

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred Senate
3 Bill No. 47 entitled “An act relating to the persons authorized to make
4 contributions to candidates and political parties and to political committee
5 names” respectfully reports that it has considered the same and recommends
6 that the House propose to the Senate that the bill be amended by striking out all
7 after the enacting clause and inserting in lieu thereof the following:

8 Sec. 1. 17 V.S.A. § 2901 is amended to read:

9 § 2901. DEFINITIONS

10 As used in this chapter:

11 * * *

12 (13) “Political committee” or “political action committee” means any
13 formal or informal committee of two or more individuals or a corporation,
14 labor organization, public interest group, or other entity, not including a
15 political party, that accepts contributions of \$1,000.00 or more and makes
16 expenditures of \$1,000.00 or more in any two-year general election cycle for
17 the purpose of supporting or opposing one or more candidates, influencing an
18 election, or advocating a position on a public question in any election, or any
19 such entity that registers as a political committee pursuant to section 2922 of
20 this chapter prior to reaching those \$1,000.00 thresholds, and includes an

1 independent expenditure-only political committee and a legislative leadership
2 political committee.

3 * * *

4 Sec. 2. 17 V.S.A. § 2922 is amended to read:

5 § 2922. POLITICAL COMMITTEES; REGISTRATION; CHECKING
6 ACCOUNT; TREASURER

7 (a)(1)(A) Each political committee shall register with the Secretary of State
8 within 10 days of making expenditures of \$1,000.00 or more and accepting
9 contributions of \$1,000.00 or more ~~stating~~, and any other political committee
10 may register with the Secretary of State prior to reaching those \$1,000.00
11 thresholds.

12 (B) A political committee's name shall include the full name of its
13 connected organization, if applicable, or any clearly recognized abbreviation or
14 acronym by which the connected organization is commonly known.

15 (C) In its registration, a political committee shall state:

16 (i) its full name and address;

17 (ii) the name and address of the bank in which it maintains its
18 campaign checking account; ~~and~~

19 (iii) the name and address of the treasurer responsible for
20 maintaining the checking account; and

1 (iv) if applicable, the full name of its connected organization and
2 any clearly recognized abbreviation or acronym by which the connected
3 organization is commonly known.

4 (2)(A) In addition to the requirements of subdivision (1) of this
5 subsection, a legislative leadership political committee shall designate in its
6 registration that it is established as a legislative leadership political committee.

7 (B) The Secretary of State shall provide on his or her website a list of
8 all legislative leadership political committees that have been designated as
9 provided in this subdivision (2).

10 (b)(1) All expenditures by a political committee shall be paid by either a
11 credit card or a debit card, check, or other electronic transfer from the single
12 campaign checking account in the bank designated by the political committee
13 under subsection (a) of this section, or, if under \$250.00, the political
14 committee may make the expenditure from cash from that campaign checking
15 account if accompanied by a receipt, a copy of which shall be maintained by
16 the political committee for at least two years from the end of the two-year
17 general election cycle in which the expenditure was made.

18 (2) Nothing in this subsection shall be construed to prohibit the payment
19 of fees required to be made from a separately held online account designated
20 solely to collect campaign contributions made to the political committee.

1 (c) A political committee whose principal place of business or whose
2 treasurer is not located in this State shall file a statement with the Secretary of
3 State designating a person who resides in this State upon whom may be served
4 any process, notice, or demand required or permitted by law to be served upon
5 the political committee. This statement shall be filed at the same time as the
6 registration required in subsection (a) of this section.

7 (d) As used in this section, “connected organization” means the
8 corporation, labor organization, public interest group, or other entity that
9 directly or indirectly establishes, administers, or financially supports a political
10 committee. For purposes of this subsection:

11 (1) “Financially supports” does not include contributions to the political
12 committee, but does include the payment of establishment, administration, and
13 solicitation costs of the political committee; and

14 (2) Members of a connected organization, such as organizations that or
15 individuals who are members of a trade association, labor organization, or
16 public interest group that is a connected organization, shall not be considered
17 to have directly or indirectly established, administered, or financially supported
18 the connected organization’s political committee.

1 Sec. 3. 17 V.S.A. § 2941 is amended to read:

2 § 2941. LIMITATIONS OF CONTRIBUTIONS

3 (a) In any election cycle:

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

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

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

8 (B) Such a candidate may accept unlimited contributions from a
9 political party.

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

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

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

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

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

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

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

1 (B) Such a candidate may accept unlimited contributions from a
2 political party.

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

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

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

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

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

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

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

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

12 (6) [Repealed.]

13 (b) A single source, political committee, or political party shall not
14 contribute more to a candidate, political committee, or political party than the
15 candidate, political committee, or political party is permitted to accept under
16 this section.

17 (c)(1)(A) Notwithstanding any provision of law to the contrary, only an
18 individual, a political committee, or a political party may make a contribution
19 to a candidate.

1 (B) In accordance with the provisions of subdivision (A) of this
2 subdivision (1), an individual may make a contribution as follows, which in
3 either case shall be considered a contribution from the individual:

4 (i) in the individual’s capacity as an unincorporated sole
5 proprietorship; or

6 (ii) from his or her revocable trust, if the individual is a named
7 trustee.

8 (2) A candidate shall not accept a contribution from any person other
9 than those permitted to make such a contribution under subdivision (1) of this
10 subsection.

11 (d) As used in this section:

12 (1) For a candidate described in subdivisions (a)(1)–(3) of this section,
13 an “election cycle” means:

14 (A) in the case of a general or local election, the period that begins
15 38 days after the previous general or local election for the office and ends
16 38 days after the general or local election for the office for which that person is
17 a candidate, and includes any primary or ~~run-off~~ runoff election related to that
18 general or local election; or

19 (B) in the case of a special election, the period that begins on the date
20 the special election for the office was ordered and ends 38 days after that

1 special election, and includes any special primary or ~~run-off~~ runoff election
2 related to that special election.

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

6 Sec. 4. 17 V.S.A. § 2903 is amended to read:

7 § 2903. PENALTIES

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

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

15 (2) In addition to the penalties provided in subdivision (1) of this
16 subsection, a person who violates subchapter 4 of this chapter by failing to
17 report a contribution may be required to return that contribution to the
18 contributor.

19 (c) In addition to the other penalties provided in this section, a State’s
20 Attorney or the Attorney General may institute any appropriate action,

1 injunction, or other proceeding to prevent, restrain, correct, or abate any
2 violation of this chapter.

3 Sec. 5. EFFECTIVE DATE

4 This act shall take effect on December 11, 2020.

5 and that after passage the title of the bill be amended to read: “An act relating
6 to political committee names, to the persons authorized to make contributions
7 to candidates, and to campaign finance penalties”

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13 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE