1178 reports, if any, during the calendar year in which the interim report is due;
- 1179 (c) a single figure equal to the total amount of expenditures reported on all prior
1180 interim reports, if any, filed during the calendar year in which the interim report is due;
- 1181 (d) a detailed listing of:
- 1182 (i) for a legislative office candidate, each contribution received since the last summary
1183 report that has not been reported in detail on a prior interim report; or
- 1184 (ii) for a legislative officeholder, each contribution and public service assistance
1185 received since the last summary report that has not been reported in detail on a prior interim
1186 report;
- 1187 (e) for each nonmonetary contribution:
- 1188 (i) the fair market value of the contribution with that information provided by the
1189 contributor; and
- 1190 (ii) a specific description of the contribution;
- 1191 (f) a detailed listing of each expenditure made since the last summary report that has
1192 not been reported in detail on a prior interim report;
- 1193 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 1194 (h) a net balance for the year consisting of the net balance from the last summary
1195 report, if any, plus all receipts since the last summary report minus all expenditures since the
1196 last summary report;
- 1197 (i) a summary page in the form required by the lieutenant governor that identifies:
- 1198 (i) beginning balance;
- 1199 (ii) total contributions and public service assistance received during the period since
1200 the last statement;
- 1201 (iii) total contributions and public service assistance received to date;
- 1202 (iv) total expenditures during the period since the last statement; and
- 1203 (v) total expenditures to date; and

1204 (j) the name of a political action committee for which the legislative office candidate or
1205 legislative officeholder is designated as an officer who has primary decision-making authority
1206 under Section 20A-11-601.

1207 [~~(4)~~] (5) (a) In preparing each interim report, all receipts and expenditures shall be
1208 reported as of five days before the required filing date of the report.

1209 (b) Any negotiable instrument or check received by a legislative office candidate or
1210 legislative officeholder more than five days before the required filing date of a report required
1211 by this section shall be included in the interim report.

1212 Section 10. Section 20A-11-305 is amended to read:

1213 **20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.**

1214 (1) A legislative office candidate who fails to file a financial statement before the
1215 deadline is subject to a fine imposed in accordance with Section 20A-11-1005.

1216 (2) If a legislative office candidate fails to file an interim report described in
1217 Subsections 20A-11-303[~~(1)~~](2)(a)(ii) through (iv), the lieutenant governor may send an
1218 electronic notice to the legislative office candidate and the political party of which the
1219 legislative office candidate is a member, if any, that states:

1220 (a) that the legislative office candidate failed to timely file the report; and

1221 (b) that, if the legislative office candidate fails to file the report within 24 hours after
1222 the deadline for filing the report, the legislative office candidate will be disqualified and the
1223 political party will not be permitted to replace the candidate.

1224 (3) (a) The lieutenant governor shall disqualify a legislative office candidate and
1225 inform the county clerk and other appropriate election officials that the legislative office
1226 candidate is disqualified if the legislative office candidate fails to file an interim report
1227 described in Subsections 20A-11-303[~~(1)~~](2)(a)(ii) through (iv) within 24 hours after the
1228 deadline for filing the report.

1229 (b) The political party of a legislative office candidate who is disqualified under
1230 Subsection (3)(a) may not replace the legislative office candidate.

1231 (4) (a) If a legislative office candidate is disqualified under Subsection (3)(a), the
1232 election officer shall:

1233 (i) remove the legislative office candidate's name from the ballot; or

1234 (ii) if removing the legislative office candidate's name from the ballot is not

1235 practicable, inform the voters by any practicable method that the legislative office candidate
1236 has been disqualified and that votes cast for the legislative office candidate will not be counted.

1237 (b) An election official may fulfill the requirement described in Subsection (4)(a) in
1238 relation to a mailed ballot, including a military or overseas ballot, by including with the ballot a
1239 written notice directing the voter to a public website that will inform the voter whether a
1240 candidate on the ballot is disqualified.

1241 (5) A legislative office candidate is not disqualified if:

1242 (a) the legislative office candidate files the reports described in Subsections
1243 20A-11-303~~(1)(b)~~(2)(a)(ii) through (iv) no later than 24 hours after the applicable deadlines
1244 for filing the reports;

1245 (b) the reports are completed, detailing accurately and completely the information
1246 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
1247 and

1248 (c) the omissions, errors, or inaccuracies described in Subsection (5)(b) are corrected in
1249 an amended report or the next scheduled report.

