



**CENTERVILLE**

**18 UTAH 47**

**CAMPAIGN FINANCE DISCLOSURE PACKET**

Centerville City Recorder  
250 North Main Street  
Centerville, Utah 84014  
801.295.3477

May 28, 2025

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## **Campaign Finance Statements**

All candidates for municipal office must file campaign finance statements in accordance with applicable State law and City ordinances. This summary information is provided to candidates as a courtesy overview only and is not intended to replace the requirements set forth in State law or City ordinances. It is the City's obligation to provide candidates with this information. It is the candidate's obligation to read and understand the requirements. If you have any questions regarding campaign finance statement requirements, you may contact the City Recorder at (801) 677-6433 or [jennifer.robison@centervilleutah.gov](mailto:jennifer.robison@centervilleutah.gov), the City Attorney at (801) 335-8842 or [lisa.romney@centervilleutah.gov](mailto:lisa.romney@centervilleutah.gov), or the Elections Division of the Lieutenant Governor's Office at (801) 946-1055 or [kjhansen@utah.gov](mailto:kjhansen@utah.gov).

### **Notice of Campaign Finance Statement Requirements**

Pursuant to *Utah Code* § 10-3-208 (2025), the City Recorder is required to notify all candidates for municipal office of the provisions of State law and City ordinances regarding campaign finance statement requirements. Specifically, the City Recorder is to notify each candidate in writing of: (1) the provisions of statute or municipal ordinance governing the disclosure of contributions and expenditures; (2) the dates when the candidate's campaign finance statements are required to be filed; and (3) the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required. The City Recorder shall provide such notice in writing to the candidate at the time the candidate files the declaration of candidacy and again 35 days before each municipal general election. This Campaign Finance Disclosure Packet is provided to all candidates in compliance with statutory obligations. See, *Utah Code* § 10-3-208 (2025).

### **Provisions of State Law and City Ordinances**

All candidates for municipal office must file campaign finance statements in accordance with the provisions of *Utah Code* §§ 10-3-208 and 10-3-209. City ordinances also require compliance with such State statutes as set forth in Centerville Municipal Code § 2.03.070. Copies of these statutes and ordinances are attached.

### **Due Dates for Campaign Finance Statements**

Due dates for each required campaign finance statement as set forth below. Please review these dates carefully and mark them on your calendar. A campaign finance statement must be received by the City Recorder's Office by 5:00 p.m. on the date that it is due. Late filings will not be accepted and will disqualify the candidate from the election as more particularly explained below. A copy of the 2025 Municipal Financial Disclosure Deadlines as prepared by the Lieutenant Governor's Office is attached.

- If a municipal primary election is held, each candidate shall file a campaign finance statement with the City Recorder no later than seven days before the day on which municipal primary election is held. The municipal primary election will be held on Tuesday, August 12, 2025. For the 2025 municipal election, this “**pre-primary election**” campaign finance statement is due to the City Recorder no later than 5:00 p.m. on **Tuesday, August 5, 2025**. This statement must include all contributions received and all expenditures made up to and including Thursday, July 31, 2025.
- Each candidate who is eliminated at the municipal primary election must file a campaign finance statement with the City Recorder within 30 days after the day on which the municipal primary election is held. For the 2025 municipal elections, this “**post-primary election**” campaign finance statement for eliminated candidates is due to the City Recorder no later than 5:00 p.m. on **Thursday, September 11, 2025**. This statement must include all remaining contributions received and all expenditures made up to and including Saturday, September 6, 2025, excluding contributions and expenditures previous reported.
- Each candidate who is not eliminated at the municipal primary election shall file a campaign finance statement with the City Recorder no later than 28 days before the day on which the municipal general election is held. For the 2025 municipal elections, the “**28-day pre-general election**” campaign finance statement is due to the City Recorder no later than 5:00 p.m. on **Tuesday, October 7, 2025**. This statement must include all contributions received and all expenditures made up to and including Thursday, October 2, 2025, excluding contributions and expenditures previously reported.
- Each candidate who is not eliminated at the municipal primary election shall file a campaign finance statement with the City Recorder no later than seven days before the day on which the municipal general election is held. The municipal general election will be held on Tuesday, November 4, 2025. For the 2025 municipal elections, the “**pre-general election**” campaign finance statement is due to the City Recorder no later than 5:00 p.m. on **Tuesday, October 28, 2025**. This statement must include all contributions received and all expenditures made up to and including Thursday, October 23, 2025, excluding contributions and expenditures previously reported.
- Each candidate who is not eliminated at the municipal primary election shall file a campaign finance statement with the City Recorder no later than 30 days after the day on which the municipal general election is held. For the 2025 municipal elections, the “**post-general election**” campaign finance statement is due to the City Recorder no later than 5:00 p.m. on **Thursday, December 4, 2025**. This statement must include all remaining contributions received and all expenditures made up to and including Saturday, November 29, 2025, excluding contributions and expenditures previously reported.
- Each candidate who is disqualified for failure to timely file a campaign finance statement required by law shall file with the City Recorder a complete and accurate campaign finance statement within 30 days after the day on which the candidate is disqualified.

