

**ELECTION CODE - FINANCIAL REPORTING  
REQUIREMENT AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: John L. Valentine**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions of the Election Code relating to financial reporting.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires a state office holder, a legislative office holder, and a school board office holder to each file an interim financial report;
- ▶ requires a political action committee and a political issues committee to each file an interim financial report seven days before the state political convention of each major political party;
- ▶ provides for a fine and criminal action against a person who violates the provisions of this bill; and
- ▶ makes clarifying and technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



- 28           **20A-11-101**, as last amended by Laws of Utah 2012, Chapter 230
- 29           **20A-11-103**, as last amended by Laws of Utah 2012, Chapter 369
- 30           **20A-11-204**, as last amended by Laws of Utah 2011, Chapter 347
- 31           **20A-11-206**, as last amended by Laws of Utah 2011, Chapter 396
- 32           **20A-11-303**, as last amended by Laws of Utah 2011, Chapter 347
- 33           **20A-11-305**, as last amended by Laws of Utah 2011, Chapter 396
- 34           **20A-11-403**, as last amended by Laws of Utah 2010, Chapter 389
- 35           **20A-11-602**, as last amended by Laws of Utah 2012, Chapters 69 and 230
- 36           **20A-11-802**, as last amended by Laws of Utah 2012, Chapters 69 and 230
- 37           **20A-11-1303**, as last amended by Laws of Utah 2011, Chapter 347
- 38           **20A-11-1305**, as last amended by Laws of Utah 2011, Chapter 396

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

41           Section 1. Section **20A-11-101** is amended to read:

42           **20A-11-101. Definitions.**

43           As used in this chapter:

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

46           (2) "Ballot proposition" includes initiatives, referenda, proposed constitutional  
 47 amendments, and any other ballot propositions submitted to the voters that are authorized by  
 48 the Utah Code Annotated 1953.

49           (3) "Candidate" means any person who:

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

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

54           (4) "Chief election officer" means:

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

- 59 (b) the county clerk for local school board candidates.
- 60 (5) (a) "Contribution" means any of the following when done for political purposes:
- 61 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
- 62 value given to the filing entity;
- 63 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
- 64 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
- 65 anything of value to the filing entity;
- 66 (iii) any transfer of funds from another reporting entity to the filing entity;
- 67 (iv) compensation paid by any person or reporting entity other than the filing entity for
- 68 personal services provided without charge to the filing entity;
- 69 (v) remuneration from:
- 70 (A) any organization or its directly affiliated organization that has a registered lobbyist;
- 71 or
- 72 (B) any agency or subdivision of the state, including school districts; and
- 73 (vi) goods or services provided to or for the benefit of the filing entity at less than fair
- 74 market value.
- 75 (b) "Contribution" does not include:
- 76 (i) services provided without compensation by individuals volunteering a portion or all
- 77 of their time on behalf of the filing entity;
- 78 (ii) money lent to the filing entity by a financial institution in the ordinary course of
- 79 business; or
- 80 (iii) goods or services provided for the benefit of a candidate or political party at less
- 81 than fair market value that are not authorized by or coordinated with the candidate or political
- 82 party.
- 83 (6) "Coordinated with" means that goods or services provided for the benefit of a
- 84 candidate or political party are provided:
- 85 (a) with the candidate's or political party's prior knowledge, if the candidate or political
- 86 party does not object;
- 87 (b) by agreement with the candidate or political party;
- 88 (c) in coordination with the candidate or political party; or
- 89 (d) using official logos, slogans, and similar elements belonging to a candidate or

90 political party.

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

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

95 (ii) the purpose of expressly advocating the approval or the defeat of any ballot  
96 proposition.

97 (b) "Corporation" does not mean:

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

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

100 (8) "County political party" means, for each registered political party, all of the persons  
101 within a single county who, under definitions established by the political party, are members of  
102 the registered political party.

103 (9) "County political party officer" means a person whose name is required to be  
104 submitted by a county political party to the lieutenant governor in accordance with Section  
105 20A-8-402.

106 (10) "Detailed listing" means:

107 (a) for each contribution or public service assistance:

108 (i) the name and address of the individual or source making the contribution or public  
109 service assistance;

110 (ii) the amount or value of the contribution or public service assistance; and

111 (iii) the date the contribution or public service assistance was made; and

112 (b) for each expenditure:

113 (i) the amount of the expenditure;

114 (ii) the person or entity to whom it was disbursed;

115 (iii) the specific purpose, item, or service acquired by the expenditure; and

116 (iv) the date the expenditure was made.

117 (11) "Election" means each:

118 (a) regular general election;

119 (b) regular primary election; and

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

121 (12) "Electioneering communication" means a communication that:

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

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

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

127 (13) (a) "Expenditure" means:

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

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

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

135 (iv) compensation paid by a filing entity for personal services rendered by a person  
136 without charge to a reporting entity;

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

139 (vi) goods or services provided by the filing entity to or for the benefit of another  
140 reporting entity for political purposes at less than fair market value.

