

HOUSE BILL NO. HB0046

Campaign funds-personal use.

Sponsored by: Representative(s) Stubson, Barbuto, Blikre,
Pedersen and Throne and Senator(s) Landen
and Von Flatern

A BILL

for

1 AN ACT relating to campaign funds; providing restrictions
2 on use of campaign funds; providing for disposal of
3 campaign funds after terms of office; providing for
4 penalties; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 22-25-116 is created to read:

9

10 **22-25-116. Campaign funds authorized uses; required**
11 **disposal of campaign funds.**

12

13 (a) Contributions received by a candidate or a
14 candidate's campaign committee shall only be expended for
15 purposes directly related to:

16

1 (i) Promoting the nomination or election of a
2 candidate;

3

4 (ii) Promoting an issue of public concern; or

5

6 (iii) Performing the duties of public office or
7 party position.

8

9 (b) Campaign funds shall not be converted to personal
10 use, which shall include expenditures that:

11

12 (i) Are for the personal benefit of or to defray
13 normal living expenses of the candidate, officeholder, his
14 immediate family or any other person;

15

16 (ii) Are used to fulfill any commitment,
17 obligation or expense that would exist irrespective of the
18 candidate's campaign or duties as an officeholder; or

19

20 (iii) Are put to any use for which the candidate
21 or officeholder would be required to treat the amount of
22 the expenditure as gross income under Section 61 of the
23 United States Internal Revenue Code.

24

1 (c) A candidate or candidate's campaign committee
2 shall dispose of all campaign funds within eight (8) years
3 after the later of:

4

5 (i) The end of the individual's most recent term
6 of office; or

7

8 (ii) The date of the election in which the
9 individual last was a filed candidate.

10

11 (d) Any candidate or candidate's campaign committee
12 required to dispose of funds pursuant to subsection (c) of
13 this section shall, at the option of the candidate, dispose
14 of those funds by any of the following means or any
15 combination thereof:

16

17 (i) Donating the funds to a charitable
18 organization or organizations that meet the qualifications
19 of Section 501(c)(3) of the United States Internal Revenue
20 Code;

21

22 (ii) Donating the funds to the state university
23 or a Wyoming community college;

24

1 (iii) Donating the funds to the state's general
2 fund;

3

4 (iv) Transferring the funds to a political party
5 committee registered with the secretary of state's office;
6 or

7

8 (v) Contributing the funds to a candidate,
9 candidate's campaign committee or political action
10 committee as permitted by law.

11

12 (e) No candidate or candidate's campaign committee
13 shall dispose of campaign funds by making expenditures for
14 personal use as defined in subsection (b) of this section.

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16 (f) For purposes of this section, "campaign funds"
17 means contributions received by a candidate or a
18 candidate's campaign committee as provided under W.S.
19 22-25-102.

20

21 **Section 2.** W.S. 22-26-112(a)(ix) is amended to read:

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23 **22-26-112. Misdemeanor offenses generally.**

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1 (a) Unless a different penalty is specifically
2 provided in this code, the following acts, if knowingly and
3 willfully committed, are misdemeanor offenses punishable by
4 not more than six (6) months in a county jail or a fine of
5 not more than one thousand dollars (\$1,000.00), or both:

6

7 (ix) Violating W.S. 22-25-101 through ~~22-25-115~~
8 22-25-116;

9

10 **Section 3.** This act is effective July 1, 2011.

11

12

(END)