



CAMPAIGN FINANCE DISCLOSURE PACKET CENTERVILLE CITY

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Campaign Finance Disclosures

All candidates for municipal offices must file campaign finance disclosure statements in accordance with applicable State law and City ordinances. Please review these requirements carefully as there have been recent changes to these laws and ordinances based on amendments adopted by the State Legislature in 2019. 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 disclosure requirements, you may contact the City Recorder at (801) 677-6433, the City Attorney at (801) 335-8842, or the Elections Director at the Lieutenant Governor's Office at (801) 538-1041.

Notice of Campaign Finance Disclosure Requirements

Pursuant to *Utah Code Ann.* § 10-3-208 (2019), the City Recorder is required to notify all candidates for municipal office of the provisions of State law and City ordinances regarding campaign finance disclosure 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 14 days before each general municipal election. This Campaign Finance Disclosure Packet is provided to all candidates in compliance with statutory obligations. All candidates will be required to sign a Campaign Finance Disclosure Acknowledgment Form acknowledging receipt of this packet. See, *Utah Code Ann.* § 10-3-208 (2019).

Provisions of State Law and City Ordinances

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

City Ordinances can be reviewed online at <https://centerville.municipalcodeonline.com>

State Statutes can be reviewed online at <http://le.utah.gov/xcode/code.html>

Due Dates for Campaign Finance Disclosure Statements

The following sets forth the due dates for each required campaign finance disclosure statement. Please review these dates carefully and mark them on your calendar. Late filings will not be accepted and will disqualify the candidate from the election as more particularly explained below.

A copy of the Municipal Financial Disclosure Dates as prepared by the Lieutenant Governor's Office is also attached.

- Each candidate shall file with the City Recorder a campaign finance statement no later than seven days before the day on which municipal primary election is held. For the 2019 municipal election, this "pre-primary election" campaign finance disclosure statement is due to the City Recorder no later than 5:00 p.m. on **Tuesday, August 6, 2019**. This disclosure statement must include all contributions received and all expenditures made up to and including Thursday, August 1, 2019.
- Each candidate who is eliminated at the municipal primary election must file with the City Recorder a campaign finance statement within 30 days after the day on which the municipal primary election is held. For the 2019 municipal elections, this "post-primary election" campaign finance disclosure statement for eliminated candidates is due to the City Recorder no later than 5:00 p.m. on **Thursday, September 12, 2019**. This disclosure statement must include all contributions received and all expenditures made up to and including Saturday, September 7, 2019, excluding contributions and expenditures previously reported.
- Each candidate who is not eliminated at the municipal primary election shall file with the City Recorder a campaign finance statement no later than seven days before the day on which the municipal general election is held. For the 2019 municipal elections, the "pre-general election" campaign finance disclosure statement is due to the City Recorder no later than 5:00 p.m. on **Tuesday, October 29, 2019**. This disclosure statement must include all contributions received and all expenditures made up to and including Thursday, October 24, 2019, excluding contributions and expenditures previously reported.
- Each candidate who is not eliminated at the municipal primary election shall also file with the City Recorder a campaign finance statement no later than 30 days after the day on which the municipal general election is held. For the 2019 municipal elections, the "post-general election" campaign finance disclosure statement is due to the City Recorder no later than 5:00 p.m. on **Thursday, December 5, 2019**. This disclosure statement must include all contributions received and all expenditures made up to and including Saturday, November 30, 2019, 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 File Timely Disclosure

If a candidate fails to file a required campaign finance disclosure statement by the deadlines specified, the City Recorder is required to inform the appropriate election official who shall, 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. If removing the candidate's name from the ballot is not practicable, the election official shall inform the voters by any practicable method that the candidate

has been disqualified and that votes cast for the candidate will not be counted. In accordance with SB 62 (2019), 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. If a timely disclosure form is filed but contains inadvertent omissions or insignificant errors or inaccuracies, a candidate may remain eligible for the ballot as more particularly provided in *Utah Code Ann. § 10-3-208* (2019).

Additional Campaign Finance Disclosure Requirements

A copy of the City's standard Campaign Finance Disclosure Statement is attached. Each candidate shall file campaign finance disclosure statements in substantially the same form as provided in the City's standard form. 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 longer a 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 longer a 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 Ann.* § 10-3-208.

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 Ann.* § 10-3-209 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 Ann.* § 10-3-209. A copy of this statute is attached. Based on amendments from HB 129 (2019), candidates for public office may now use campaign funds to pay childcare expenses while the candidate is engaging in campaign activity.

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.