141 (b) "Expenditure" does not include:

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

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

146 (iii) anything listed in Subsection (13)(a) that is given by a reporting entity to  
147 candidates for office or officeholders in states other than Utah.

148 (14) "Federal office" means the office of President of the United States, United States  
149 Senator, or United States Representative.

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

152 (16) "Financial statement" includes any summary report, interim report, verified  
153 financial statement, or other statement disclosing contributions, expenditures, receipts,  
154 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial  
155 Retention Elections.

156 (17) "Governing board" means the individual or group of individuals that determine the  
157 candidates and committees that will receive expenditures from a political action committee,  
158 political party, or corporation.

159 (18) "Incorporation" means the process established by Title 10, Chapter 2, Part 1,  
160 Incorporation, by which a geographical area becomes legally recognized as a city or town.

161 (19) "Incorporation election" means the election authorized by Section 10-2-111.

162 (20) "Incorporation petition" means a petition authorized by Section 10-2-109.

163 (21) "Individual" means a natural person.

164 (22) "Interim report" means a report identifying the contributions received and  
165 expenditures made since the last report.

166 (23) "Legislative office" means the office of state senator, state representative, speaker  
167 of the House of Representatives, president of the Senate, and the leader, whip, and assistant  
168 whip of any party caucus in either house of the Legislature.

169 (24) "Legislative office candidate" means a person who:

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

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

174 (c) receives contributions, makes expenditures, or gives consent for any other person to  
175 receive contributions or make expenditures to bring about the person's nomination or election  
176 to a legislative office.

177 (25) "Major political party" means either of the two political parties that have the  
178 greatest number of members elected to the two houses of the Legislature.

179 [~~(25)~~] (26) "Officeholder" means a person who holds a public office.

180 [~~(26)~~] (27) "Party committee" means any committee organized by or authorized by the  
181 governing board of a registered political party.

182 [~~(27)~~] (28) "Person" means both natural and legal persons, including individuals,

183 business organizations, personal campaign committees, party committees, political action  
184 committees, political issues committees, and labor organizations, as defined in Section  
185 20A-11-1501.

186 ~~[(28)]~~ (29) "Personal campaign committee" means the committee appointed by a  
187 candidate to act for the candidate as provided in this chapter.

188 ~~[(29)]~~ (30) "Personal use expenditure" has the same meaning as provided under Section  
189 20A-11-104.

190 ~~[(30)]~~ (31) (a) "Political action committee" means an entity, or any group of  
191 individuals or entities within or outside this state, a major purpose of which is to:

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

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

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

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

200 (i) a party committee;

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

203 (iii) an individual;

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

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

208 (vi) a personal campaign committee.

209 ~~[(31)]~~ (32) "Political convention" means a county or state political convention held by  
210 a registered political party to select candidates.

211 ~~[(32)]~~ (33) (a) "Political issues committee" means an entity, or any group of individuals  
212 or entities within or outside this state, a major purpose of which is to:

213 (i) solicit or receive donations from any other person, group, or entity to assist in

214 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or  
215 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

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

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

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

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

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

225 (iii) an individual;

226 (iv) individuals who are related and who make contributions from a joint checking  
227 account; or

228 (v) a corporation, except a corporation a major purpose of which is to act as a political  
229 issues committee.

230 [~~33~~] (34) (a) "Political issues contribution" means any of the following:

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

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

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

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

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

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

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

244 (ii) money lent to a political issues committee by a financial institution in the ordinary



245 course of business.

246 [~~(34)~~] (35) (a) "Political issues expenditure" means any of the following:

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

249 (A) a ballot proposition; or

250 (B) an incorporation petition or incorporation election;

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

253 (A) a ballot proposition; or

254 (B) an incorporation petition or incorporation election;

255 (iii) an express, legally enforceable contract, promise, or agreement to make any  
256 political issues expenditure;

257 (iv) compensation paid by a reporting entity for personal services rendered by a person  
258 without charge to a political issues committee; or

259 (v) goods or services provided to or for the benefit of another reporting entity at less  
260 than fair market value.

261 (b) "Political issues expenditure" does not include:

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

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

266 [~~(35)~~] (36) "Political purposes" means an act done with the intent or in a way to  
267 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote  
268 for or against any candidate or a person seeking a municipal or county office at any caucus,  
269 political convention, or election.

270 [~~(36)~~] (37) "Primary election" means any regular primary election held under the  
271 election laws.

272 [~~(37)~~] (38) "Public office" means the office of governor, lieutenant governor, state  
273 auditor, state treasurer, attorney general, state or local school board member, state senator, state  
274 representative, speaker of the House of Representatives, president of the Senate, and the leader,  
275 whip, and assistant whip of any party caucus in either house of the Legislature.

276            [~~(38)~~] (39) (a) "Public service assistance" means the following when given or provided  
277 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to  
278 communicate with the officeholder's constituents:

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

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

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

284            (i) anything provided by the state;

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

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

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

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

293            [~~(39)~~] (40) "Publicly identified class of individuals" means a group of 50 or more  
294 individuals sharing a common occupation, interest, or association that contribute to a political  
295 action committee or political issues committee and whose names can be obtained by contacting  
296 the political action committee or political issues committee upon whose financial statement the  
297 individuals are listed.

