

Representative Kraig Powell proposes the following substitute bill:

CAMPAIGN CONTRIBUTION DISCLOSURE AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires a lobbyist to file a financial statement relating to a campaign contribution made by a lobbyist of the lobbyist's own behalf.

Highlighted Provisions:

This bill:

- ▶ requires a lobbyist to file a financial statement relating to campaign contribution made by a lobbyist of the lobbyist's own behalf;
- ▶ describes the contents of a financial statement described in this bill; and
- ▶ provides for enforcement of the provisions of this bill.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

20A-11-1801, Utah Code Annotated 1953

20A-11-1802, Utah Code Annotated 1953

20A-11-1803, Utah Code Annotated 1953



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

Section 1. Section **20A-11-1801** is enacted to read:

Part 18. Lobbyist Reporting Requirements

20A-11-1801. Definitions.

As used in this part:

(1) "Lobbyist" means the same as that term is defined in Section [36-11-102](#).

(2) "Personal campaign contribution" means a contribution made by a lobbyist to a candidate on the lobbyist's own behalf.

Section 2. Section **20A-11-1802** is enacted to read:

20A-11-1802. Financial reporting by a lobbyist.

(1) A lobbyist who makes a personal campaign contribution shall file a verified financial statement with the lieutenant governor's office:

(a) on January 10, reporting personal campaign contributions made as of December 31 of the previous year;

(b) seven days before the state political convention of each major political party;

(c) seven days before the regular primary election date;

(d) on August 31; and

(e) seven days before:

(i) the municipal general election date; and

(ii) the regular general election date.

(2) A lobbyist described in Subsection (1) shall report:

(a) a detailed listing of all personal campaign contributions made by the lobbyist since the last statement; and

(b) for financial statements filed under Subsection (1)(a) through (e), all personal campaign contributions made by the lobbyist as late as five days before the required filing date of the financial statement.

(c) A lobbyist is not required to file a financial statement under this section if the lobbyist did not make any personal campaign contributions during the reporting period.

(3) The verified financial statement shall include:

(a) the name of each candidate to whom the lobbyist gave a personal campaign

57 contribution and the amount of the contribution;

58 (b) for an in-kind contribution that is a personal campaign contribution, the name of the
59 candidate who received the in-kind contribution and the fair market value of the in-kind
60 contribution;

61 (c) the total amount of personal campaign contributions made by the lobbyist;

62 (d) a statement by the lobbyist certifying that, to the best of the lobbyist's knowledge,
63 the financial report is complete and accurate; and

64 (e) a summary page in the form required by the lieutenant governor that identifies:

65 (i) the total personal campaign contributions made by the lobbyist since the last
66 statement; and

67 (ii) total personal campaign contributions made by the lobbyist to date.

68 Section 3. Section **20A-11-1803** is enacted to read:

69 **20A-11-1803. Criminal penalties -- Fines.**

70 (1) (a) The lieutenant governor shall impose a \$100 civil fine against a lobbyist who
71 fails to timely file a financial statement required under this part.

72 (b) A lobbyist who fails to file the financial statement due before the regular primary
73 election, on August 31, before the municipal general election, or before the regular general
74 election is guilty of a class B misdemeanor.

75 (c) The lieutenant governor shall report all violations of Subsection (1)(b) to the
76 attorney general.

77 (2) Within 30 days after the deadline for the filing of the January 10 statement required
78 by this part, the lieutenant governor shall review each filed statement to ensure that:

79 (a) each lobbyist who is required to file a statement has filed one; and

80 (b) each statement contains the information required by this part.

81 (3) If it appears that a lobbyist has failed to file the January 10 statement or that the
82 statement does not conform to the law, the lieutenant governor shall, within five days after the
83 day on which the lieutenant governor discovers the failure or noncompliance, notify the
84 lobbyist of the failure or noncompliance and, after giving the lobbyist notice and an opportunity
85 to be heard, direct the lobbyist to file or amend the statement, as applicable.

86 (4) (a) It is unlawful for a lobbyist to fail to file or amend a statement within seven
87 days after the day on which the lieutenant governor directs the lobbyist to file or amend the

88 statement under Subsection (3).

89 (b) A lobbyist who violates Subsection (4)(a) is guilty of a class B misdemeanor.

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

92 (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant
93 governor shall impose a civil fine of \$1,000 against a lobbyist who violates Subsection (4)(a).