1250 (6) (a) Within 60 days after a deadline for the filing of a summary report, the lieutenant
1251 governor shall review each filed summary report to ensure that:

1252 (i) each legislative office candidate that is required to file a summary report has filed
1253 one; and

1254 (ii) each summary report contains the information required by this part.

1255 (b) If it appears that any legislative office candidate has failed to file the summary
1256 report required by law, if it appears that a filed summary report does not conform to the law, or
1257 if the lieutenant governor has received a written complaint alleging a violation of the law or the
1258 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1259 violation or receipt of a written complaint, notify the legislative office candidate of the
1260 violation or written complaint and direct the legislative office candidate to file a summary
1261 report correcting the problem.

1262 (c) (i) It is unlawful for a legislative office candidate to fail to file or amend a summary
1263 report within seven days after receiving notice from the lieutenant governor described in this
1264 Subsection (6).

1265 (ii) Each legislative office candidate who violates Subsection (6)(c)(i) is guilty of a

1266 class B misdemeanor.

1267 (iii) The lieutenant governor shall report all violations of Subsection (6)(c)(i) to the
1268 attorney general.

1269 (iv) In addition to the criminal penalty described in Subsection (6)(c)(ii), the lieutenant
1270 governor shall impose a civil fine of \$100 against a legislative office candidate who violates
1271 Subsection (6)(c)(i).

1272 Section 11. Section **20A-11-403** is amended to read:

1273 **20A-11-403. Failure to file -- Penalties.**

1274 (1) Within 60 days after a deadline for the filing of a summary report, the lieutenant
1275 governor shall review each filed summary report to ensure that:

1276 (a) each officeholder that is required to file a summary report has filed one; and

1277 (b) each summary report contains the information required by this part.

1278 (2) If it appears that any officeholder has failed to file the summary report required by
1279 law, if it appears that a filed summary report does not conform to the law, or if the lieutenant
1280 governor has received a written complaint alleging a violation of the law or the falsity of any
1281 summary report, the lieutenant governor shall, if the lieutenant governor determines that a
1282 violation has occurred:

1283 (a) impose a fine against the filing entity in accordance with Section [20A-11-1005](#); and

1284 (b) within five days of discovery of a violation or receipt of a written complaint, notify
1285 the officeholder of the violation or written complaint and direct the officeholder to file a
1286 summary report correcting the problem.

1287 (3) (a) It is unlawful for any officeholder to fail to file or amend a summary report
1288 within seven days after receiving notice from the lieutenant governor under this section.

1289 (b) Each officeholder who violates Subsection (3)(a) is guilty of a class B
1290 misdemeanor.

1291 (c) The lieutenant governor shall report all violations of Subsection (3)(a) to the
1292 attorney general.

1293 (d) In addition to the criminal penalty described in Subsection (3)(b), the lieutenant
1294 governor shall impose a civil fine of \$100 against an officeholder who violates Subsection
1295 (3)(a).

1296 (4) Within 60 days after a deadline for the filing of an interim report by an officeholder

1297 under Subsection ~~20A-11-204(2)(3)~~, ~~20A-11-303(1)(c)(2)(b)~~, or ~~20A-11-1303(1)(d)~~, the
 1298 lieutenant governor shall review each filed interim report to ensure that each interim report
 1299 contains the information required for the report.

1300 (5) If it appears that any officeholder has failed to file an interim report required by
 1301 law, if it appears that a filed interim report does not conform to the law, or if the lieutenant
 1302 governor has received a written complaint alleging a violation of the law or the falsity of any
 1303 interim report, the lieutenant governor shall, if the lieutenant governor determines that a
 1304 violation has occurred:

1305 (a) impose a fine against the filing entity in accordance with Section ~~20A-11-1005~~; and

1306 (b) within five days after the day on which the violation is discovered or a written
 1307 complaint is received, notify the officeholder of the violation or written complaint and direct
 1308 the officeholder to file an interim report correcting the problem.

1309 (6) (a) It is unlawful for any officeholder to fail to file or amend an interim report
 1310 within seven days after the day on which the officeholder receives notice from the lieutenant
 1311 governor under this section.

1312 (b) Each officeholder who violates Subsection (6)(a) is guilty of a class B
 1313 misdemeanor.

1314 (c) The lieutenant governor shall report all violations of Subsection (6)(a) to the
 1315 attorney general.