298            [~~(40)~~] (41) "Receipts" means contributions and public service assistance.

299            [~~(41)~~] (42) "Registered lobbyist" means a person registered under Title 36, Chapter 11,  
300 Lobbyist Disclosure and Regulation Act.

301            [~~(42)~~] (43) "Registered political action committee" means any political action  
302 committee that is required by this chapter to file a statement of organization with the lieutenant  
303 governor's office.

304            [~~(43)~~] (44) "Registered political issues committee" means any political issues  
305 committee that is required by this chapter to file a statement of organization with the lieutenant  
306 governor's office.

307            [~~(44)~~] (45) "Registered political party" means an organization of voters that:  
308            (a) participated in the last regular general election and polled a total vote equal to 2%  
309 or more of the total votes cast for all candidates for the United States House of Representatives  
310 for any of its candidates for any office; or

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

313            [~~(45)~~] (46) (a) "Remuneration" means a payment:

314            (i) made to a legislator for the period the Legislature is in session; and  
315            (ii) that is approximately equivalent to an amount a legislator would have earned  
316 during the period the Legislature is in session in the legislator's ordinary course of business.

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

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

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

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

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

322            [~~(46)~~] (47) "Reporting entity" means a candidate, a candidate's personal campaign  
323 committee, a judge, a judge's personal campaign committee, an officeholder, a party  
324 committee, a political action committee, a political issues committee, a corporation, or a labor  
325 organization, as defined in Section 20A-11-1501.

326            [~~(47)~~] (48) "School board office" means the office of state school board or local school  
327 board.

328            [~~(48)~~] (49) (a) "Source" means the person or entity that is the legal owner of the  
329 tangible or intangible asset that comprises the contribution.

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

333            [~~(49)~~] (50) "State office" means the offices of governor, lieutenant governor, attorney  
334 general, state auditor, and state treasurer.

335            [~~(50)~~] (51) "State office candidate" means a person who:

336            (a) files a declaration of candidacy for a state office; or

337            (b) receives contributions, makes expenditures, or gives consent for any other person to

338 receive contributions or make expenditures to bring about the person's nomination or election  
339 to a state office.

340 ~~[(51)]~~ (52) "Summary report" means the year end report containing the summary of a  
341 reporting entity's contributions and expenditures.

342 ~~[(52)]~~ (53) "Supervisory board" means the individual or group of individuals that  
343 allocate expenditures from a political issues committee.

344 Section 2. Section **20A-11-103** is amended to read:

345 **20A-11-103. Notice of pending interim and summary reports -- Form of**  
346 **submission -- Public availability.**

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

- 351 (i) that the financial statement is due;  
352 (ii) of the date that the financial statement is due; and  
353 (iii) of the penalty for failing to file the financial statement.

354 (b) The chief election officer is not required to provide notice:

- 355 (i) to a candidate or political party of the financial statement that is due before the  
356 candidate's or political party's political convention;  
357 (ii) of a financial statement due in connection with a public hearing for an initiative  
358 under the requirements of Section 20A-7-204.1; ~~[or]~~  
359 (iii) to a corporation or labor organization, as defined in Section 20A-11-1501[-]; or  
360 (iv) of the requirement for an officeholder to file an interim report under Subsection  
361 20A-11-204(1)(c), 20A-11-303(1)(c), or 20A-11-1303(1)(c).

362 (2) A filing entity shall electronically file a financial statement via electronic mail or  
363 the Internet according to specifications established by the chief election officer.

364 (3) (a) A financial statement is considered timely filed if it is received by the chief  
365 election officer's office before the close of regular office hours on the date that it is due.

366 (b) A chief election officer may extend the time in which a filing entity is required to  
367 file a financial statement if a filing entity notifies the chief election officer of the existence of  
368 an extenuating circumstance that is outside the control of the filing entity.

369 (4) Notwithstanding any provision of Title 63G, Chapter 2, Government Records  
370 Access and Management Act, the lieutenant governor shall:

371 (a) make each campaign finance statement filed by a candidate available for public  
372 inspection and copying no later than one business day after the statement is filed; and

373 (b) post an electronic copy or the contents of each financial statement in a searchable  
374 format on a website established by the lieutenant governor:

375 (i) for campaign finance statements submitted to the lieutenant governor under the  
376 requirements of Section 10-3-208 or Section 17-16-6.5, no later than seven business days after  
377 the date of receipt of the campaign finance statement; or

378 (ii) for a summary report or interim report filed under the requirements of this chapter  
379 or Chapter 12, Part 2, Judicial Retention Elections, no later than three business days after the  
380 date the summary report or interim report is electronically filed.

381 (5) If a municipality, under Section 10-3-208, or a county, under Section 17-16-6.5,  
382 elects to provide campaign finance disclosure on its own website, rather than through the  
383 lieutenant governor, the website established by the lieutenant governor shall contain a link or  
384 other access point to the municipality or county website.