Disclosure Statements are Public Documents

All campaign finance disclosure statements are public documents. The City Recorder is required by State law to make each campaign finance disclosure 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 disclosure statement filed by a candidate available for public inspection by: (i) posting an electronic copy of the contents of the disclosure statement on the City's website no later than seven business days after the statement is filed and verifying that the address of the City's website has been provided to the Lieutenant Governor in accordance with *Utah Code Ann.* § 20A-11-103; or (ii) submitting a copy of the disclosure statement to the Lieutenant Governor for posting on the Lieutenant Governor's website no later than two business days after the statement is filed.

Attachments

[State of Utah 2019 Municipal Financial Disclosure Dates](#)
[Utah Code Ann. §§ 10-3-208 and 10-3-209](#)
[Centerville Municipal Code § 2.03.070](#)
[Campaign Finance Acknowledgment Form](#)
[Campaign Finance Disclosure Statement Form](#)

State of Utah 2019 Municipal Financial Disclosure Dates

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.

Municipal Candidates

Report Due Date (by 5:00 p.m.)	Report includes transactions between	Who this applies to
08-06-2019	01/01/2019 – 08/01/2019	Candidates in a Primary
09-12-2019	08/02/2019 – 09/07/2019	Candidates eliminated at Primary
10-29-2019	01/01/2019 – 10/24/2019 (no primary) 08/02/2019 – 10/24/2019 (won primary)	Candidates not in a Primary, or Candidates who won Primary
12-05-2019	10/25/2019 – 11/30/2019	Candidates in the General Election
30 days after disqualification	Varies, contact your municipal clerk/recorder	Candidates who are disqualified for failing to file a financial report by the deadline

Campaign Finance Statutes: Municipal Candidates

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)(i);
 - (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), (4), and (5).
- (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), (4), and (5).
- (3)
- (a) Each candidate:
- (i) shall deposit a contribution in a separate campaign account in a financial institution; and
- (ii) may not deposit or mingle any campaign contributions received into a personal or business account.
- (b) 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).
- (c) Each candidate who is not eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement:
- (i) no later than seven days before the day on which the municipal general election is held; and
- (ii) no later than 30 days after the day on which the municipal general election is held.
- (d) 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.
- (4) Each campaign finance statement described in Subsection (3) shall:
- (a) except as provided in Subsection (4)(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.
- (5) 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.

- (6)
- (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 (6)(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 (7).
- (7) Each municipal clerk or recorder shall, at the time the candidate for municipal office files a declaration of candidacy, and again 14 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.
- (8) 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)
 - (A) posting an electronic copy or the contents of the statement on the municipality's website no later than seven business days after the statement is filed; and
 - (B) verifying that the address of the municipality's website has been provided to the lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or
 - (ii) submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under Section 20A-11-103 no later than two business days after the statement is filed.
- (9)
- (a) If a candidate fails to timely file a campaign finance statement required under Subsection (3), the municipal clerk or recorder shall inform the appropriate election official who:
 - (i) shall:
 - (A) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or
 - (B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and
 - (ii) may not count any votes for that candidate.
 - (b) Notwithstanding Subsection (9)(a), a candidate who timely files each campaign finance statement required under Subsection (3) is not disqualified if:
 - (i) the statement details accurately and completely the information required under Subsection (4), except for inadvertent omissions or insignificant errors or inaccuracies; and
 - (ii) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.
 - (c) A candidate for municipal office who is disqualified under Subsection (9)(a) 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.
- (10) 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.
- (11)
- (a) A private party in interest may bring a civil action in district court to enforce the provisions of this section or an ordinance adopted under this section.
 - (b) In a civil action under Subsection (11)(a), the court may award costs and attorney fees to the prevailing party.

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) clothing, except for clothing bearing the candidate's name or campaign slogan or logo and that is used in the candidate's campaign;
 - (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:(A) a candidate while the candidate is engaging in campaign activity; or(B) 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.

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



**CENTERVILLE CITY
CAMPAIGN FINANCE DISCLOSURE ACKNOWLEDGEMENT**

I, _____, hereby acknowledge that I received a copy of the Centerville City Campaign Finance Disclosure Packet from the City Recorder and that I understand and agree if I fail to file the required pre-primary election Campaign Finance Disclosure Statement on or before 5:00 p.m. on August 6, 2019 and/or the required pre-general election Campaign Finance Disclosure Statement on or before 5:00 p.m. on October 29, 2019, I will be disqualified from the election and my name will be removed from the ballot for the 2019 municipal general election.

Signed

Date

Witness

Date

Campaign Finance Disclosure 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