

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred Senate  
3 Bill No. 120 entitled “An act relating to limiting corporate campaign  
4 contributions” respectfully reports that it has considered the same and  
5 recommends that the bill be amended by striking out all after the enacting  
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 17 V.S.A. § 2941 is amended to read:

8 § 2941. LIMITATIONS OF CONTRIBUTIONS

9 (a) ~~Except as provided in subsection (c) of this section, in~~ any election  
10 cycle:

11 (1)(A) A candidate for State Representative or for local office shall not  
12 accept contributions totaling more than:

13 (i) \$1,000.00 from a single source; or

14 (ii) \$1,000.00 from a political committee.

15 (B) Such a candidate may accept unlimited contributions from a  
16 political party.

17 (2)(A) A candidate for State Senator or for county office shall not accept  
18 contributions totaling more than:

19 (i) \$1,500.00 from a single source; or

20 (ii) \$1,500.00 from a political committee.

21 (B) Such a candidate may accept unlimited contributions from a  
22 political party.

1           (3)(A) A candidate for the office of Governor, Lieutenant Governor,  
2 Secretary of State, State Treasurer, Auditor of Accounts, or Attorney General  
3 shall not accept contributions totaling more than:

4                   (i) \$4,000.00 from a single source; or

5                   (ii) \$4,000.00 from a political committee.

6           (B) Such a candidate may accept unlimited contributions from a  
7 political party.

8           (4) A political committee shall not accept contributions totaling more  
9 than:

10                   (A) \$4,000.00 from a single source;

11                   (B) \$4,000.00 from a political committee; or

12                   (C) \$4,000.00 from a political party.

13           (5) A political party shall not accept contributions totaling more than:

14                   (A) \$10,000.00 from a single source;

15                   (B) \$10,000.00 from a political committee; or

16                   (C) \$60,000.00 from a political party.

17           (6) [Repealed.]

18           (b) A single source, political committee, or political party shall not  
19 contribute more to a candidate, political committee, or political party than the  
20 candidate, political committee, or political party is permitted to accept under  
21 this section.

1        (c)(1) Notwithstanding any provision of law to the contrary, only an  
2        individual, a candidate’s committee, a political committee, a political party, or  
3        a labor organization may make a contribution to a candidate or a political  
4        party.

5        (2) A candidate or a political party shall not accept a contribution from  
6        any person other than those permitted to make such a contribution under  
7        subdivision (1) of this subsection.

8        (d) As used in this section:

9        (1) For a candidate described in subdivisions (a)(1)-(3) of this section,  
10       an “election cycle” means:

11        (A) in the case of a general or local election, the period that begins 38  
12        days after the previous general or local election for the office and ends 38 days  
13        after the general or local election for the office for which that person is a  
14        candidate, and includes any primary or run-off election related to that general  
15        or local election; or

16        (B) in the case of a special election, the period that begins on the date  
17        the special election for the office was ordered and ends 38 days after that  
18        special election, and includes any special primary or run-off election related to  
19        that special election.

20        (2) For a political committee, political party, or single source described  
21        in subdivisions (4)-(6) of subsection (a), an “election cycle” means a two-year  
22        general election cycle.

1 Sec. 2. 17 V.S.A. § 2903 is amended to read:

2 § 2903. PENALTIES

3 (a) A person who knowingly and intentionally violates a provision of  
4 subchapter 2, 3, or 4 of this chapter shall be fined not more than \$1,000.00 or  
5 imprisoned not more than six months, or both.

6 (b) A person who violates any provision of this chapter shall be subject to a  
7 civil penalty of up to \$10,000.00 for each violation and shall refund to the  
8 Secretary of State an amount equivalent to any contributions or expenditures  
9 that violate subdivision 2983(b)(1) of this chapter.

10 (c) In addition to the other penalties provided in this section, a State's  
11 Attorney or the Attorney General may institute any appropriate action,  
12 injunction, or other proceeding to prevent, restrain, correct, or abate any  
13 violation of this chapter.

14 (d)(1) Prior to the Attorney General or a State's Attorney pursuing a  
15 penalty under subsection (a) or (b) of this section for a violation of this chapter,  
16 the Attorney General or State's Attorney shall provide written notice of the  
17 violation to the person alleged to have committed it.

18 (2) Such a person shall have 14 calendar days from the date of the  
19 written notice to cure the violation. If the person successfully cures the  
20 violation within that timeframe, the Attorney General or State's Attorney shall  
21 not pursue the penalty.

**Comment [BAW1]:** Does SoS ever alert a person that they're in violation of the chapter?

For ex., that a candidate accepted a contribution beyond the permitted limits or failed to file a required report?

If so, should the Sec. of State be included here?

1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on December 14, 2018.

3 and that after passage the title of the bill be amended to read: “An act relating  
4 to contributions to candidates and political parties and to curing campaign  
5 finance violations”

6 (Committee vote: \_\_\_\_\_)

7 \_\_\_\_\_

8 Senator \_\_\_\_\_

9 FOR THE COMMITTEE

DRAFT