1316 (d) In addition to the criminal penalty described in Subsection (6)(b), the lieutenant
 1317 governor shall impose a civil fine of \$100 against an officeholder who violates Subsection
 1318 (6)(a).

1319 Section 12. Section ~~20A-11-1303~~ is amended to read:

1320 **20A-11-1303. School board office candidate and school board officeholder --**

1321 **Financial reporting requirements -- Interim reports.**

1322 (1) (a) As used in this section, "received" means:

1323 (i) for a cash contribution, that the cash is given to a school board office candidate or a
 1324 member of the school board office candidate's personal campaign committee;

1325 (ii) for a contribution that is a check or other negotiable instrument, that the check or
 1326 other negotiable instrument is negotiated; [or]

1327 (iii) for a direct deposit made into a campaign account by a person not associated with

1328 the campaign, the earlier of:

1329 (A) the day on which the school board office candidate or a member of the school
1330 board office candidate's personal campaign committee becomes aware of the deposit and the
1331 source of the deposit;

1332 (B) the day on which the school board office candidate or a member of the school
1333 board office candidate's personal campaign committee receives notice of the deposit and the
1334 source of the deposit by mail, email, text, or similar means; or

1335 (C) thirty-one days after the day on which the direct deposit occurs; or

1336 [(iii)] (iv) for any other type of contribution, that any portion of the contribution's
1337 benefit inures to the school board office candidate.

1338 (b) As used in this Subsection (1), "campaign account" means a separate campaign
1339 account required under Subsection [20A-11-1301](#)(1)(a)(i) or (c)(i).

1340 (c) Each school board office candidate shall file an interim report at the following
1341 times in any year in which the candidate has filed a declaration of candidacy for a public office:

1342 (i) May 15;

1343 (ii) seven days before the regular primary election date;

1344 (iii) September 30; and

1345 (iv) seven days before the regular general election date.

1346 (d) Each school board officeholder who has a campaign account that has not been
1347 dissolved under Section [20A-11-1304](#) shall, in an even year, file an interim report at the
1348 following times, regardless of whether an election for the school board officeholder's office is
1349 held that year:

1350 (i) May 15;

1351 (ii) seven days before the regular primary election date for that year;

1352 (iii) September 30; and

1353 (iv) seven days before the regular general election date.

1354 (2) Each interim report shall include the following information:

1355 (a) the net balance of the last summary report, if any;

1356 (b) a single figure equal to the total amount of receipts reported on all prior interim
1357 reports, if any, during the calendar year in which the interim report is due;

1358 (c) a single figure equal to the total amount of expenditures reported on all prior

1359 interim reports, if any, filed during the calendar year in which the interim report is due;

1360 (d) a detailed listing of:

1361 (i) for a school board office candidate, each contribution received since the last

1362 summary report that has not been reported in detail on a prior interim report; or

1363 (ii) for a school board officeholder, each contribution and public service assistance

1364 received since the last summary report that has not been reported in detail on a prior interim

1365 report;

1366 (e) for each nonmonetary contribution:

1367 (i) the fair market value of the contribution with that information provided by the

1368 contributor; and

1369 (ii) a specific description of the contribution;

1370 (f) a detailed listing of each expenditure made since the last summary report that has

1371 not been reported in detail on a prior interim report;

1372 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

1373 (h) a net balance for the year consisting of the net balance from the last summary

1374 report, if any, plus all receipts since the last summary report minus all expenditures since the

1375 last summary report;

1376 (i) a summary page in the form required by the lieutenant governor that identifies:

1377 (i) beginning balance;

1378 (ii) total contributions during the period since the last statement;

1379 (iii) total contributions to date;

1380 (iv) total expenditures during the period since the last statement; and

1381 (v) total expenditures to date; and

1382 (j) the name of a political action committee for which the school board office candidate

1383 or school board officeholder is designated as an officer who has primary decision-making

1384 authority under Section [20A-11-601](#).

1385 (3) (a) In preparing each interim report, all receipts and expenditures shall be reported

1386 as of five days before the required filing date of the report.

1387 (b) Any negotiable instrument or check received by a school board office candidate or

1388 school board officeholder more than five days before the required filing date of a report

1389 required by this section shall be included in the interim report.

