

1 H.660

2 Introduced by Representatives Buxton of Tunbridge, Koch of Barre Town,

3 Trieber of Rockingham and Young of Glover

4 Referred to Committee on

5 Date:

6 Subject: Elections; campaign finance; reports

7 Statement of purpose: This bill proposes to require listing in campaign finance
8 reports the name of a natural person or, if applicable, the names of the natural
9 persons serving on a board of directors or other governing body when
10 reporting campaign contributions and expenditures made by a formal or
11 informal committee of two or more individuals or a corporation, a labor
12 organization, a public interest group, or another entity, not including a political
13 party.

14 An act relating to requiring the names of natural persons in campaign
15 finance reports

16 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 17 V.S.A. § 2803 is amended to read:

2 § 2803. CAMPAIGN REPORTS; FORMS; FILING

3 (a) The secretary of state shall prescribe and provide a uniform reporting
4 form for all campaign finance reports. The reporting form shall be designed to
5 show the following information:

6 (1) the full name, town of residence, and mailing address of each
7 contributor who contributes an amount in excess of \$100.00, the date of the
8 contribution, and the amount contributed;

9 (2) the total amount of all contributions of \$100.00 or less and the total
10 number of all such contributions;

11 (3) each expenditure listed by amount, date, to whom paid, and for what
12 purpose;

13 (4) the amount contributed or loaned by the candidate to his or her own
14 campaign during the reporting period; and

15 (5) each debt or other obligation, listed by amount, date incurred, to
16 whom owed and for what purpose, incurred during the reporting period.

17 (b) The form shall require the reporting of all contributions and
18 expenditures accepted or spent during the reporting period and during the
19 campaign to date and shall require full disclosure of the manner in which any
20 indebtedness is discharged or forgiven. Contributions and expenditures for the
21 reporting period and for the campaign to date also shall be ~~totalled~~ totalled in an

1 appropriate place on the form. The total of contributions shall include a
2 subtotal of nonmonetary contributions and a subtotal of all monetary
3 contributions. The form shall contain a list of the required filing times so that
4 the person filing may designate for which time period the filing is made.
5 Contributions and expenditures received or spent after 5 p.m. on the third day
6 prior to the filing deadline shall be reported on the next report.

7 (c) The form described in this section shall contain language of
8 certification of the truth of the statements and places for the signature of the
9 candidate or the treasurer of the campaign.

10 (d) All reports filed under this section shall be retained in an indexed file
11 by the official with whom the report is filed and shall be subject to the
12 examination of any person.

13 (e) Disclosure shall be limited to the information required to administer this
14 chapter.

15 (f) The secretary may require that the form set forth in this section and
16 mass media reports required under section 2893 of this title be filed in a digital
17 format.

18 (g) For the purposes of subdivision (a)(1) of this section, if the contributor
19 is a formal or informal committee of two or more individuals or a corporation,
20 labor organization, public interest group, or other entity, not including a
21 political party, the report shall show the name of that committee or entity and:

1 (1) if the committee or entity has a board of directors or other governing
2 body, the names of the natural persons serving on that board or body; or

3 (2) if the committee or entity does not have a board of directors or other
4 governing body, the name of the natural person who had the authority to make
5 the contribution on behalf of the committee or entity.

6 Sec. 2. 17 V.S.A. § 2831 is amended to read:

7 § 2831. CAMPAIGN REPORTS; POLITICAL COMMITTEES AND
8 PARTIES

9 (a) Each political committee and each political party which has accepted
10 contributions or made expenditures of \$500.00 or more shall register with the
11 secretary of state stating its full name and address, the name of its treasurer,
12 and the name of the bank in which it maintains its campaign checking account
13 within ten days of reaching the \$500.00 threshold.

14 (b) A political committee or political party which has accepted
15 contributions or made expenditures of \$500.00, or more, for the purpose of
16 influencing a local election or supporting or opposing one or more candidates
17 in a local election shall file campaign finance reports ten days before and ten
18 days after the local election with the clerk of the municipality in which the
19 election is held and with the secretary of state.

20 (c) Any formal or informal committee of two or more individuals, or a
21 corporation, labor organization, public interest group, or other entity, not

1 including a political party, which makes expenditures of more than \$500.00 in
2 any one calendar year for the purpose of advocating a position on a public
3 question in any election or affecting the outcome of an election on a public
4 question shall file a report of its expenditures 10 days before and 10 days after
5 the election with the clerk of the municipality in which the election is held and
6 with the secretary of state. The report shall include the name of the committee
7 or entity and:

8 (1) if the committee or entity has a board of directors or other governing
9 body, the names of the natural persons serving on that board or body; or

10 (2) if the committee or entity does not have a board of directors or other
11 governing body, the name of the natural person who had the authority to make
12 the contribution on behalf of the committee or entity.

13 Sec. 3. 17 V.S.A. § 2893 is amended to read:

14 § 2893. NOTICE OF EXPENDITURE

15 (a) For purposes of this section, “mass media activities” includes television
16 commercials, radio commercials, mass mailings, literature drops, newspaper
17 and periodical advertisements, robotic phone calls, and telephone banks which
18 include the name or likeness of a clearly identified candidate for office.

19 (b) In addition to any other reports required to be filed under this chapter, a
20 person who makes expenditures for any one mass media activity totaling
21 \$500.00 or more within 30 days of a primary or general election shall, for each

1 activity, file a mass media report with the secretary of state and send a copy of
2 the mass media report to each candidate whose name or likeness is included in
3 the activity within 24 hours of the expenditure or activity, whichever occurs
4 first. For the purposes of this section, a person shall be treated as having made
5 an expenditure if the person has executed a contract to make the expenditure.

6 The report shall identify the following information:

7 (1)(A) If the person who made the expenditure ~~with~~ is a natural person,
8 his or her name;

9 (B) If the person who made the expenditure is not a natural person,
10 that person's name and;

11 (i) if that person has a board of directors or other governing body,
12 the names of the natural persons serving on that board or body; or

13 (ii) if that person does not have a board of directors or other
14 governing body, the name of the natural person who had the authority to make
15 the contribution on behalf of that person.

16 (2) the name of the candidate involved in the activity; and

17 (3) any other information relating to the expenditure that is required to
18 be disclosed under the provisions of subsections 2803(a) and (b) of this ~~title~~
19 chapter.

20 Sec. 4. EFFECTIVE DATE

21 This act shall take effect on passage.