385 Section 3. Section **20A-11-204** is amended to read:

386 **20A-11-204. State office candidate and state office holder -- Financial reporting**  
387 **requirements -- Interim reports.**

388 (1) (a) As used in this Subsection (1), "campaign account" means a separate campaign  
389 account required under Subsection 20A-11-201(1)(a).

390 ~~[(+)]~~ (b) Each state office candidate shall file an interim report at the following times in  
391 any year in which the candidate has filed a declaration of candidacy for a public office:

392 ~~[(a)]~~ (i) seven days before the candidate's political convention;

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

394 ~~[(c)]~~ (iii) August 31; and

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

396 (c) Each state office holder shall, in an even year, file an interim report at the following  
397 times, regardless of whether an election for the state office holder's office is held that year:

398 (i) seven days before the political convention for the political party of the state office  
399 holder;

- 400           (ii) seven days before the regular primary election date for that year;  
401           (iii) August 31; and  
402           (iv) seven days before the regular general election date.  
403           (2) Each interim report shall include the following information:  
404           (a) the net balance of the last summary report, if any;  
405           (b) a single figure equal to the total amount of receipts reported on all prior interim  
406 reports, if any, during the calendar year in which the interim report is due;  
407           (c) a single figure equal to the total amount of expenditures reported on all prior  
408 interim reports, if any, filed during the calendar year in which the interim report is due;  
409           (d) a detailed listing of each contribution and public service assistance received since  
410 the last summary report that has not been reported in detail on a prior interim report;  
411           (e) for each nonmonetary contribution:  
412           (i) the fair market value of the contribution with that information provided by the  
413 contributor; and  
414           (ii) a specific description of the contribution;  
415           (f) a detailed listing of each expenditure made since the last summary report that has  
416 not been reported in detail on a prior interim report;  
417           (g) for each nonmonetary expenditure, the fair market value of the expenditure;  
418           (h) a net balance for the year consisting of the net balance from the last summary  
419 report, if any, plus all receipts since the last summary report minus all expenditures since the  
420 last summary report;  
421           (i) a summary page in the form required by the lieutenant governor that identifies:  
422           (i) beginning balance;  
423           (ii) total contributions during the period since the last statement;  
424           (iii) total contributions to date;  
425           (iv) total expenditures during the period since the last statement; and  
426           (v) total expenditures to date; and  
427           (j) the name of a political action committee for which the state office candidate or state  
428 office holder is designated as an officer who has primary decision-making authority under  
429 Section 20A-11-601.  
430           (3) (a) For all individual contributions or public service assistance of \$50 or less, a

431 single aggregate figure may be reported without separate detailed listings.

432 (b) Two or more contributions from the same source that have an aggregate total of  
433 more than \$50 may not be reported in the aggregate, but shall be reported separately.

434 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported  
435 as of five days before the required filing date of the report.

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

439 Section 4. Section **20A-11-206** is amended to read:

440 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

441 (1) (a) If a state office candidate fails to file an interim report due before the regular  
442 primary election, on August 31, or before the regular general election, the lieutenant governor  
443 shall, after making a reasonable attempt to discover if the report was timely filed:

444 (i) inform the county clerk and other appropriate election officials who:

445 (A) (I) shall, if practicable, remove the name of the candidate from the ballots before  
446 the ballots are delivered to voters; or

447 (II) shall, if removing the candidate's name from the ballot is not practicable, inform  
448 the voters by any practicable method that the candidate has been disqualified and that votes  
449 cast for the candidate will not be counted; and

450 (B) may not count any votes for that candidate; and

451 (ii) impose a fine against the filing entity in accordance with Section 20A-11-1005.

452 (b) Any state office candidate who fails to file timely a financial statement required by  
453 Subsection 20A-11-204(1)(b)[~~-, (c), or (d)~~](ii), (iii), or (iv) is disqualified and the vacancy on  
454 the ballot may be filled as provided in Section 20A-1-501.

455 (c) Notwithstanding Subsections (1)(a) and (1)(b), a state office candidate is not  
456 disqualified and the lieutenant governor may not impose a fine if:

457 (i) the candidate timely files the reports required by this section no later than the due  
458 date in accordance with Section 20A-11-103;

459 (ii) the reports are completed, detailing accurately and completely the information  
460 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;  
461 and

462 (iii) the omissions, errors, or inaccuracies described in Subsection (1)(c)(ii) are  
463 corrected in:

- 464 (A) an amended report; or  
465 (B) the next scheduled report.

466 (2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant  
467 governor shall review each filed summary report to ensure that:

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

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

471 (b) If it appears that any state office candidate has failed to file the summary report  
472 required by law, if it appears that a filed summary report does not conform to the law, or if the  
473 lieutenant governor has received a written complaint alleging a violation of the law or the  
474 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a  
475 violation or receipt of a written complaint, notify the state office candidate of the violation or  
476 written complaint and direct the state office candidate to file a summary report correcting the  
477 problem.

