

HOUSE BILL NO. HB0009

Campaign finance reporting.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to campaign finance reporting; amending
2 restrictions on contributions from individuals; modifying
3 persons required to file campaign receipts reports;
4 requiring reporting from political action committees and
5 candidate's campaign committees; requiring amendment of
6 campaign finance reports as specified; increasing civil
7 penalties as specified; providing and modifying criminal
8 penalties; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 22-25-102(c), (e) and by creating new
13 subsections (j) and (k), 22-25-106(a)(i) through (iii) and
14 22-25-108(a), (c)(intro) and (d) are amended to read:

15

1 **22-25-102. Contribution of funds or election**
2 **assistance restricted; limitation on contributions; right**
3 **to communicate; civil penalty.**

4
5 (c) Except as otherwise provided in this section, no
6 individual other than the candidate, or the candidate's
7 immediate family shall contribute directly or indirectly,
8 more than ~~one thousand dollars (\$1,000.00)~~ three thousand
9 five hundred dollars (\$3,500.00) per election during the
10 two (2) year period consisting of a general election year
11 and the preceding calendar year to any candidate for
12 political office, or to any candidate's campaign
13 committee. ~~., nor make more than twenty five thousand dollars~~
14 ~~(\$25,000.00) total political contributions during the same~~
15 ~~two (2) year period.~~ For purposes of this subsection the
16 primary, general and special elections shall be deemed
17 separate elections. No candidate for political office
18 shall accept, directly or indirectly, contributions which
19 violate this subsection. Contributions to a candidate's
20 campaign committee shall be considered to be contributions
21 to the candidate. This subsection does not limit political
22 contributions by political parties, nor expenditures by a
23 candidate from his or her own funds nor from his or her
24 candidate's campaign committee funds.

1

2 (e) Any corporation, person or organization violating
3 the provisions of subsection (a), (b), ~~or~~ (c), (j) or (k)
4 of this section is, upon conviction in a district court,
5 subject to a civil penalty up to ~~ten thousand dollars~~
6 ~~(\$10,000.00)~~ twenty-five thousand dollars (\$25,000.00) and
7 costs including a reasonable attorney's fee. The amount of
8 penalty imposed shall be in such amount as will deter
9 future actions of a similar nature. An action to impose the
10 civil penalty may be prosecuted by and in the name of any
11 candidate adversely affected by the transgression, any
12 political party, any county attorney, any district attorney
13 or the attorney general. Proceeds of the penalty collected
14 shall be paid to the state treasurer and credited as
15 provided in W.S. 8-1-109.

16

17 (j) Except as otherwise provided in this section, no
18 political action committee shall contribute directly or
19 indirectly more than two thousand three hundred dollars
20 (\$2,300.00) per election to any candidate for office other
21 than a statewide office nor more than four thousand six
22 hundred dollars (\$4,600.00) per election to any candidate
23 for statewide office during the two (2) year period
24 consisting of a general election year and the preceding

1 calendar year. For purposes of this subsection the
2 primary, general and special elections shall be deemed
3 separate elections. No candidate for political office
4 shall accept, directly or indirectly, contributions which
5 violate this subsection. Contributions to a candidate's
6 campaign committee shall be considered to be contributions
7 to the candidate. This subsection does not limit political
8 contributions by political parties, nor expenditures by a
9 candidate from his or her own funds nor from his or her
10 candidate's campaign committee funds.

11
12 (k) Contributions donated to a political action
13 committee which are designated by the donor to be used only
14 for a particular candidate and no other purpose are subject
15 to the limitations of subsection (c) of this section.

16
17 **22-25-106. Filing of campaign reports.**

18
19 (a) Except as otherwise provided in subsection (g) of
20 this section and in addition to other statements required
21 by this subsection:

22
23 (i) Every candidate shall file a fully itemized
24 statement of receipts at least seven (7) days before any

1 primary, general or special election with information
2 required by this subsection current to any day from the
3 eighth day up to the fourteenth day before the election.

4 Any additional receipts of one thousand five hundred
5 dollars (\$1,500.00) or more received from any one (1)
6 contributor, other than the candidate or the candidate's
7 immediate family, shall be reported not later than the
8 close of the following business day;

9
10 (ii) Every candidate, whether successful or not,
11 and every political action committee or candidate's
12 campaign committee formed in this state which contributed
13 money to a candidate during the current election shall file
14 a fully itemized statement of receipts and expenditures
15 within ten (10) days after any general or special election;

16
17 (iii) Every candidate in any primary election
18 and every political action committee or candidate's
19 campaign committee formed in this state which contributed
20 money to a candidate during the current election shall file
21 a fully itemized statement of receipts and expenditures
22 within ten (10) days after the primary election;

23

1 **22-25-108. Failure of candidate or committee to file**
2 **statement.**

3
4 (a) Candidates shall be given notice prior to an
5 election that failure to file, within the time required, a
6 full and complete itemized statement of receipts if
7 required pursuant to W.S. 22-25-107 and a statement of
8 receipts and expenditures shall subject the candidate to
9 civil penalties as provided in subsection (e) of this
10 section.

11
12 (c) In addition to any other penalty provided by law,
13 a candidate who ~~fails~~ is convicted of failure to file the
14 statement required by W.S. 22-25-106 within thirty (30)
15 days of the report due date is ineligible to run as a
16 candidate for any state or local office for which a
17 statement is required by W.S. 22-25-106 until:

18
19 (d) Each political action committee and each
20 candidate's campaign committee shall be given notice prior
21 to an election that failure to file the statement may
22 result in the filing of criminal charges against the
23 committee's officers responsible for the filing. Any
24 officer of a political action committee or candidate's

1 campaign committee who is responsible for filing a report
2 and who knowingly and willfully fails to file a report as
3 required or who knowingly and willfully subscribes to,
4 makes or causes to be made a false report is guilty of a
5 ~~felony~~ misdemeanor punishable by imprisonment not to exceed
6 ~~two (2) years~~ one (1) year.

7

8 **Section 2.** This act is effective January 1, 2009.

9

10 (END)