## **Penalties for Failure to Timely File Campaign Finance Statement**

If a candidate fails to file a required campaign finance statement by the deadlines specified, the City Recorder may send an electronic notice to the candidate that states the candidate failed to timely file the campaign finance statement and that if the candidate fails to file the report within 24 hours after the deadline for filing the report, the candidate will be disqualified. If a candidate fails to file a required campaign finance statement within 24 hours after the deadline for filing the report, the City Recorder shall disqualify the candidate and inform the appropriate election official that the candidate is disqualified. If a candidate is disqualified for failure to file the campaign finance statement by the deadline specified, the City Recorder shall provide notice of disqualification in accordance with Utah Code § 10-3-208, including the following: (1) notify every opposing candidate for the municipal office that the candidate is disqualified; (2) send an email notification to each voter who is eligible to vote in the municipal election for whom the City Recorder has an email address informing the voter that the candidate is disqualified; (3) post notice of the disqualification on the City website; and (4) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to the voters. Additional provisions apply for mailed ballots, including military overseas ballots. Votes cast for the disqualified candidate will not be counted. Any candidate who is disqualified for failure to timely file a campaign finance statement is required by law to file with the City Recorder a complete and accurate campaign finance statement within 30 days after the day on which the candidate is disqualified. A candidate who timely files each campaign finance statement required is not disqualified if the statement details accurately and completely the information required by law, except for inadvertent omissions or insignificant errors or inaccuracies and the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report as more particularly provided in *Utah Code* § 10-3-208 (2025).

## **Additional Campaign Finance Statement Requirements**

A copy of the City's standard Campaign Finance Statement is attached. Each candidate shall file campaign finance statements in substantially the same form as provided in the City's standard form. Electronic submittal is acceptable. The following is a summary of additional statutory and municipal campaign finance disclosure requirements.

- Each campaign finance statement shall report all of the candidate's itemized and total contributions, including in-kind and other nonmonetary contributions, received up to and including five days before the campaign finance statement is due, excluding a contribution previously reported.
- Each campaign finance statement shall identify for each contribution the amount of the contribution and the name of the donor. There is no dollar limit threshold for itemizing contributions. All contributions, regardless of amount, must be itemized and must identify the amount of the contribution and the name of the donor. See, exception for contributions of less than \$500 and restrictions and issues regarding anonymous contributions set forth below.

- Each campaign finance statement shall report all of the candidate's itemized and total expenditures made up to and including five days before the campaign finance statement is due, excluding an expenditure previously reported.
- Each campaign finance statement shall identify for each expenditure, the amount of the expenditure and the name of the recipient of the expenditure. There is no dollar limit threshold for itemizing expenditures. All expenditures, regardless of amount, must be itemized and must identify the amount of the expenditure and the name of the recipient. See, exception for expenditures less than \$500 set forth below.
- If the candidate receives \$500 or less in campaign contributions and spends \$500 or less on the candidate's campaign, the candidate may report just the total amount of all campaign contributions and expenditures and is not required to provide the itemized reports set forth above.

## **Separate Campaign Account Required**

Each candidate must deposit campaign contributions in a separate campaign account in a financial institution and may not deposit or mingle any campaign contributions received into a personal or business account. Do not deposit a campaign contribution into your personal or business account. See, *Utah Code* § 10-3-208 (2025).