478 (c) (i) It is unlawful for any state office candidate to fail to file or amend a summary  
479 report within 14 days after receiving notice from the lieutenant governor under this section.

480 (ii) Each state office candidate who violates Subsection (2)(c)(i) is guilty of a class B  
481 misdemeanor.

482 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the  
483 attorney general.

484 Section 5. Section **20A-11-303** is amended to read:

485 **20A-11-303. Legislative office candidate and legislative office holder -- Financial**  
486 **reporting requirements -- Interim reports.**

487 (1) (a) As used in this Subsection (1), "campaign account" means a separate campaign  
488 account required under Subsection 20A-11-301(1)(a)(i).

489 ~~[(+)]~~ (b) Each legislative office candidate shall file an interim report at the following  
490 times in any year in which the candidate has filed a declaration of candidacy for a public office:

491 ~~[(a)]~~ (i) seven days before the candidate's political convention;

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



493           ~~(c)~~ (iii) August 31; and

494           ~~(d)~~ (iv) seven days before the regular general election date.

495           (c) Each legislative office holder shall, in an even year, file an interim report at the  
496 following times, regardless of whether an election for the legislative office holder's office is  
497 held that year:

498           (i) seven days before the political convention for the political party of the legislative  
499 office holder;

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

501           (iii) August 31; and

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

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

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

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

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

509           (d) a detailed listing of each contribution and public service assistance received since  
510 the last summary report that has not been reported in detail on a prior interim report;

511           (e) for each nonmonetary contribution:

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

514           (ii) a specific description of the contribution;

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

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

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

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

522           (i) beginning balance;

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

524 (iii) total contributions to date;  
525 (iv) total expenditures during the period since the last statement; and  
526 (v) total expenditures to date; and  
527 (j) the name of a political action committee for which the legislative office candidate or  
528 legislative office holder is designated as an officer who has primary decision-making authority  
529 under Section 20A-11-601.

530 (3) (a) For all individual contributions or public service assistance of \$50 or less, a  
531 single aggregate figure may be reported without separate detailed listings.

532 (b) Two or more contributions from the same source that have an aggregate total of  
533 more than \$50 may not be reported in the aggregate, but shall be reported separately.

534 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported  
535 as of five days before the required filing date of the report.

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

539 Section 6. Section **20A-11-305** is amended to read:

540 **20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.**

541 (1) (a) If a legislative office candidate fails to file an interim report due before the  
542 regular primary election, on August 31, or before the regular general election, the lieutenant  
543 governor shall, after making a reasonable attempt to discover if the report was timely filed:

544 (i) inform the county clerk and other appropriate election officials who:

545 (A) (I) shall, if practicable, remove the name of the candidate from the ballots before  
546 the ballots are delivered to voters; or

547 (II) shall, if removing the candidate's name from the ballot is not practicable, inform  
548 the voters by any practicable method that the candidate has been disqualified and that votes  
549 cast for the candidate will not be counted; and

550 (B) may not count any votes for that candidate; and

551 (ii) impose a fine against the filing entity in accordance with Section 20A-11-1005.

552 (b) Any legislative office candidate who fails to file timely a financial statement  
553 required by Subsection 20A-11-303(1)(b)[~~(c)~~, ~~or (d)~~](ii), (iii), or (iv) is disqualified and the  
554 vacancy on the ballot may be filled as provided in Section 20A-1-501.

555 (c) Notwithstanding Subsections (1)(a) and (1)(b), a legislative office candidate is not  
556 disqualified and the lieutenant governor may not impose a fine if:

557 (i) the candidate timely files the reports required by this section no later than the due  
558 date in accordance with Section 20A-11-103;

559 (ii) the reports are completed, detailing accurately and completely the information  
560 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;  
561 and

562 (iii) the omissions, errors, or inaccuracies described in Subsection (1)(c)(ii) are  
563 corrected in:

564 (A) an amended report; or

565 (B) the next scheduled report.

566 (2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant  
567 governor shall review each filed summary report to ensure that:

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

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

571 (b) If it appears that any legislative office candidate has failed to file the summary  
572 report required by law, if it appears that a filed summary report does not conform to the law, or  
573 if the lieutenant governor has received a written complaint alleging a violation of the law or the  
574 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a  
575 violation or receipt of a written complaint, notify the legislative office candidate of the  
576 violation or written complaint and direct the legislative office candidate to file a summary  
577 report correcting the problem.

578 (c) (i) It is unlawful for any legislative office candidate to fail to file or amend a  
579 summary report within 14 days after receiving notice from the lieutenant governor under this  
580 section.

581 (ii) Each legislative office candidate who violates Subsection (2)(c)(i) is guilty of a  
582 class B misdemeanor.

583 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the  
584 attorney general.

585 Section 7. Section **20A-11-403** is amended to read:

586           **20A-11-403. Failure to file -- Penalties.**

587           (1) Within 30 days after a deadline for the filing of a summary report, the lieutenant  
588 governor shall review each filed summary report to ensure that:

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

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

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

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

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

600           (3) (a) It is unlawful for any officeholder to fail to file or amend a summary report  
601 within 14 days after receiving notice from the lieutenant governor under this section.

