

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House  
3 Bill No. 828 entitled “An act relating to disclosures in campaign finance law”  
4 respectfully reports that it has considered the same and recommends that the  
5 Senate propose to the House that the bill be amended by striking out all after  
6 the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 17 V.S.A. chapter 61 is amended to read:

8 CHAPTER 61. CAMPAIGN FINANCE

9 Subchapter 1. General Provisions

10 § 2901. DEFINITIONS

11 As used in this chapter:

12 \* \* \*

13 (6) “Electioneering communication” means any communication that  
14 refers to a clearly identified candidate for office and that promotes or supports  
15 a candidate for that office or attacks or opposes a candidate for that office,  
16 regardless of whether the communication expressly advocates a vote for or  
17 against a candidate, including communications published in any newspaper or  
18 periodical or broadcast on radio or television or over the Internet or any public  
19 address system; placed on any billboards, outdoor facilities, buttons, or printed  
20 material attached to motor vehicles, window displays, posters, cards,  
21 pamphlets, leaflets, flyers, or other circulars; or contained in any direct

1 mailing, robotic phone calls, or mass ~~e-mails~~ electronic or digital  
2 communications.

3 \* \* \*

4 (11) “Mass media activity” means a television commercial, radio  
5 commercial, Internet advertisement, mass mailing, mass electronic or digital  
6 communication, literature drop, newspaper or periodical advertisement, robotic  
7 phone call, or telephone bank, that includes the name or likeness of a clearly  
8 identified candidate for office.

9 \* \* \*

10 Subchapter 4. Reporting Requirements; Disclosures

11 \* \* \*

12 § 2968. CAMPAIGN REPORTS; LOCAL CANDIDATES

13 (a) Each candidate for local office who has rolled over any amount of  
14 surplus into his or her new campaign or who has made expenditures or  
15 accepted contributions of \$500.00 or more since the last local election for that  
16 office shall file with the Secretary of State campaign finance reports 30 days  
17 before, 10 days before, four days before, and two weeks after the local  
18 election.

19 \* \* \*

1 § 2972. IDENTIFICATION IN ELECTIONEERING COMMUNICATIONS

2 (a) An electioneering communication shall contain the name and mailing  
3 address of the person, candidate, political committee, or political party that  
4 paid for the communication. The name and address shall appear prominently  
5 and in a manner such that a reasonable person would clearly understand by  
6 whom the expenditure has been made, except that:

7 (1) An audio electioneering communication ~~transmitted through radio~~  
8 ~~and~~ paid for by a candidate does not need to contain the candidate's address.

9 (2) An electioneering communication paid for by a person acting as an  
10 agent or consultant on behalf of another person, candidate, political committee,  
11 or political party shall clearly designate the name and mailing address of the  
12 person, candidate, political committee, or political party on whose behalf the  
13 communication is published or broadcast.

14 (b) If an electioneering communication is a related campaign expenditure  
15 made on a candidate's behalf as provided in section 2944 of this chapter, then  
16 in addition to other requirements of this section, the communication shall also  
17 clearly designate the candidate on whose behalf it was made by including  
18 language such as "on behalf of" such candidate.

19 (c)(1) In addition to the identification requirements in subsections (a) and  
20 (b) of this section, an electioneering communication paid for by or on behalf of  
21 a political committee or political party shall contain the name of any

1 contributor who contributed more than 25 percent of all contributions and more  
2 than \$2,000.00 to that committee or party since the beginning of the two-year  
3 general election cycle in which the electioneering communication was made to  
4 the date on which the expenditure for the electioneering communication  
5 was made.

6 (2) For the purposes of this subsection, a political committee or political  
7 party shall be treated as having made an expenditure if the committee or party  
8 or person acting on behalf of the committee or party has executed a contract to  
9 make the expenditure.

10 (d) If it is not practicable to meet the identification requirements of this  
11 section within an electioneering communication that is broadcast over the  
12 Internet, such an electioneering communication shall contain a link that shall  
13 be clear and conspicuous and that, if clicked, takes the reader to a web page or  
14 social media page that provides all of the identification information as required  
15 by this section.

16 (e) The identification requirements of this section shall not apply to lapel  
17 stickers or buttons, nor shall they apply to electioneering communications  
18 made by a single individual acting alone who spends, in a single two-year  
19 general election cycle, a cumulative amount of ~~no~~ not more than \$150.00 on  
20 those electioneering communications, adjusted for inflation pursuant to the  
21 Consumer Price Index as provided in section 2905 of this chapter.

1 § 2973. SPECIFIC IDENTIFICATION REQUIREMENTS FOR RADIO,  
2 TELEVISION, OR INTERNET COMMUNICATIONS

3 (a) In addition to the identification requirements set forth in section 2972 of  
4 this subchapter, a person, candidate, political committee, or political party that  
5 makes an expenditure for an electioneering communication shall include in any  
6 communication that is transmitted through radio, television, or online video, in  
7 a clearly spoken manner, an audio statement of the name and title of the person  
8 who paid for the communication and that the person paid for the  
9 communication.

10 (b) If the person who paid for the communication is not ~~a natural person~~ an  
11 individual, the audio statement required by this section shall include the name  
12 of that ~~non-natural~~ person and the name and title of the treasurer; in the case of  
13 a ~~candidate's committee~~, political committee, or political party, or the principal  
14 officer; in the case of any other ~~non-natural~~ person that is not an individual.

15 \* \* \*

16 Sec. 2. EFFECTIVE DATES

17 This act shall take effect on passage, except that in Sec. 1, 17 V.S.A. § 2968  
18 (campaign reports; local candidates) shall take effect on December 14, 2018.

1

2 (Committee vote: \_\_\_\_\_)

3

\_\_\_\_\_

4

Senator \_\_\_\_\_

5

FOR THE COMMITTEE