## **Personal Use Prohibition**

A candidate or officeholder may not use money deposited into a campaign account for personal use expenditure as defined in *Utah Code* § 10-3-209 (2024) or for an expenditure prohibited by law. Personal use expenditure is broadly defined. Be sure to review the definition of personal use as set forth in *Utah Code* § 10-3-209 (2024). A copy of this statute is attached.

## **Anonymous Contributions**

Candidates cannot retain anonymous contributions over \$50. State law requires that, within 30 days after receiving a campaign contribution that is cash or a negotiable instrument that exceeds \$50 and is from a donor whose name is unknown, the candidate must disburse the amount of the anonymous contribution to the treasurer of the state or a political subdivision or an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

## **Campaign Finance Statements are Public Documents**

All campaign finance statements are public documents. The City Recorder is required by State law to make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed. The City Recorder shall also make each campaign finance statement filed by a candidate available for public inspection by: (i) posting an electronic copy of the contents of the statement on the City's website no later than seven business

days after the statement is filed; and (ii) providing the Lieutenant Governor with a link to the electronic posting no later than two business days after the day on which the statement is filed in accordance with *Utah Code* § 20A-11-103 (2025).

## **Attachments**

[2025 Municipal Financial Disclosure Deadlines](#)

[Campaign Finance Statement Form](#)

[Utah Code §§ 10-3-208 and 10-3-209 \(Campaign Finance Statutes\)](#)

[Centerville Municipal Code § 2.03.070 \(Campaign Finance Statements\)](#)



## 2025 Municipal Financial Disclosure Deadlines

- Please note, these dates and deadlines *do not* take into account local financial disclosure ordinances. **Candidates should check with their respective municipal clerk/recorder** to ensure that they are in full compliance with their local financial disclosure ordinances.
- Campaign Financial Disclosures are due by 5:00 p.m. on the due date.
- Campaign finance statements should include all contributions received and expenditures made up to and including 5 days before the campaign finance statement is due.
- Special Districts are **NOT** subject to financial disclosure requirements.

Report Name	Due Date	Report includes all transactions between	Who this applies to
Primary Election Report (seven days before Primary)	August 5, 2025	January 1, 2025 - July 31, 2025	Candidates in a Primary
Post-Primary Report	September 11, 2025	Remaining transactions	Candidates eliminated at Primary
28 Day Report	October 7, 2025	January 1, 2025 - October 2, 2025 (no primary) <b>OR</b> August 1, 2025 - October 2, 2025 (won primary)	Candidates not in a Primary, <b>OR</b> Candidates who won Primary
General Election Report November 4, 2025	October 28, 2025	October 3, 2025 - October 23, 2025	Candidates in the General Election
Post-General Report	December 4, 2025	Remaining transactions	Candidates in the General Election
30 Days after Disqualification	Varies; contact your municipal clerk/recorder	Varies; contact your municipal clerk/recorder	Candidates who are disqualified for failing to file a financial report by the deadline









## Campaign Finance Statement Acknowledgment

I, \_\_\_\_\_, hereby declare the above information regarding campaign contributions and expenditures is true and accurate to the best of my knowledge. I understand that failure to properly disclose campaign contributions and expenditures or failure to comply with State law or City ordinances regarding campaign finance disclosure requirements may result in being disqualified from the election and my name being removed from the ballot.

Date \_\_\_\_\_

Signed \_\_\_\_\_

Candidate

**Effective 5/7/2025**

**10-3-208 Campaign finance disclosure in municipal election.**

(1) Unless a municipality adopts by ordinance more stringent definitions, the following are defined terms for purposes of this section:

(a) "Agent of a candidate" means:

- (i) a person acting on behalf of a candidate at the direction of the reporting entity;
- (ii) a person employed by a candidate in the candidate's capacity as a candidate;
- (iii) the personal campaign committee of a candidate;
- (iv) a member of the personal campaign committee of a candidate in the member's capacity as a member of the personal campaign committee of the candidate; or
- (v) a political consultant of a candidate.

(b) "Anonymous contribution limit" means for each calendar year:

- (i) \$50; or
- (ii) an amount less than \$50 that is specified in an ordinance of the municipality.

