

CAMPAIGN FINANCE AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian S. King

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends Title 20A, Chapter 11, Campaign and Financial Reporting Requirements, by establishing and enforcing contribution limits.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ establishes contribution limits;
- ▶ makes it a class B misdemeanor to violate the contribution limits described in this bill; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-11-101, as last amended by Laws of Utah 2014, Chapters 18, 158, and 337

ENACTS:

20A-11-604, Utah Code Annotated 1953

20A-11-705, Utah Code Annotated 1953



- 28 **20A-11-1504**, Utah Code Annotated 1953
- 29 **20A-11-1801**, Utah Code Annotated 1953
- 30 **20A-11-1802**, Utah Code Annotated 1953
- 31 **20A-11-1803**, Utah Code Annotated 1953
- 32 **20A-11-1804**, Utah Code Annotated 1953

33

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

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

36 **20A-11-101. Definitions.**

37 As used in this chapter:

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

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

41 (a) a person acting on behalf of a reporting entity at the direction of the reporting
42 entity;

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

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

46 (d) a member of the personal campaign committee of a candidate or officeholder in the
47 member's capacity as a member of the personal campaign committee of the candidate or
48 officeholder; or

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

50 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
51 amendments, and any other ballot propositions submitted to the voters that are authorized by
52 the Utah Code [~~Annotated 1953~~].

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

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

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

58 (5) "Cash" means currency or coinage that constitutes legal tender.

59 [~~(5)~~] (6) "Chief election officer" means:

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

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

65 [~~(6)~~] (7) (a) "Contribution" means any of the following when done for political
66 purposes:

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

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

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

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

75 (v) remuneration from:

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

77 or

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

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

80 (vii) in-kind contributions.

81 (b) "Contribution" does not include:

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

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

87 (iii) goods or services provided for the benefit of a candidate or political party at less
88 than fair market value that are not authorized by or coordinated with the candidate or political
89 party.

90 (8) "Contribution cycle" means a two-year period that:
91 (a) begins on January 1 of each odd-numbered year; and
92 (b) ends on December 31 of the even-numbered year immediately following the
93 odd-numbered year described in Subsection (8)(a).

94 ~~[(7)]~~ (9) "Coordinated with" means that goods or services provided for the benefit of a
95 candidate or political party are provided:

96 (a) with the candidate's or political party's prior knowledge, if the candidate or political
97 party does not object;

98 (b) by agreement with the candidate or political party;

99 (c) in coordination with the candidate or political party; or

100 (d) using official logos, slogans, and similar elements belonging to a candidate or
101 political party.

102 ~~[(8)]~~ (10) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
103 organization that is registered as a corporation or is authorized to do business in a state and
104 makes any expenditure from corporate funds for:

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

106 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
107 proposition.

108 (b) "Corporation" does not mean:

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

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

111 ~~[(9)]~~ (11) "County political party" means, for each registered political party, all of the
112 persons within a single county who, under definitions established by the political party, are
113 members of the registered political party.

114 ~~[(10)]~~ (12) "County political party officer" means a person whose name is required to
115 be submitted by a county political party to the lieutenant governor in accordance with Section
116 20A-8-402.

117 ~~[(11)]~~ (13) "Detailed listing" means:

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

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

- 121 (ii) the amount or value of the contribution or public service assistance; and
122 (iii) the date the contribution or public service assistance was made; and
123 (b) for each expenditure:
124 (i) the amount of the expenditure;
125 (ii) the person or entity to whom it was disbursed;
126 (iii) the specific purpose, item, or service acquired by the expenditure; and
127 (iv) the date the expenditure was made.
- 128 ~~[(12)]~~ (14) (a) "Donor" means a person that gives money, including a fee, due, or
129 assessment for membership in the corporation, to a corporation without receiving full and
130 adequate consideration for the money.
- 131 (b) "Donor" does not include a person that signs a statement that the corporation may
132 not use the money for an expenditure or political issues expenditure.
- 133 ~~[(13)]~~ (15) "Election" means each:
134 (a) regular general election;
135 (b) regular primary election; and
136 (c) special election at which candidates are eliminated and selected.
- 137 ~~[(14)]~~ (16) "Electioneering communication" means a communication that:
138 (a) has at least a value of \$10,000;
139 (b) clearly identifies a candidate or judge; and
140 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
141 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
142 identified candidate's or judge's election date.
- 143 ~~[(15)]~~ (17) (a) "Expenditure" means any of the following made by a reporting entity or
144 an agent of a reporting entity on behalf of the reporting entity:
145 (i) any disbursement from contributions, receipts, or from the separate bank account
146 required by this chapter;
147 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
148 or anything of value made for political purposes;
149 (iii) an express, legally enforceable contract, promise, or agreement to make any
150 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
151 value for political purposes;

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

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

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

158 (b) "Expenditure" does not include:

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

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

163 (iii) anything listed in Subsection ~~[(15)]~~ (17)(a) that is given by a reporting entity to
164 candidates for office or officeholders in states other than Utah.

165 ~~[(16)]~~ (18) "Federal office" means the office of president of the United States, United
166 States Senator, or United States Representative.

167 ~~[(17)]~~ (19) "Filing entity" means the reporting entity that is required to file a financial
168 statement required by this chapter or Chapter 12, ~~[Part 2, Judicial Retention Elections]~~
169 Selection and Election of Judges.

170 ~~[(18)]~~ (20) "Financial statement" includes any summary report, interim report, verified
171 financial statement, or other statement disclosing contributions, expenditures, receipts,
172 donations, or disbursements that is required by this chapter or Chapter 12, ~~[Part 2, Judicial~~
173 ~~Retention Elections]~~ Selection and Election of Judges.

174 ~~[(19)]~~ (21) "Governing board" means the individual or group of individuals that
175 determine the candidates and committees that will receive expenditures from a political action
176 committee, political party, or corporation.

177 ~~[(20)]~~ (22) "Incorporation" means the process established by Title 10, Chapter 2, Part
178 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

179 ~~[(21)]~~ (23) "Incorporation election" means the election authorized by Section 10-2-111
180 or 10-2-127.

181 ~~[(22)]~~ (24) "Incorporation petition" means a petition authorized by Section 10-2-109 or
182 10-2-125.

183 ~~[(23)]~~ (25) "Individual" means a natural person.

184 ~~[(24)]~~ (26) "In-kind contribution" means anything of value, other than money, that is
185 accepted by or coordinated with a filing entity.

186 ~~[(25)]~~ (27) "Interim report" means a report identifying the contributions received and
187 expenditures made since the last report.

188 ~~[(26)]~~ (28) "Legislative office" means the office of state senator, state representative,
189 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
190 assistant whip of any party caucus in either house of the Legislature.

191 ~~[(27)]~~ (29) "Legislative office candidate" means a person who:

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

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

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

199 ~~[(28)]~~ (30) "Major political party" means either of the two registered political parties
200 that have the greatest number of members elected to the two houses of the Legislature.

201 ~~[(29)]~~ (31) "Officeholder" means a person who holds a public office.

202 ~~[(30)]~~ (32) "Party committee" means any committee organized by or authorized by the
203 governing board of a registered political party.

204 ~~[(31)]~~ (33) "Person" means both natural and legal persons, including individuals,
205 business organizations, personal campaign committees, party committees, political action
206 committees, political issues committees, and labor organizations, as defined in Section
207 [20A-11-1501](#).

208 ~~[(32)]~~ (34) "Personal campaign committee" means the committee appointed by a
209 candidate to act for the candidate as provided in this chapter.

210 ~~[(33)]~~ (35) "Personal use expenditure" has the same meaning as provided under Section
211 [20A-11-104](#).