1390 Section 13. Section **20A-11-1602** is amended to read:

1391 **20A-11-1602. Definitions.**

1392 As used in this part:

1393 (1) "Conflict of interest" means an action that is taken by a regulated officeholder that
1394 the officeholder reasonably believes may cause direct financial benefit or detriment to the
1395 officeholder, a member of the officeholder's immediate family, or an individual or entity that
1396 the officeholder is required to disclose under the provisions of this section, if that benefit or
1397 detriment is distinguishable from the effects of that action on the public or on the officeholder's
1398 profession, occupation, or association generally.

1399 (2) "Conflict of interest disclosure" means~~[(a) before January 1, 2020, a conflict of~~
1400 ~~interest disclosure form that includes all information required under Section 20A-11-1604; and~~
1401 ~~(b) on or after January 1, 2020,]~~ a disclosure, on the website, of all information required under
1402 Section **20A-11-1604**.

1403 (3) "Entity" means a corporation, a partnership, a limited liability company, a limited
1404 partnership, a sole proprietorship, an association, a cooperative, a trust, an organization, a joint
1405 venture, a governmental entity, an unincorporated organization, or any other legal entity,
1406 regardless of whether it is established primarily for the purpose of gain or economic profit.

1407 (4) "Filing officer" means:

1408 (a) the lieutenant governor, for the office of a state constitutional officer or State Board
1409 of Education member; or

1410 (b) the lieutenant governor or the county clerk in the county of the candidate's
1411 residence, for a state legislative office.

1412 (5) "Immediate family" means the regulated officeholder's spouse, a child living in the
1413 regulated officeholder's immediate household, or an individual claimed as a dependent for state
1414 or federal income tax purposes by the regulated officeholder.

1415 (6) "Income" means earnings, compensation, or any other payment made to an
1416 individual for gain, regardless of source, whether denominated as wages, salary, commission,
1417 pay, bonus, severance pay, incentive pay, contract payment, interest, per diem, expenses,
1418 reimbursement, dividends, or otherwise.

1419 (7) (a) "Owner or officer" means an individual who owns an ownership interest in an
1420 entity or holds a position where the person has authority to manage, direct, control, or make

1421 decisions for:

1422 (i) the entity or a portion of the entity; or

1423 (ii) an employee, agent, or independent contractor of the entity.

1424 (b) "Owner or officer" includes:

1425 (i) a member of a board of directors or other governing body of an entity; or

1426 (ii) a partner in any type of partnership.

1427 (8) "Preceding year" means the year immediately preceding the day on which the
1428 regulated officeholder makes a conflict of interest disclosure.

1429 (9) "Regulated officeholder" means an individual who is required to make a conflict of
1430 interest disclosure under the provisions of this part.

1431 (10) "State constitutional officer" means the governor, the lieutenant governor, the state
1432 auditor, the state treasurer, or the attorney general.

1433 (11) "Website" means the Candidate and Officeholder Conflict of Interest Disclosure
1434 Website described in Section [20A-11-1602.5](#).

1435 Section 14. Section **20A-11-1602.5** is amended to read:

1436 **20A-11-1602.5. Candidate and Officeholder Conflict of Interest Disclosure**

1437 **Website.**

1438 (1) The lieutenant governor shall, in cooperation with the county clerks, establish and
1439 administer a Candidate and Officeholder Conflict of Interest Disclosure Website.

1440 (2) [~~Beginning no later than January 1, 2020, the~~] The website shall:

1441 (a) permit a candidate or officeholder to securely access the website for the purpose of:

1442 (i) complying with the conflict of interest disclosure requirements described in this
1443 part; and

1444 (ii) editing conflict of interest disclosures;

1445 (b) contain a record of all conflict of interest disclosures and edits made by the
1446 candidate or officeholder for at least the preceding four years; and

1447 (c) permit any person to view a conflict of interest disclosure made by a candidate or
1448 officeholder.

1449 [~~(3) No sooner than January 1, 2020, and before January 11, 2020, each individual who~~
1450 ~~is required to make a conflict of interest disclosure under this part shall, regardless of whether~~
1451 ~~the individual has already made a conflict of interest disclosure by a means other than the~~

1452 ~~website, make a complete and updated conflict of interest disclosure on the website using the~~
1453 ~~secure access described in Subsection (2)(a).]~~

1454 Section 15. Section **20A-11-1603** is amended to read:

1455 **20A-11-1603. Conflict of interest disclosure -- Required when filing for candidacy**
1456 **-- Public availability.**

1457 ~~[(1) Beginning on January 1, 2020]~~

1458 (1) (a) Except as provided in Subsection (1)(b), candidates seeking the following
1459 offices shall make a complete conflict of interest disclosure on the website at the time of filing
1460 a declaration of candidacy:

1461 ~~[(a)]~~ (i) state constitutional officer;

1462 ~~[(b)]~~ (ii) state legislator; or

1463 ~~[(c)]~~ (iii) State Board of Education member.