(c)

(i) "Candidate" means a person who:

- (A) files a declaration of candidacy for municipal office; or
- (B) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination or election to a municipal office.

(ii) "Candidate" does not mean a person who files for the office of judge.

(d)

(i) "Contribution" means any of the following when done for political purposes:

- (A) a gift, subscription, donation, loan, advance, or deposit of money or anything of value given to a candidate;
- (B) an express, legally enforceable contract, promise, or agreement to make a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value to the candidate;
- (C) any transfer of funds from another reporting entity to the candidate;
- (D) compensation paid by any person or reporting entity other than the candidate for personal services provided without charge to the candidate;
- (E) a loan made by a candidate deposited to the candidate's own campaign; and
- (F) an in-kind contribution.

(ii) "Contribution" does not include:

- (A) services provided by an individual volunteering a portion or all of the individual's time on behalf of the candidate if the services are provided without compensation by the candidate or any other person;
- (B) money lent to the candidate by a financial institution in the ordinary course of business; or
- (C) goods or services provided for the benefit of a candidate at less than fair market value that are not authorized by or coordinated with the candidate.

(e) "Coordinated with" means that goods or services provided for the benefit of a candidate are provided:

- (i) with the candidate's prior knowledge, if the candidate does not object;
- (ii) by agreement with the candidate;
- (iii) in coordination with the candidate; or
- (iv) using official logos, slogans, and similar elements belonging to a candidate.

(f)

- (i) "Expenditure" means any of the following made by a candidate or an agent of the candidate on behalf of the candidate:
    - (A) any disbursement from contributions, receipts, or from an account described in Subsection (3)(a);
    - (B) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value made for political purposes;
    - (C) an express, legally enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value for a political purpose;
    - (D) compensation paid by a candidate for personal services rendered by a person without charge to a reporting entity;
    - (E) a transfer of funds between the candidate and a candidate's personal campaign committee as defined in Section 20A-11-101; or
    - (F) goods or services provided by a reporting entity to or for the benefit of the candidate for political purposes at less than fair market value.
  - (ii) "Expenditure" does not include:
    - (A) services provided without compensation by an individual volunteering a portion or all of the individual's time on behalf of a candidate; or
    - (B) money lent to a candidate by a financial institution in the ordinary course of business.
  - (g) "In-kind contribution" means anything of value other than money, that is accepted by or coordinated with a candidate.
  - (h)
    - (i) "Political consultant" means a person who is paid by a candidate, or paid by another person on behalf of and with the knowledge of the candidate, to provide political advice to the candidate.
    - (ii) "Political consultant" includes a circumstance described in Subsection (1)(h)(i), where the person:
      - (A) has already been paid, with money or other consideration;
      - (B) expects to be paid in the future, with money or other consideration; or
      - (C) understands that the person may, in the discretion of the candidate or another person on behalf of and with the knowledge of the candidate, be paid in the future, with money or other consideration.
    - (i) "Political purposes" means an act done with the intent or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any candidate or a person seeking a municipal office at any caucus, political convention, or election.
  - (j) "Reporting entity" means:
    - (i) a candidate;
    - (ii) a committee appointed by a candidate to act for the candidate;
    - (iii) a person who holds an elected municipal office;
    - (iv) a party committee as defined in Section 20A-11-101;
    - (v) a political action committee as defined in Section 20A-11-101;
    - (vi) a political issues committee as defined in Section 20A-11-101;
    - (vii) a corporation as defined in Section 20A-11-101; or
    - (viii) a labor organization as defined in Section 20A-11-1501.
- (2)

