

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; providing and
7 modifying penalties; and providing for an effective date.

8

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

10

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

14

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) and costs including a reasonable attorney's
7 fee. The amount of penalty imposed shall be in such amount
8 as will deter future actions of a similar nature. An action
9 to impose the civil penalty may be prosecuted by and in the
10 name of any candidate adversely affected by the
11 transgression, any political party, any county attorney,
12 any district attorney or the attorney general. Proceeds of
13 the penalty collected shall be paid to the state treasurer
14 and credited as provided in W.S. 8-1-109.

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16 (j) Except as otherwise provided in this section, no
17 political action committee shall contribute directly or
18 indirectly more than three thousand five hundred dollars
19 (\$3,500.00) per election to any candidate for office other
20 than a statewide office nor more than seven thousand
21 dollars (\$7,000.00) per election to any candidate for
22 statewide office during the two (2) year period consisting
23 of a general election year and the preceding calendar year.
24 For purposes of this subsection the primary, general and

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

10
11 (k) Contributions donated to a political action
12 committee which are designated by the donor to be used only
13 for a particular candidate and no other purpose are subject
14 to the limitations of subsection (c) of this section.

15
16 **22-25-106. Filing of campaign reports.**

17
18 (a) Except as otherwise provided in subsection (g) of
19 this section and in addition to other statements required
20 by this subsection:

21
22 (i) Every candidate shall file a fully itemized
23 statement of receipts at least seven (7) days before any
24 primary, general or special election with information

1 required by this subsection current to any day from the
2 eighth day up to the fourteenth day before the election.

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

7
8 (ii) Every candidate, whether successful or not,
9 and every political action committee or candidate's
10 campaign committee formed in this state which contributed
11 money to a candidate during the current election shall file
12 a fully itemized statement of receipts and expenditures
13 within ten (10) days after any general or special election;

14
15 (iii) Every candidate in any primary election
16 and every political action committee or candidate's
17 campaign committee formed in this state which contributed
18 money to a candidate during the current election shall file
19 a fully itemized statement of receipts and expenditures
20 within ten (10) days after the primary election;

21
22 **22-25-108. Failure of candidate or committee to file**
23 **statement.**

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

8
9 (c) In addition to any other penalty provided by law,
10 a candidate who ~~fails~~ is convicted of failure to file the
11 statement required by W.S. 22-25-106 within thirty (30)
12 days of the report due date is ineligible to run as a
13 candidate for any state or local office for which a
14 statement is required by W.S. 22-25-106 until:

15
16 (d) Each political action committee and each
17 candidate's campaign committee shall be given notice prior
18 to an election that failure to file the statement may
19 result in the filing of criminal charges against the
20 committee's officers responsible for the filing. Any
21 officer of a political action committee or candidate's
22 campaign committee who is responsible for filing a report
23 and who knowingly and willfully fails to file a report as
24 required or who knowingly and willfully subscribes to,

1 makes or causes to be made a false report is guilty of a
2 ~~felony~~ misdemeanor punishable by imprisonment not to exceed
3 ~~two (2) years~~ one (1) year.

4

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

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7 (END)