1464 (b) A candidate is not required to comply with Subsection (1)(a) if the candidate:

1465 (i) currently holds the office for which the candidate is seeking reelection;

1466 (ii) already, that same year, filed the conflict of interest disclosure for the office

1467 described in Subsection (1)(b)(i), in accordance Section [20A-11-1604](#); and

1468 (iii) at the time the candidate files the declaration of candidacy, indicates, in writing,

1469 that the conflict of interest disclosure described in Subsection (1)(b)(ii) is updated and accurate

1470 as of the date of filing the declaration of candidacy.

1471 (2) [A] Except as provided in Subsection (1)(b), a filing officer may not accept a

1472 declaration of candidacy for an office listed in Subsection (1)(a) until the candidate makes a

1473 complete conflict of interest disclosure on the website.

1474 (3) The conflict of interest disclosure described in Subsection (1)(a) shall contain the

1475 same requirements and shall be in the same format as the conflict of interest disclosure

1476 described in Section [20A-11-1604](#).

1477 ~~[(4) Until January 1, 2020, the filing officer shall:]~~

1478 ~~[(a) make each financial disclosure form that the filing officer receives available for~~
1479 ~~public inspection at the filing officer's place of business; and]~~

1480 ~~[(b) if the filing officer is not the lieutenant governor, provide each financial disclosure~~

1481 ~~form to the lieutenant governor within one business day after the day on which the candidate~~

1482 ~~files the financial disclosure form.]~~

1483 ~~[(5) Until January 1, 2020, the lieutenant governor shall make each financial disclosure~~
1484 ~~form that the lieutenant governor receives available to the public:]~~

1485 ~~[(a) at the Office of the Lieutenant Governor; and]~~

1486 ~~[(b) on the Statewide Electronic Voter Information Website administered by the~~
1487 ~~lieutenant governor.]~~

1488 ~~[(6) Beginning on January 1, 2020, the]~~

1489 (4) The lieutenant governor shall make the complete conflict of interest disclosure
1490 made by each candidate available for public inspection on the website.

1491 Section 16. Section **20A-11-1604** is amended to read:

1492 **20A-11-1604. Failure to disclose conflict of interest -- Failure to comply with**
1493 **reporting requirements.**

1494 (1) (a) Before or during the execution of any order, settlement, declaration, contract, or
1495 any other official act of office in which a state constitutional officer has actual knowledge that
1496 the state constitutional officer has a conflict of interest that is not stated in the conflict of
1497 interest disclosure, the state constitutional officer shall publicly declare that the state
1498 constitutional officer may have a conflict of interest and what that conflict of interest is.

1499 (b) Before or during any vote on legislation or any legislative matter in which a
1500 legislator has actual knowledge that the legislator has a conflict of interest that is not stated in
1501 the conflict of interest disclosure, the legislator shall orally declare to the committee or body
1502 before which the matter is pending that the legislator may have a conflict of interest and what
1503 that conflict is.

1504 (c) Before or during any vote on any rule, resolution, order, or any other board matter
1505 in which a member of the State Board of Education has actual knowledge that the member has
1506 a conflict of interest that is not stated in the conflict of interest disclosure, the member shall
1507 orally declare to the board that the member may have a conflict of interest and what that
1508 conflict of interest is.

1509 (2) Any public declaration of a conflict of interest that is made under Subsection (1)
1510 shall be noted:

1511 (a) on the official record of the action taken, for a state constitutional officer;

1512 (b) in the minutes of the committee meeting or in the Senate or House Journal, as
1513 applicable, for a legislator; or

1514 (c) in the minutes of the meeting or on the official record of the action taken, for a
1515 member of the State Board of Education.