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

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

606           (4) Within 30 days after a deadline for the filing of an interim report by an officeholder  
607 under Subsection 20A-11-204(1)(c), 20A-11-303(1)(c), or 20A-11-1303(1)(c), the lieutenant  
608 governor shall review each filed interim report to ensure that each interim report contains the  
609 information required for the report.

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

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

616           (b) within five days after the day on which the violation is discovered or a written

617 complaint is received, notify the officeholder of the violation or written complaint and direct  
618 the officeholder to file an interim report correcting the problem.

619 (6) (a) It is unlawful for any officeholder to fail to file or amend an interim report  
620 within 14 days after the day on which the officeholder receives notice from the lieutenant  
621 governor under this section.

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

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

626 Section 8. Section **20A-11-602** is amended to read:

627 **20A-11-602. Political action committees -- Financial reporting.**

628 (1) (a) Each registered political action committee that has received contributions  
629 totaling at least \$750, or disbursed expenditures totaling at least \$50, during a calendar year  
630 shall file a verified financial statement with the lieutenant governor's office:

631 (i) on January 10, reporting contributions and expenditures as of December 31 of the  
632 previous year;

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

634 [~~(ii)~~] (iii) seven days before the regular primary election date;

635 [~~(iii)~~] (iv) on August 31; and

636 [~~(iv)~~] (v) seven days before:

637 (A) the municipal general election; and

638 (B) the regular general election date.

639 (b) The registered political action committee shall report:

640 (i) a detailed listing of all contributions received and expenditures made since the last  
641 statement; and

642 (ii) for financial statements filed under Subsections (1)(a)(ii) through (iv), all  
643 contributions and expenditures as of five days before the required filing date of the financial  
644 statement.

645 (c) The registered political action committee need not file a statement under this  
646 section if it received no contributions and made no expenditures during the reporting period.

647 (2) (a) The verified financial statement shall include:

648 (i) the name and address of any individual that makes a contribution to the reporting  
649 political action committee, and the amount of the contribution;

650 (ii) the identification of any publicly identified class of individuals that makes a  
651 contribution to the reporting political action committee, and the amount of the contribution;

652 (iii) the name and address of any political action committee, group, or entity that makes  
653 a contribution to the reporting political action committee, and the amount of the contribution;

654 (iv) for each nonmonetary contribution, the fair market value of the contribution;

655 (v) the name and address of each reporting entity that received an expenditure from the  
656 reporting political action committee, and the amount of each expenditure;

657 (vi) for each nonmonetary expenditure, the fair market value of the expenditure;

658 (vii) the total amount of contributions received and expenditures disbursed by the  
659 reporting political action committee;

660 (viii) a statement by the political action committee's treasurer or chief financial officer  
661 certifying that, to the best of the person's knowledge, the financial report is accurate; and

662 (ix) a summary page in the form required by the lieutenant governor that identifies:

663 (A) beginning balance;

664 (B) total contributions during the period since the last statement;

665 (C) total contributions to date;

666 (D) total expenditures during the period since the last statement; and

667 (E) total expenditures to date.

668 (b) (i) Contributions received by a political action committee that have a value of \$50  
669 or less need not be reported individually, but shall be listed on the report as an aggregate total.

670 (ii) Two or more contributions from the same source that have an aggregate total of  
671 more than \$50 may not be reported in the aggregate, but shall be reported separately.

672 (3) A group or entity may not divide or separate into units, sections, or smaller groups  
673 for the purpose of avoiding the financial reporting requirements of this chapter, and substance  
674 shall prevail over form in determining the scope or size of a political action committee.

675 (4) (a) As used in this Subsection (4), "received" means:

676 (i) for a cash contribution, that the cash is given to a political action committee;

677 (ii) for a contribution that is a negotiable instrument or check, that the negotiable  
678 instrument or check is negotiated; and

679 (iii) for any other type of contribution, that any portion of the contribution's benefit  
680 inures to the political action committee.

681 (b) A political action committee shall report each contribution to the lieutenant  
682 governor within 30 days after the contribution is received.

683 Section 9. Section **20A-11-802** is amended to read:

684 **20A-11-802. Political issues committees -- Financial reporting.**

685 (1) (a) Each registered political issues committee that has received political issues  
686 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least  
687 \$50, during a calendar year, shall file a verified financial statement with the lieutenant  
688 governor's office:

689 (i) on January 10, reporting contributions and expenditures as of December 31 of the  
690 previous year;

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

692 [~~(ii)~~] (iii) seven days before the date of an incorporation election, if the political issues  
693 committee has received donations or made disbursements to affect an incorporation;

694 [~~(iii)~~] (iv) at least three days before the first public hearing held as required by Section  
695 20A-7-204.1;

696 [~~(iv)~~] (v) if the political issues committee has received or expended funds in relation to  
697 an initiative or referendum, at the time the initiative or referendum sponsors submit:

698 (A) the verified and certified initiative packets as required by Section 20A-7-206; or

699 (B) the signed and verified referendum packets as required by Section 20A-7-306;

700 [~~(v)~~] (vi) on August 31; and

701 [~~(vi)~~] (vii) seven days before:

702 (A) the municipal general election; and

703 (B) the regular general election.

