
INTEROFFICE MEMORANDUM

TO: CITY COUNCIL

FROM: COUNCIL MEMBER MONICA ZOLTANSKI

SUBJECT: ORDINANCE TO ENSURE CANDIDATE CAMPAIGN DISCLOSURES ARE MADE PUBLIC BEFORE MAILED BALLOTS ARRIVE

DATE: JANUARY 26, 2021

CC: LYNN PACE, CITY ATTORNEY
MIKE APPLGARH, COUNCIL OFFICE DIRECTOR

The City Council has expressed interest in improving and digitizing candidate campaign contribution disclosures for Sandy City elections. The goals of this project include:

- Enhance the public’s access to timely, relevant and understandable information on campaign finances;
- Improve efficiencies for candidates to file electronically while preserving access for people with different abilities;
- Improve efficiencies for collecting, storing and disseminating public information for staff.

Unfortunately, the current financial disclosure practices in Sandy City do not square well with the timing of vote by mail elections. State law requires election administrators (in our case the Salt Lake County Clerk) to provide mail ballots within a two-week window in advance of a primary and general election: “no sooner than 21 days before election day and no later than seven days before election day.” Further, State code requires a financial disclosure seven days before an election. In addition, Sandy City Code § 2-1-3, which was adopted before mail in ballots became the norm, requires candidates to file financial disclosures “14 days prior to the earliest date that any voter may cast a ballot” in a primary or general election.”

Current practice of having financial disclosures published 14 days before the election has not been changed even though voters may cast a ballot sooner with a mail-in ballot. Thus, current practice misses the goal of transparency for those who vote by mail before the first set of disclosures are published. Under mail in voting and our current ordinance, disclosures should be technically required two-weeks before the election administrator provides ballots which would put the first set of candidate disclosures a full five weeks before the primary or general election date – too early.

I propose amending the Sandy City Election Code moving the first required financial disclosure to occur four business days before mail ballots are distributed. That way, if the clerk changes the date ballots are mailed, Sandy City candidate disclosures will always arrive ahead of the ballots. Due to the law on how days are counting, four calendar days would prevent two weekends from or a holiday from pushing the deadline even earlier.

Having candidate financial disclosures published the week before mail ballots arrive will be timely and convenient for all voters to digest the information before casting their vote. Voters who receive mailed ballots and choose to return them early would now benefit from having at least one round of candidate financial disclosures to inform their vote. The second disclosure date, 7 days before the Election Day, will remain unchanged by this amendment.