1516 [~~(3) (a) Until January 1, 2020, a state constitutional officer shall file a financial~~
1517 ~~disclosure form:]~~

1518 [~~(i) (A) on January 10 each year, or the following business day if the due date falls on a~~
1519 ~~weekend or holiday; or]~~

1520 [~~(B) if the state constitutional officer takes office after January 10, within 10 days after~~
1521 ~~the day on which the state constitutional officer takes office; and]~~

1522 [~~(ii) each time the state constitutional officer changes employment.]~~

1523 [~~(b) Beginning on January 1, 2020, a]~~

1524 (3) A state constitutional officer shall make a complete conflict of interest disclosure
1525 on the website:

1526 (a) (i) [~~(A)~~] no sooner than January 1 each year, and before January 11 each year; or

1527 [~~(B)~~] (ii) if the state constitutional officer takes office after January 10, within 10 days
1528 after the day on which the state constitutional officer takes office; and

1529 [~~(ii)~~] (b) each time the state constitutional officer changes employment.

1530 [~~(c) Until January 1, 2020, a legislator shall file a financial disclosure form:]~~

1531 [~~(i) (A) on the first day of each general session of the Legislature; or]~~

1532 [~~(B) if the legislator takes office after the first day of the general session of the~~
1533 ~~Legislature, within 10 days after the day on which the legislator takes office; and]~~

1534 [~~(ii) each time the legislator changes employment.]~~

1535 [~~(d) Beginning on January 1, 2020, a]~~

1536 (4) A legislator shall make a complete conflict of interest disclosure on the website:

1537 (a) (i) [~~(A)~~] no sooner than January 1 each year, and before January 11 each year; or

1538 [~~(B)~~] (ii) if the legislator takes office after January 10, within 10 days after the day on
1539 which the legislator takes office; and

1540 [~~(ii)~~] (b) each time the legislator changes employment.

1541 [~~(c) Until January 1, 2020, a member of the State Board of Education shall file a~~
1542 ~~financial disclosure form:]~~

1543 [~~(i) (A) on January 10 of each year, or the following business day if the due date falls~~
1544 ~~on a weekend or holiday; or]~~

1545 ~~[(B) if the member takes office after January 10, within 10 days after the day on which~~
1546 ~~the member takes office; and]~~

1547 ~~[(ii) each time the member changes employment.]~~

1548 ~~[(f) Beginning on January 1, 2020, a]~~

1549 (5) A member of the State Board of Education shall make a complete conflict of
1550 interest disclosure on the website:

1551 (a) (i) ~~[(A)]~~ no sooner than January 1 each year, and before January 11 each year; or

1552 ~~[(B)]~~ (ii) if the member takes office after January 10, within 10 days after the day on
1553 which the member takes office; and

1554 ~~[(ii)]~~ (b) each time the member changes employment.

1555 ~~[(4) The]~~

1556 (6) A conflict of interest disclosure described in Subsection (3), ~~(4)~~, or (5) shall
1557 include:

1558 (a) the regulated officeholder's name;

1559 (b) the name and address of each of the regulated officeholder's current employers and
1560 each of the regulated officeholder's employers during the preceding year;

1561 (c) for each employer described in Subsection ~~[(4)]~~ (6)(b), a brief description of the
1562 employment, including the regulated officeholder's occupation and, as applicable, job title;

1563 (d) for each entity in which the regulated officeholder is an owner or officer, or was an
1564 owner or officer during the preceding year:

1565 (i) the name of the entity;

1566 (ii) a brief description of the type of business or activity conducted by the entity; and

1567 (iii) the regulated officeholder's position in the entity;

1568 (e) in accordance with Subsection ~~[(5)(b)]~~ (7), for each individual from whom, or
1569 entity from which, the regulated officeholder has received \$5,000 or more in income during the
1570 preceding year:

1571 (i) the name of the individual or entity; and

1572 (ii) a brief description of the type of business or activity conducted by the individual or
1573 entity;

1574 (f) for each entity in which the regulated officeholder holds any stocks or bonds having
1575 a fair market value of \$5,000 or more as of the date of the disclosure form or during the

1576 preceding year, but excluding funds that are managed by a third party, including blind trusts,
1577 managed investment accounts, and mutual funds:

1578 (i) the name of the entity; and
1579 (ii) a brief description of the type of business or activity conducted by the entity;

1580 (g) for each entity not listed in Subsections ~~[(4)]~~ (6)(d) through (f) in which the
1581 regulated officeholder currently serves, or served in the preceding year, on the board of
1582 directors or in any other type of paid leadership capacity:

1583 (i) the name of the entity or organization;
1584 (ii) a brief description of the type of business or activity conducted by the entity; and
1585 (iii) the type of advisory position held by the regulated officeholder;