212 ~~[(34)]~~ (36) (a) "Political action committee" means an entity, or any group of
213 individuals or entities within or outside this state, a major purpose of which is to:

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

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

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

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

222 (i) a party committee;

223 (ii) any entity that provides goods or services to a candidate or committee in the regular
224 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;

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

230 (vi) a personal campaign committee.

231 ~~[(35)]~~ (37) (a) "Political consultant" means a person who is paid by a reporting entity,
232 or paid by another person on behalf of and with the knowledge of the reporting entity, to
233 provide political advice to the reporting entity.

234 (b) "Political consultant" includes a circumstance described in Subsection ~~[(35)]~~
235 ~~(37)~~(a), where the person:

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

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

238 (iii) understands that the person may, in the discretion of the reporting entity or another
239 person on behalf of and with the knowledge of the reporting entity, be paid in the future, with
240 money or other consideration.

241 ~~[(36)]~~ (38) "Political convention" means a county or state political convention held by
242 a registered political party to select candidates.

243 ~~[(37)]~~ (39) (a) "Political issues committee" means an entity, or any group of individuals
244 or entities within or outside this state, a major purpose of which is to:

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

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

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

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

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

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

257 (iii) an individual;

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

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

262 [~~38~~] (40) (a) "Political issues contribution" means any of the following:

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

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

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

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

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

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

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

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

278 ~~[(39)]~~ (41) (a) "Political issues expenditure" means any of the following when made by
279 a political issues committee or on behalf of a political issues committee by an agent of the
280 reporting entity:

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

283 (A) a ballot proposition; or

284 (B) an incorporation petition or incorporation election;

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

287 (A) a ballot proposition; or

288 (B) an incorporation petition or incorporation election;

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

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

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

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

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

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

300 ~~[(40)]~~ (42) "Political purposes" means an act done with the intent or in a way to
301 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
302 for or against any candidate or a person seeking a municipal or county office at any caucus,
303 political convention, or election.

304 ~~[(41)]~~ (43) (a) "Poll" means the survey of a person regarding the person's opinion or
305 knowledge of an individual who has filed a declaration of candidacy for public office, or of a
306 ballot proposition that has legally qualified for placement on the ballot, which is conducted in

307 person or by telephone, facsimile, Internet, postal mail, or email.

308 (b) "Poll" does not include:

309 (i) a ballot; or

310 (ii) an interview of a focus group that is conducted, in person, by one individual, if:

311 (A) the focus group consists of more than three, and less than thirteen, individuals; and

312 (B) all individuals in the focus group are present during the interview.

313 [~~(42)~~] (44) "Primary election" means any regular primary election held under the
314 election laws.

315 [~~(43)~~] (45) "Public office" means the office of governor, lieutenant governor, state
316 auditor, state treasurer, attorney general, state school board member, state senator, state
317 representative, speaker of the House of Representatives, president of the Senate, and the leader,
318 whip, and assistant whip of any party caucus in either house of the Legislature.

319 [~~(44)~~] (46) (a) "Public service assistance" means the following when given or provided
320 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to
321 communicate with the officeholder's constituents:

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

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

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

327 (i) anything provided by the state;

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

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

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

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

336 [~~(45)~~] (47) "Publicly identified class of individuals" means a group of 50 or more
337 individuals sharing a common occupation, interest, or association that contribute to a political

338 action committee or political issues committee and whose names can be obtained by contacting
339 the political action committee or political issues committee upon whose financial statement the
340 individuals are listed.

341 [~~(46)~~] (48) "Receipts" means contributions and public service assistance.

342 [~~(47)~~] (49) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
343 Lobbyist Disclosure and Regulation Act.

344 [~~(48)~~] (50) "Registered political action committee" means any political action
345 committee that is required by this chapter to file a statement of organization with the Office of
346 the Lieutenant Governor.

347 [~~(49)~~] (51) "Registered political issues committee" means any political issues
348 committee that is required by this chapter to file a statement of organization with the Office of
349 the Lieutenant Governor.