704 (b) The political issues committee shall report:

705 (i) a detailed listing of all contributions received and expenditures made since the last  
706 statement; and

707 (ii) all contributions and expenditures as of five days before the required filing date of  
708 the financial statement, except for a financial statement filed on January 10.

709 (c) The political issues committee need not file a statement under this section if it

710 received no contributions and made no expenditures during the reporting period.

711 (2) (a) That statement shall include:

712 (i) the name and address of any individual that makes a political issues contribution to  
713 the reporting political issues committee, and the amount of the political issues contribution;

714 (ii) the identification of any publicly identified class of individuals that makes a  
715 political issues contribution to the reporting political issues committee, and the amount of the  
716 political issues contribution;

717 (iii) the name and address of any political issues committee, group, or entity that makes  
718 a political issues contribution to the reporting political issues committee, and the amount of the  
719 political issues contribution;

720 (iv) the name and address of each reporting entity that makes a political issues  
721 contribution to the reporting political issues committee, and the amount of the political issues  
722 contribution;

723 (v) for each nonmonetary contribution, the fair market value of the contribution;

724 (vi) except as provided in Subsection (2)(c), the name and address of each individual,  
725 entity, or group of individuals or entities that received a political issues expenditure of more  
726 than \$50 from the reporting political issues committee, and the amount of each political issues  
727 expenditure;

728 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

729 (viii) the total amount of political issues contributions received and political issues  
730 expenditures disbursed by the reporting political issues committee;

731 (ix) a statement by the political issues committee's treasurer or chief financial officer  
732 certifying that, to the best of the person's knowledge, the financial statement is accurate; and

733 (x) a summary page in the form required by the lieutenant governor that identifies:

734 (A) beginning balance;

735 (B) total contributions during the period since the last statement;

736 (C) total contributions to date;

737 (D) total expenditures during the period since the last statement; and

738 (E) total expenditures to date.

739 (b) (i) Political issues contributions received by a political issues committee that have a  
740 value of \$50 or less need not be reported individually, but shall be listed on the report as an



741 aggregate total.

742 (ii) Two or more political issues contributions from the same source that have an  
743 aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported  
744 separately.

745 (c) When reporting political issue expenditures made to circulators of initiative  
746 petitions, the political issues committee:

747 (i) need only report the amount paid to each initiative petition circulator; and

748 (ii) need not report the name or address of the circulator.

749 (3) (a) As used in this Subsection (3), "received" means:

750 (i) for a cash contribution, that the cash is given to a political issues committee;

751 (ii) for a contribution that is a negotiable instrument or check, that the negotiable  
752 instrument or check is negotiated; and

753 (iii) for any other type of contribution, that any portion of the contribution's benefit  
754 inures to the political issues committee.

755 (b) A political issues committee shall report each contribution to the lieutenant  
756 governor within 30 days after the contribution is received.

757 Section 10. Section **20A-11-1303** is amended to read:

758 **20A-11-1303. School board office candidate and school board office holder --**  
759 **Financial reporting requirements -- Interim reports.**

760 (1) (a) As used in this Subsection (1), "campaign account" means a separate campaign  
761 account required under Subsection 20A-11-1301(1)(a)(i).

762 [~~(+)~~] (b) Each school board office candidate shall file an interim report at the following  
763 times in any year in which the candidate has filed a declaration of candidacy for a public office:

764 [~~(a)~~] (i) May 15, for a state school board office [~~candidates~~] candidate;

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

766 [~~(c)~~] (iii) August 31; and

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

768 (c) Each school board office holder shall, in an even year, file an interim report at the  
769 following times, regardless of whether an election for the school board office holder's office is  
770 held that year:

771 (i) May 15, for a state school board office holder;

- 772 (ii) seven days before the regular primary election date for that year;  
773 (iii) August 31; and  
774 (iv) seven days before the regular general election date.
- 775 (2) Each interim report shall include the following information:
- 776 (a) the net balance of the last summary report, if any;
- 777 (b) a single figure equal to the total amount of receipts reported on all prior interim  
778 reports, if any, during the calendar year in which the interim report is due;
- 779 (c) a single figure equal to the total amount of expenditures reported on all prior  
780 interim reports, if any, filed during the calendar year in which the interim report is due;
- 781 (d) a detailed listing of each contribution and public service assistance received since  
782 the last summary report that has not been reported in detail on a prior interim report;
- 783 (e) for each nonmonetary contribution:
- 784 (i) the fair market value of the contribution with that information provided by the  
785 contributor; and
- 786 (ii) a specific description of the contribution;
- 787 (f) a detailed listing of each expenditure made since the last summary report that has  
788 not been reported in detail on a prior interim report;
- 789 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 790 (h) a net balance for the year consisting of the net balance from the last summary  
791 report, if any, plus all receipts since the last summary report minus all expenditures since the  
792 last summary report;
- 793 (i) a summary page in the form required by the lieutenant governor that identifies:
- 794 (i) beginning balance;
- 795 (ii) total contributions during the period since the last statement;
- 796 (iii) total contributions to date;
- 797 (iv) total expenditures during the period since the last statement; and
- 798 (v) total expenditures to date; and
- 799 (j) the name of a political action committee for which the school board office candidate  
800 or school board office holder is designated as an officer who has primary decision-making  
801 authority under Section 20A-11-601.
- 802 (3) (a) For all individual contributions or public service assistance of \$50 or less, a