1586 (h) at the option of the regulated officeholder, a description of any real property in
1587 which the regulated officeholder holds an ownership or other financial interest that the
1588 regulated officeholder believes may constitute a conflict of interest, including a description of
1589 the type of interest held by the regulated officeholder in the property;

1590 (i) the name of the regulated officeholder's spouse and any other adult residing in the
1591 regulated officeholder's household who is not related by blood or marriage, as applicable;

1592 (j) for the regulated officeholder's spouse, the information that a regulated officeholder
1593 is required to provide under Subsection ~~[(4)]~~ (6)(b);

1594 (k) a brief description of the employment and occupation of each adult who:

1595 (i) resides in the regulated officeholder's household; and

1596 (ii) is not related to the regulated officeholder by blood or marriage;

1597 (l) at the option of the regulated officeholder, a description of any other matter or
1598 interest that the regulated officeholder believes may constitute a conflict of interest;

1599 (m) the date the form was completed;

1600 (n) a statement that the regulated officeholder believes that the form is true and
1601 accurate to the best of the regulated officeholder's knowledge; and

1602 (o) the signature of the regulated officeholder.

1603 ~~[(5)(a) Before January 1, 2020, the regulated officeholder shall file the financial
1604 disclosure form with:]~~

1605 ~~[(i) the secretary of the Senate, if the regulated officeholder is a member of the Senate;]~~

1606 ~~[(ii) the chief clerk of the House of Representatives, if the regulated officeholder is a~~

1607 member of the House of Representatives; or]

1608 ~~[(iii) the lieutenant governor, if the regulated officeholder is a regulated officeholder~~
1609 ~~other than a regulated officeholder described in Subsection (5)(a)(i) or (ii).]~~

1610 ~~[(b)]~~ (7) In making the disclosure described in Subsection ~~[(4)]~~ (6)(e), a regulated
1611 officeholder who provides goods or services to multiple customers or clients as part of a
1612 business or a licensed profession is only required to provide the information described in
1613 Subsection ~~[(4)]~~ (6)(e) in relation to the entity or practice through which the regulated
1614 officeholder provides the goods or services and is not required to provide the information
1615 described in Subsection ~~[(4)]~~ (6)(e) in relation to the regulated officeholder's individual
1616 customers or clients.

1617 ~~[(6) Until January 1, 2020, the lieutenant governor, the secretary of the Senate, and the~~
1618 ~~chief clerk of the House of Representatives shall ensure that blank conflict of interest~~
1619 ~~disclosure forms are available on the Internet and at their offices.]~~

1620 ~~[(7) Until January 1, 2020, an individual described in Subsection (6) who receives a~~
1621 ~~conflict of interest disclosure form or an amendment to a conflict of interest disclosure form~~
1622 ~~under this section shall make each version of the form, and each amendment to the form,~~
1623 ~~available to the public for the period of time described in Subsection (8), in the following~~
1624 ~~manner:]~~

1625 ~~[(a) on the Internet; and]~~

1626 ~~[(b) at the office where the form or the amendment to the form was filed.]~~

1627 ~~[(8) The period of time that an individual described in Subsection (7) shall make each~~
1628 ~~version of a conflict of interest disclosure form and each amendment to a conflict of interest~~
1629 ~~disclosure form available to the public is:]~~

1630 ~~[(a) two years after the day on which the individual described in Subsection (7)~~
1631 ~~receives the form, for a regulated officeholder in an office that has a normal term of two years~~
1632 ~~or less; or]~~

1633 ~~[(b) four years after the day on which the individual described in Subsection (7)~~
1634 ~~receives the form, for a regulated officeholder in an office that has a normal term of more than~~
1635 ~~two years.]~~

1636 ~~[(9)]~~ (8) The disclosure requirements described in this section do not prohibit a
1637 regulated officeholder from voting or acting on any matter.

1638 ~~[(10)]~~ (9) A regulated officeholder may amend a conflict of interest disclosure
1639 described in this part at any time.

1640 ~~[(11)]~~ (10) A regulated officeholder who violates the requirements of Subsection (1) is
1641 guilty of a class B misdemeanor.

1642 ~~[(12)]~~ (11) (a) A regulated officeholder who intentionally or knowingly violates a
1643 provision of this section, other than Subsection (1), is guilty of a class B misdemeanor.