350 [~~(50)~~] (52) "Registered political party" means an organization of voters that:

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

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

356 [~~(51)~~] (53) (a) "Remuneration" means a payment:

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

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

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

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

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

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

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

365 [~~(52)~~] (54) "Reporting entity" means a candidate, a candidate's personal campaign

366 committee, a judge, a judge's personal campaign committee, an officeholder, a party

367 committee, a political action committee, a political issues committee, a corporation, or a labor

368 organization, as defined in Section [20A-11-1501](#).

369 ~~[(53)]~~ (55) "School board office" means the office of state school board.

370 (56) "School board office candidate" means a person who:

371 (a) files a declaration of candidacy for a school board office; or

372 (b) receives contributions, makes expenditures, or gives consent for any other person to
373 receive contributions or make expenditures to bring about the person's nomination, election, or
374 appointment to a school board office.

375 ~~[(54)]~~ (57) (a) "Source" means the person or entity that is the legal owner of the
376 tangible or intangible asset that comprises the contribution.

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

380 ~~[(55)]~~ (58) "State office" means the offices of governor, lieutenant governor, attorney
381 general, state auditor, and state treasurer.

382 ~~[(56)]~~ (59) "State office candidate" means a person who:

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

384 (b) receives contributions, makes expenditures, or gives consent for any other person to
385 receive contributions or make expenditures to bring about the person's nomination, election, or
386 appointment to a state office.

387 ~~[(57)]~~ (60) "Summary report" means the year end report containing the summary of a
388 reporting entity's contributions and expenditures.

389 ~~[(58)]~~ (61) "Supervisory board" means the individual or group of individuals that
390 allocate expenditures from a political issues committee.

391 Section 2. Section **20A-11-604** is enacted to read:

392 **20A-11-604. Limits on contributions by political action committees.**

393 (1) A political action committee may not make contributions totaling more than the
394 following amounts per contribution cycle:

395 (a) \$10,000 to one state office candidate;

396 (b) \$5,000 to one legislative office candidate;

397 (c) \$5,000 to one school board office candidate;

398 (d) \$5,000 to one judge;

399 (e) \$40,000 to one registered political party;

400 (f) \$40,000 to one political action committee; or

401 (g) \$40,000 to one labor organization.

402 (2) A political action committee may not make a cash contribution in excess of \$100.

403 (3) (a) As used in this Subsection (3), "consumer price index" is as described in

404 Section 1(f)(4), Internal Revenue Code, and as defined in Section 1(f)(5), Internal Revenue
405 Code.

406 (b) Beginning on January 1, 2017, the lieutenant governor shall, at the beginning of
407 each contribution cycle, increase or decrease the dollar amounts described in this section by a
408 percentage equal to the percentage difference between the consumer price index for the
409 preceding calendar year and the consumer price index for calendar year 2015, rounded to the
410 nearest whole dollar.

411 Section 3. Section **20A-11-705** is enacted to read:

412 **20A-11-705. Limits on contributions by corporations.**

413 (1) A corporation may not make contributions totaling more than the following
414 amounts per contribution cycle:

415 (a) \$10,000 to one state office candidate;

416 (b) \$5,000 to one legislative office candidate;

417 (c) \$5,000 to one school board office candidate;

418 (d) \$5,000 to one judge;

419 (e) \$40,000 to one registered political party;

420 (f) \$40,000 to one political action committee; or

421 (g) \$40,000 to one labor organization.

422 (2) A corporation may not make a cash contribution in excess of \$100.

423 (3) (a) As used in this Subsection (3), "consumer price index" is as described in

424 Section 1(f)(4), Internal Revenue Code, and as defined in Section 1(f)(5), Internal Revenue
425 Code.

426 (b) Beginning on January 1, 2017, the lieutenant governor shall, at the beginning of
427 each contribution cycle, increase or decrease the dollar amounts described in this section by a
428 percentage equal to the percentage difference between the consumer price index for the
429 preceding calendar year and the consumer price index for calendar year 2015, rounded to the
430 nearest whole dollar.