803 single aggregate figure may be reported without separate detailed listings.

804 (b) Two or more contributions from the same source that have an aggregate total of  
805 more than \$50 may not be reported in the aggregate, but shall be reported separately.

806 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported  
807 as of five days before the required filing date of the report.

808 (b) Any negotiable instrument or check received by a school board office candidate or  
809 school board office holder more than five days before the required filing date of a report  
810 required by this section shall be included in the interim report.

811 Section 11. Section **20A-11-1305** is amended to read:

812 **20A-11-1305. School board office candidate -- Failure to file statement --**

813 **Penalties.**

814 (1) (a) If a school board office candidate fails to file an interim report due before the  
815 regular primary election, on August 31, or before the regular general election, the chief election  
816 officer shall, after making a reasonable attempt to discover if the report was timely filed:

817 (i) inform the county clerk and other appropriate election officials who:

818 (A) (I) shall, if practicable, remove the name of the candidate from the ballots before  
819 the ballots are delivered to voters; or

820 (II) shall, if removing the candidate's name from the ballot is not practicable, inform  
821 the voters by any practicable method that the candidate has been disqualified and that votes  
822 cast for candidate will not be counted; and

823 (B) may not count any votes for that candidate; and

824 (ii) impose a fine against the filing entity in accordance with Section 20A-11-1005.

825 (b) Any school board office candidate who fails to file timely a financial statement  
826 required by Subsection 20A-11-1303(1)(b)~~[(c), or (d)]~~(ii), (iii), or (iv) is disqualified and the  
827 vacancy on the ballot may be filled as provided in Section 20A-1-501.

828 (c) Notwithstanding Subsections (1)(a) and (1)(b), a school board office candidate is  
829 not disqualified and the chief election officer may not impose a fine if:

830 (i) the candidate timely files the reports required by this section in accordance with  
831 Section 20A-11-103;

832 (ii) those reports are completed, detailing accurately and completely the information  
833 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;

834 and

835 (iii) those omissions, errors, or inaccuracies described in Subsection (1)(c)(ii) are

836 corrected in:

837 (A) an amended report; or

838 (B) the next scheduled report.

839 (2) (a) Within 30 days after a deadline for the filing of a summary report by a candidate

840 for state school board, the lieutenant governor shall review each filed summary report to ensure

841 that:

842 (i) each state school board candidate that is required to file a summary report has filed

843 one; and

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

845 (b) If it appears that any state school board candidate has failed to file the summary

846 report required by law, if it appears that a filed summary report does not conform to the law, or

847 if the lieutenant governor has received a written complaint alleging a violation of the law or the

848 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a

849 violation or receipt of a written complaint, notify the state school board candidate of the

850 violation or written complaint and direct the state school board candidate to file a summary

851 report correcting the problem.

852 (c) (i) It is unlawful for any state school board candidate to fail to file or amend a

853 summary report within 14 days after receiving notice from the lieutenant governor under this

854 section.

855 (ii) Each state school board candidate who violates Subsection (2)(c)(i) is guilty of a

856 class B misdemeanor.

857 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the

858 attorney general.

859 (3) (a) Within 30 days after a deadline for the filing of a summary report, the county

860 clerk shall review each filed summary report to ensure that:

861 (i) each local school board candidate that is required to file a summary report has filed

862 one; and

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

864 (b) If it appears that any local school board candidate has failed to file the summary

865 report required by law, if it appears that a filed summary report does not conform to the law, or  
866 if the county clerk has received a written complaint alleging a violation of the law or the falsity  
867 of any summary report, the county clerk shall, within five days of discovery of a violation or  
868 receipt of a written complaint, notify the local school board candidate of the violation or  
869 written complaint and direct the local school board candidate to file a summary report  
870 correcting the problem.

871 (c) (i) It is unlawful for any local school board candidate to fail to file or amend a  
872 summary report within 14 days after receiving notice from the county clerk under this section.

873 (ii) Each local school board candidate who violates Subsection (3)(c)(i) is guilty of a  
874 class B misdemeanor.

875 (iii) The county clerk shall report all violations of Subsection (3)(c)(i) to the district or  
876 county attorney.

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**Legislative Review Note**  
**as of 1-4-13 8:29 AM**

**Office of Legislative Research and General Counsel**