1644 (b) In addition to the criminal penalty described in Subsection ~~[(12)]~~ (11)(a), the
1645 lieutenant governor shall impose a civil penalty of \$100 against a regulated officeholder who
1646 violates a provision of this section, other than Subsection (1).

1647 Section 17. Section **20A-11-1605** is amended to read:

1648 **20A-11-1605. Failure to file -- Penalties.**

1649 (1) Within 60 days after the day on which a regulated officeholder is required to file a
1650 conflict of interest disclosure under Subsection **20A-11-1604**(3)~~[(a)(i), (b)(i), (c)(i), (d)(i),~~
1651 ~~(e)(i), or (f)(i)]~~, (4) or (5), the lieutenant governor shall review each filed conflict of interest
1652 disclosure to ensure that:

1653 (a) each regulated officeholder who is required to file a conflict of interest disclosure
1654 has filed one; and

1655 (b) each conflict of interest disclosure contains the information required under Section
1656 **20A-11-1604**.

1657 (2) The lieutenant governor shall take the action described in Subsection (3) if:

1658 (a) a regulated officeholder has failed to timely file a conflict of interest disclosure;

1659 (b) a filed conflict of interest disclosure does not comply with the requirements of
1660 Section **20A-11-1604**; or

1661 (c) the lieutenant governor receives a written complaint alleging a violation of Section
1662 **20A-11-1604**, other than Subsection **20A-11-1604**(1), and after receiving the complaint and
1663 giving the regulated officeholder notice and an opportunity to be heard, the lieutenant governor
1664 determines that a violation occurred.

1665 (3) If a circumstance described in Subsection (2) occurs, the lieutenant governor shall,
1666 within five days after the day on which the lieutenant governor determines that a violation
1667 occurred, notify the regulated officeholder of the violation and direct the regulated officeholder
1668 to file an amended report correcting the problem.

1669 (4) (a) It is unlawful for a regulated officeholder to fail to file or amend a conflict of
1670 interest disclosure within seven days after the day on which the regulated officeholder receives
1671 the notice described in Subsection (3).

1672 (b) A regulated officeholder who violates Subsection (4)(a) is guilty of a class B
1673 misdemeanor.

1674 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the
1675 attorney general.

1676 (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant
1677 governor shall impose a civil fine of \$100 against a regulated officeholder who violates
1678 Subsection (4)(a).

1679 (5) The lieutenant governor shall deposit a fine collected under this part into the
1680 General Fund as a dedicated credit to pay for the costs of administering the provisions of this
1681 part.

1682 Section 18. Section **20A-11-1706** is amended to read:

1683 **20A-11-1706. Penalties.**

1684 (1) The chief election officer shall impose a \$100 fine against an individual who fails
1685 to file an independent expenditure report, that includes the information required for the report,
1686 within the time period required by this part.

1687 (2) The chief election officer shall impose a \$1000 fine against a person who is not an
1688 individual who fails to file an independent expenditure report, that includes the information
1689 required for the report, within the time period required by this part.

1690 (3) The chief election officer shall deposit fines collected under this chapter [m] into
1691 the General Fund.

1692 Section 19. Section **67-1a-16** is enacted to read:

1693 **67-1a-16. Studies by lieutenant governor -- Reporting.**

1694 (1) The lieutenant governor shall conduct a study relating to actions that could be taken
1695 to ensure that individuals with a disability and elderly individuals have the same opportunity as
1696 other voters to vote, including:

1697 (a) the feasibility of using web-based or mobile online voting;

1698 (b) the feasibility of using electronic ballots and electronic signatures;

1699 (c) methods of making vote-by-mail more accessible; and

1700 (d) other methods of permitting a voter to independently cast an accessible, secret
1701 ballot from home.

1702 (2) The lieutenant governor shall conduct a study on:

1703 (a) the most effective and lowest cost methods of verifying a voter's current residence
1704 and eligibility to vote in an election; and

1705 (b) the feasibility of offering web-based or mobile online voting to all voters.

1706 (3) No later than July 1, 2022, the lieutenant governor shall present the results of the
1707 studies described in this section, and any recommendations based on the studies, to the

1708 Government Operations Interim Committee.

1709 (4) No later than February 15, 2023, the lieutenant governor shall present the results of
1710 the study described in Subsection (1), and any recommendations based on the study, to the

1711 Infrastructure and General Government Appropriations Subcommittee.