

1 S.294

2 Introduced by Committee on Government Operations

3 Date:

4 Subject: Elections; campaign finance

5 Statement of purpose: This bill proposes to: (1) clarify certain penalty  
6 provisions relating to penalties for campaign finance violations; and (2)  
7 establish specific identification requirements for certain electioneering  
8 communication expenditures.

9 An act relating to identification in electioneering communications and  
10 penalties for campaign finance violations

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

12 Sec. 1. 17 V.S.A. § 2806(a) is amended to read:

13 (a) A person who knowingly and intentionally violates a provision of  
14 ~~subchapters 2 through 4~~ subchapter 2, 3, 4, or 8 of this chapter shall be fined  
15 not more than \$1,000.00 or imprisoned not more than six months or both. If  
16 the person is not a natural person, each individual responsible for knowingly  
17 and intentionally authorizing a violation shall be liable under this subsection.

1       Sec. 2. 17 V.S.A. § 2892a is added to read:

2       § 2892a. SPECIFIC IDENTIFICATION REQUIREMENTS FOR CERTAIN

3                   ELECTIONEERING COMMUNICATIONS

4           A person or political committee that makes an expenditure for an  
5       electioneering communication shall include at the end of any communication  
6       which is transmitted through radio or television, in a clearly spoken manner, an  
7       audio statement that sets forth the following information: the name of the  
8       speaker, the name of the person who paid for the communication, the  
9       relationship of the speaker to the person, and a statement that the speaker  
10       approves of the content of the communication. For communications using  
11       media other than radio or television, the name, mailing address, and Internet  
12       address of the person or political committee shall appear prominently such that  
13       a reasonable person would clearly understand by whom the expenditure has  
14       been made.

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

16       § 2893. NOTICE OF EXPENDITURE

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

1 (b) In addition to any other reports required to be filed under this chapter, a  
2 person or political committee who makes expenditures for any one mass media  
3 activity totaling \$500.00 or more within 30 days ~~of~~ before a primary or general  
4 election shall, for each activity, file a mass media report with the secretary of  
5 state and send a copy of the mass media report by e-mail to each candidate  
6 whose name or likeness is included in the activity within ~~24~~ 12 hours of the  
7 expenditure or activity, whichever occurs first. For the purposes of this  
8 section, a person or political committee shall be treated as having made an  
9 expenditure if the person has executed a contract to make the expenditure. The  
10 report shall identify the person or political committee who made the  
11 expenditure with the name of the candidate involved in the activity and any  
12 other information relating to the expenditure that is required to be disclosed  
13 under the provisions of subsections 2803(a) and (b) of this title. If an  
14 expenditure was previously reported that otherwise would have been reportable  
15 under this section, the person or political committee shall send a copy of the  
16 mass media report to the secretary of state and each candidate whose name or  
17 likeness is included in the activity within 12 hours of the activity.