

**OREM CITY
MUNICIPAL CAMPAIGN FINANCE STATEMENT**

Campaign Finance Disclosure.

A. Purpose and intent. The purpose of this section is to comply with Section 10-3-208 of the Utah Code Annotated and to establish campaign financial disclosure requirements for candidates for elective office in the City of Orem.

B. Definitions.

Contribution means the receiving of money and nonmonetary contributions such as in-kind contributions and contributions of tangible things for a political purpose.

Expenditure means the spending or paying of money or nonmonetary items such as tangible things and in-kind payments for a political purpose made during the campaign period.

Municipal primary election means the election held in municipalities on the second Tuesday after the first Monday in the August before the Municipal general election.

Municipal general election means the election held in municipalities on the Tuesday after the first Monday in November of each odd-numbered year.

C. Reporting.

1. The purpose of this section is to comply with Section 10-3-208 of the Utah Code Annotated and to establish campaign financial disclosure requirements for candidates for elective office in the City of Orem.
2. The City Recorder shall, at the time the candidate for municipal office files a declaration of candidacy and again fourteen (14) days before each municipal primary and municipal general election, notify the candidate in writing of:
 - a. The provisions of this ordinance governing the disclosure of campaign 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 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.
3. A report is considered filed if it is received in the City Recorder's office no later than 5 p.m. on the date that it is due;
4. Each candidate for elected municipal office shall file a signed campaign financial statement with the City

Recorder containing itemized and total campaign contributions and expenditures as required by Utah State Code.

a. Candidates in the Municipal Primary Election. Candidates in the municipal primary election shall file a first campaign financial statement seven (7) days before the municipal primary election.

b. Candidates Eliminated at the Municipal Primary Election. Candidates who are eliminated at the municipal primary election shall file a campaign financial statement within the thirty (30) days after the municipal primary election.

c. Candidates in the Municipal General Election. Candidates in the municipal general election shall file the following campaign financial statements:

- i. A second campaign financial statement shall be filed seven (7) days before the municipal general election.
- ii. A third campaign financial statement shall be filed within the thirty (30) days following the municipal general election.

iii. If the candidate receives contributions or makes expenditures after the date the candidate files the third campaign financial statement, the candidate shall file an additional campaign financial statement(s) within thirty (30) days of receiving the contribution or making the expenditure.


5. Contents of Statement. The campaign financial statement must include information as required by Utah State Code.

D. Classification. The signed campaign financial statement received by the City Recorder pursuant to this section shall be classified as a public record.

E. Penalty.

1. Any person who fails to comply with this Section is guilty of an infraction and upon conviction thereof shall be punished by a fine of not more than seven hundred fifty dollars (\$750.00). Each and every failure to file the required campaign financial statement shall constitute a separate offense.
2. In addition to the penalty imposed in E(1), if a candidate fails to file a campaign finance statement before a municipal primary or general election by the deadlines specified above, the candidate's name shall be removed from the ballot pursuant to State law.

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CITY RECORDER'S OFFICE

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.