- (a) A municipality may adopt an ordinance establishing campaign finance disclosure requirements for a candidate that are more stringent than the requirements provided in Subsections (3) through (8).
  - (b) The municipality may adopt definitions that are more stringent than those provided in Subsection (1).
  - (c) If a municipality fails to adopt a campaign finance disclosure ordinance described in Subsection (2)(a), a candidate shall comply with financial reporting requirements contained in Subsections (3) through (8).
- (3) Each candidate:
- (a) shall deposit a contribution in a separate campaign account in a financial institution; and
  - (b) may not deposit or mingle any campaign contributions received into a personal or business account.
- (4)
- (a) In a year in which a municipal primary is held, each candidate who will participate in the municipal primary shall file a campaign finance statement with the municipal clerk or recorder no later than seven days before the day described in Subsection 20A-1-201.5(2).
  - (b) Each candidate who is not eliminated at a municipal primary election shall file a campaign finance statement with the municipal clerk or recorder no later than:
    - (i) 28 days before the day on which the municipal general election is held;
    - (ii) seven days before the day on which the municipal general election is held; and
    - (iii) 30 days after the day on which the municipal general election is held.
  - (c) Each candidate for municipal office who is eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement within 30 days after the day on which the municipal primary election is held.
- (5) If a municipality does not conduct a primary election for a race, each candidate who will participate in that race shall file a campaign finance statement with the municipal clerk or recorder no later than:
- (a) 28 days before the day on which the municipal general election is held;
  - (b) seven days before the day on which the municipal general election is held; and
  - (c) 30 days after the day on which the municipal general election is held.
- (6)
- (a) If a candidate seeks appointment to fill a midterm vacancy in a municipal office the candidate shall, no later than three business days before the day on which the municipal legislative body meets to interview the candidate in accordance with Section 20A-1-510, file a campaign finance statement with the municipal clerk or recorder.
  - (b) Upon receipt of the campaign finance statement described in Subsection (6)(a), the municipal clerk or recorder shall immediately submit a copy of the statement to the municipal legislative body.
- (7) Each campaign finance statement described in Subsection (4), (5), or (6) shall:
- (a) except as provided in Subsection (7)(b):
    - (i) report all of the candidate's itemized and total:
      - (A) contributions, including in-kind and other nonmonetary contributions, received up to and including five days before the campaign finance statement is due, excluding a contribution previously reported; and
      - (B) expenditures made up to and including five days before the campaign finance statement is due, excluding an expenditure previously reported; and
    - (ii) identify:

- (A) for each contribution, the amount of the contribution and the name of the donor, if known;  
and
  - (B) for each expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or
  - (b) report the total amount of all contributions and expenditures if the candidate receives \$500 or less in contributions and spends \$500 or less on the candidate's campaign.
- (8) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds the anonymous contribution limit, and is from a donor whose name is unknown, a candidate shall disburse the amount of the contribution to:
- (a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or
  - (b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.
- (9)
- (a) A municipality may, by ordinance:
    - (i) provide an anonymous contribution limit less than \$50;
    - (ii) require greater disclosure of contributions or expenditures than is required in this section;  
and
    - (iii) impose additional penalties on candidates who fail to comply with the applicable requirements beyond those imposed by this section.
  - (b) A candidate is subject to the provisions of this section and not the provisions of an ordinance adopted by the municipality under Subsection (9)(a) if:
    - (i) the municipal ordinance establishes requirements or penalties that differ from those established in this section; and
    - (ii) the municipal clerk or recorder fails to notify the candidate of the provisions of the ordinance as required in Subsection (10).
- (10) Each municipal clerk or recorder shall, at the time the candidate for municipal office files a declaration of candidacy, and again 35 days before each municipal general election, notify the candidate in writing of:
- (a) the provisions of statute or municipal ordinance governing the disclosure of contributions and expenditures;
  - (b) the dates when the candidate's campaign finance statement is required to be filed; and
  - (c) the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.
- (11) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access and Management Act, the municipal clerk or recorder shall:
- (a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and
  - (b) make the campaign finance statement filed by a candidate available for public inspection by:
    - (i) posting an electronic copy or the contents of the statement on the municipality's website no later than seven business days after the day on which the statement is filed; and
    - (ii) in order to comply with the requirements of Subsection 20A-11-103(4)(b)(ii), providing the lieutenant governor with a link to the electronic posting described in Subsection (11)(b)(i) no later than two business days after the day on which the statement is filed.
- (12)
- (a) If a candidate fails to timely file a campaign finance statement required under Subsection (4) or (5), the municipal clerk or recorder:

- (i) may send an electronic notice to the candidate that states:
  - (A) that the candidate failed to timely file the campaign finance statement; and
  - (B) that, if the candidate fails to file the report within 24 hours after the deadline for filing the report, the candidate will be disqualified; and
- (ii) may impose a fine of \$50 on the candidate.
- (b) The municipal clerk or recorder shall disqualify a candidate and inform the appropriate election official that the candidate is disqualified if the candidate fails to file a campaign finance statement described in Subsection (4) or (5) within 24 hours after the deadline for filing the report.
- (c) If a candidate is disqualified under Subsection (12)(b), the election official:
  - (i) shall:
    - (A) notify every opposing candidate for the municipal office that the candidate is disqualified;
    - (B) send an email notification to each voter who is eligible to vote in the municipal election office race for whom the election official has an email address informing the voter that the candidate is disqualified and that votes cast for the candidate will not be counted;
    - (C) post notice of the disqualification on a public website; and
    - (D) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; and
  - (ii) may not count any votes for that candidate.
- (13) An election official may fulfill the requirements described in Subsection (12)(c)(i) in relation to a mailed ballot, including a military overseas ballot, by including with the ballot a written notice:
  - (a) informing the voter that the candidate is disqualified; or
  - (b) directing the voter to a public website to inform the voter whether a candidate on the ballot is disqualified.
- (14) Notwithstanding Subsection (12)(b), a candidate who timely files each campaign finance statement required under Subsection (4) or (5) is not disqualified if:
  - (a) the statement details accurately and completely the information required under Subsection (7), except for inadvertent omissions or insignificant errors or inaccuracies; and
  - (b) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.
- (15) A candidate for municipal office who is disqualified under Subsection (12)(b) shall file with the municipal clerk or recorder a complete and accurate campaign finance statement within 30 days after the day on which the candidate is disqualified.
- (16) A campaign finance statement required under this section is considered filed if it is received in the municipal clerk or recorder's office by 5 p.m. on the date that it is due.
- (17)
  - (a) A private party in interest may bring a civil action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of this section or an ordinance adopted under this section.
  - (b) In a civil action under Subsection (17)(a), the court may award costs and attorney fees to the prevailing party.

Amended by Chapter 90, 2025 General Session



**Effective 5/1/2024**

**10-3-209 Personal use expenditure -- Authorized and prohibited uses of campaign funds -- Enforcement -- Penalties.**

- (1) Unless a municipality adopts by ordinance more stringent definitions, the following are defined terms for the purposes of this section:
  - (a) "Candidate" means a person who:
    - (i) files a declaration of candidacy for municipal office; or
    - (ii) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination or election to a public office.
  - (b) "Officeholder" means a person who is elected to and currently holds a municipal office.
  - (c)
    - (i) "Personal use expenditure" means an expenditure that:
      - (A) is not excluded from the definition of personal use expenditure by Subsection (2) and primarily furthers a personal interest of a candidate or officeholder or a candidate's or officeholder's family, which interest is not connected with the performance of an activity as a candidate or an activity or duty of an officeholder; or
      - (B) would cause the candidate or officeholder to recognize the expenditure as taxable income under federal law.
    - (ii) "Personal use expenditure" includes:
      - (A) a mortgage, rent, utility, or vehicle payment;
      - (B) a household food item or supply;
      - (C) a clothing expense, except:
        - (I) clothing bearing the candidate's name or campaign slogan or logo that is used in the candidate's campaign;
        - (II) clothing bearing the logo or name of a jurisdiction, district, government organization, government entity, caucus, or political party that the officeholder represents or of which the officeholder is a member; or
        - (III) repair or replacement of clothing that is damaged while the candidate or officeholder is engaged in an activity of a candidate or officeholder;
      - (D) an admission to a sporting, artistic, or recreational event or other form of entertainment;
      - (E) dues, fees, or gratuities at a country club, health club, or recreational facility;
      - (F) a salary payment made to a candidate, officeholder, or a person who has not provided a bona fide service to a candidate or officeholder;
      - (G) a vacation;
      - (H) a vehicle expense;
      - (I) a meal expense;
      - (J) a travel expense;
      - (K) a payment of an administrative, civil, or criminal penalty;
      - (L) a satisfaction of a personal debt;
      - (M) a personal service, including the service of an attorney, accountant, physician, or other professional person;
      - (N) a membership fee for a professional or service organization; and
      - (O) a payment in excess of the fair market value of the item or service purchased.
- (2) As used in this section, "personal use expenditure" does not mean an expenditure made:
  - (a) for a political purpose;
  - (b) for candidacy for public office;
  - (c) to fulfill a duty or activity of an officeholder;

