

HOUSE BILL ANALYSIS

HB 1428

Title: AN ACT Relating to reporting of independent campaign expenditures.

Brief Description: Enhancing reporting of independent campaign expenditures.

Sponsors: Miloscia, Romero.

BRIEF SUMMARY

- Requires special reports on certain independent campaign expenditures of \$1,000 or more.
- Requires persons making certain types of expenditures to attest that the expenditures were not made at the behest of a candidate.

HOUSE STATE GOVERNMENT COMMITTEE

Staff: Jim Morishima (786-7191)

BACKGROUND:

The state's public disclosure laws require various reports of campaign finances to be filed with the Public Disclosure Commission (PDC) and county auditors. For example, each candidate or political committee is required to file a report on its contributions received, and expenditures made, since filing the last report at certain intervals. A candidate or political committee that receives a contribution in excess of \$500 within 21 days of an election must file a special report on the contribution with the PDC within 48 hours or the first working day after receipt of the contribution.

Also, each person making an independent expenditure of \$100 or more during the same election campaign in support or opposition to a candidate or ballot proposition, who does not otherwise have to file a report as a candidate or political committee, must file a report of the independent expenditure at certain intervals.

SUMMARY:

A person who makes an independent expenditure of \$1,000 or more in support of a candidate, in opposition to a candidate's opponent, or in support or opposition to a ballot proposition within 21 days of an election must file a special report with the

PDC. The special report must be filed within 24 hours or on the first working day after the political advertising paid for by the expenditure is presented to the public. Once a person is required to file a special report, the person must file an additional special report for each subsequent expenditure regardless of size. The special report must contain the following information:

- The name and address of the person making the expenditure;
- The name and address of the recipient of the expenditure;
- The purpose of the expenditure;
- The date of the expenditure and the date the advertising was presented to the public;
- The amount of the expenditure;
- Information regarding the candidate or ballot proposition supported or opposed by the expenditure;
- A copy of the advertising;
- If the expenditure is made by a political committee, information regarding the nature of the interests that are represented by the political committee; and
- Other information the PDC may require by rule.

The report may be made by facsimile or other electronic means, guaranteed overnight delivery, or by personal delivery. A copy of the report must also be filed with the county elections officer of the county of residence of the candidate or, in the case of a ballot proposition, the county of residence of the person making the expenditure. A copy of the report must also be mailed to each candidate running for office or the political committees supporting or opposing the ballot proposition.

A person filing any independent expenditure report, or a report as a candidate or political committee, must file an affidavit or declaration that an independent expenditure was not made in cooperation, consultation, or concert with, or at the request or suggestion of, the candidate.

Appropriation: None

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.