431 Section 4. Section **20A-11-1504** is enacted to read:

432 **20A-11-1504. Limits on contributions by labor organizations.**

433 (1) As used in this section, "labor organization" is as defined in Section 20A-11-1402.

434 (2) A labor organization may not make contributions totaling more than the following

435 amounts per contribution cycle:

436 (a) \$10,000 to one state office candidate;

437 (b) \$5,000 to one legislative office candidate;

438 (c) \$5,000 to one school board office candidate;

439 (d) \$5,000 to one judge;

440 (e) \$40,000 to one registered political party;

441 (f) \$40,000 to one political action committee; or

442 (g) \$40,000 to one labor organization.

443 (3) A labor organization may not make a cash contribution in excess of \$100.

444 (4) (a) As used in this Subsection (4), "consumer price index" is as described in

445 Section 1(f)(4), Internal Revenue Code, and as defined in Section 1(f)(5), Internal Revenue

446 Code.

447 (b) Beginning on January 1, 2017, the lieutenant governor shall, at the beginning of
448 each contribution cycle, increase or decrease the dollar amounts described in this section by a

449 percentage equal to the percentage difference between the consumer price index for the

450 preceding calendar year and the consumer price index for calendar year 2015, rounded to the

451 nearest whole dollar.

452 Section 5. Section **20A-11-1801** is enacted to read:

453 **Part 18. Contribution Limits**

454 **20A-11-1801. Title.**

455 This part is known as "Contribution Limits."

456 Section 6. Section **20A-11-1802** is enacted to read:

457 **20A-11-1802. Limits on contributions by an individual.**

458 (1) Except as provided in Subsection (4), an individual may not make contributions

459 totaling more than the following amounts per contribution cycle:

460 (a) \$10,000 to one state office candidate;

461 (b) \$5,000 to one legislative office candidate;

462 (c) \$5,000 to one school board office candidate;

463 (d) \$5,000 to one judge;

464 (e) \$40,000 to one registered political party;

465 (f) \$40,000 to one political action committee; or

466 (g) \$40,000 to one labor organization.

467 (2) An individual may not make a cash contribution in excess of \$100.

468 (3) (a) As used in this Subsection (3), "consumer price index" is as described in
469 Section 1(f)(4), Internal Revenue Code, and as defined in Section 1(f)(5), Internal Revenue
470 Code.

471 (b) Beginning on January 1, 2017, the lieutenant governor shall, at the beginning of
472 each contribution cycle, increase or decrease the dollar amounts described in this section by a
473 percentage equal to the percentage difference between the consumer price index for the
474 preceding calendar year and the consumer price index for calendar year 2015, rounded to the
475 nearest whole dollar.

476 (4) This section does not prohibit an individual from making a contribution of any
477 amount to himself or herself.

478 Section 7. Section **20A-11-1803** is enacted to read:

479 **20A-11-1803. Contribution limit transition.**

480 A person may not make a contribution between May 12, 2015, and December 31, 2017,
481 in excess of three-quarters of the applicable contribution limits established in Sections
482 [20A-11-604](#), [20A-11-705](#), [20A-11-1504](#), and [20A-11-1802](#).

483 Section 8. Section **20A-11-1804** is enacted to read:

484 **20A-11-1804. Penalty for contributions in excess of limit.**

485 (1) A person that makes a contribution in excess of the contribution limits established
486 in Section [20A-11-604](#), [20A-11-705](#), [20A-11-1504](#), [20A-11-1802](#), or [20A-11-1803](#) is guilty of
487 a class B misdemeanor.

488 (2) A person that accepts a contribution in excess of the contribution limits established
489 in Section [20A-11-604](#), [20A-11-705](#), [20A-11-1504](#), [20A-11-1802](#), or [20A-11-1803](#) is guilty of
490 a class B misdemeanor.

Legislative Review Note
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Office of Legislative Research and General Counsel