- (d) for a donation to a registered political party;
  - (e) for a contribution to another candidate's campaign account, including sponsorship of or attendance at an event, the primary purpose of which is to solicit a contribution for another candidate's campaign account;
  - (f) to return all or a portion of a contribution to a donor;
  - (g) for the following items, if made in connection with the candidacy for public office or an activity or duty of an officeholder:
    - (i)
      - (A) a mileage allowance at the rate established by the Division of Finance under Section 63A-3-107; or
      - (B) for motor fuel or special fuel, as defined in Section 59-13-102;
    - (ii) a meal expense;
    - (iii) a travel expense, including an expense incurred for airfare or a rental vehicle;
    - (iv) a payment for a service provided by an attorney or accountant;
    - (v) a tuition payment or registration fee for participation in a meeting or conference;
    - (vi) a gift;
    - (vii) a payment for the following items in connection with an office space:
      - (A) rent;
      - (B) utilities;
      - (C) a supply; or
      - (D) furnishing;
    - (viii) a booth at a meeting or event; or
    - (ix) educational material;
  - (h) to purchase or mail informational material, a survey, or a greeting card;
  - (i) for a donation to a charitable organization, as defined by Section 13-22-2, including admission to or sponsorship of an event, the primary purpose of which is charitable solicitation, as defined in Section 13-22-2;
  - (j) to repay a loan a candidate makes from the candidate's personal account to the candidate's campaign account;
  - (k) to pay membership dues to a national organization whose primary purpose is to address general public policy;
  - (l) for admission to or sponsorship of an event, the primary purpose of which is to promote the social, educational, or economic well-being of the state or the candidate's or officeholder's community;
  - (m) for one or more guests of an officeholder or candidate to attend an event, meeting, or conference described in this Subsection (2); or
  - (n) to pay childcare expenses of:
    - (i) a candidate while the candidate is engaging in campaign activity; or
    - (ii) an officeholder while the officeholder is engaging in the duties of an officeholder.
- (3)
- (a) A municipality may adopt an ordinance prohibiting a personal use expenditure by a candidate with requirements that are more stringent than the requirements provided in Subsection (4).
  - (b) The municipality may adopt definitions that are more stringent than those provided in Subsection (1) or (2).
  - (c) If a municipality fails to adopt a personal use expenditure ordinance described in Subsection (3)(a), a candidate shall comply with the requirements contained in Subsection (4).
- (4) A candidate or an officeholder may not use money deposited into a campaign account for:
- (a) a personal use expenditure; or

- (b) an expenditure prohibited by law.
- (5) A municipality may enforce this section by adopting an ordinance:
  - (a) to provide for the evaluation of a campaign finance statement to identify a personal use expenditure; and
  - (b) to commence informal adjudicative proceedings if, after an evaluation described in Subsection (5)(a), there is probable cause to believe that a candidate or officeholder has made a personal use expenditure.
- (6) If, in accordance with the proceedings described in Subsection (5)(b) established in municipal ordinance, a municipality determines that a candidate or officeholder has made a personal use expenditure, the municipality:
  - (a) may require the candidate or officeholder to:
    - (i) remit an administrative penalty of an amount equal to 50% of the personal use expenditure to the municipality; and
    - (ii) deposit the amount of the personal use expenditure into the campaign account from which the personal use expenditure was disbursed; and
  - (b) shall deposit the money received under Subsection (6)(a)(i) into the municipal general fund.

Amended by Chapter 447, 2024 General Session



### **2.03.070 Campaign Finance Statements**

Any candidate for municipal office shall comply with the campaign finance disclosure requirements set forth in Utah Code § 10-3-208, and shall be subject to the enforcement penalties set forth therein. Any candidate for municipal office shall also comply with and be subject the personal use expenditure restrictions set forth in Utah Code § 10-3-209, and shall be subject to the enforcement penalties set forth therein.

#### HISTORY

Adopted by Ord. [2017-03](#) on 4/4/2017