

1 S.51

2 Introduced by Senators Pearson, Perchlik and Pollina

3 Referred to Committee on Government Operations

4 Date: January 28, 2021

5 Subject: Elections; campaign finance; contribution limitations; contributions to
6 candidates and political parties; authorized contributors

7 Statement of purpose of bill as introduced: This bill proposes to provide that
8 only individuals, political committees, and political parties may make a
9 contribution to a candidate or to a political party.

10 An act relating to the persons authorized to make contributions to
11 candidates and political parties and to political committee names

12 It is hereby enacted by the General Assembly of the State of Vermont:

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

14 § 2901. DEFINITIONS

15 As used in this chapter:

16 * * *

17 (13) “Political committee” or “political action committee” means any
18 formal or informal committee of two or more individuals or a corporation,
19 labor organization, public interest group, or other entity, not including a
20 political party, that accepts contributions of \$1,000.00 or more and makes

1 expenditures of \$1,000.00 or more in any two-year general election cycle for
2 the purpose of supporting or opposing one or more candidates, influencing an
3 election, or advocating a position on a public question in any election, or any
4 such entity that registers as a political committee pursuant to section 2922 of
5 this chapter prior to reaching those \$1,000.00 thresholds, and includes an
6 independent expenditure-only political committee and a legislative leadership
7 political committee.

8 * * *

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

10 § 2922. POLITICAL COMMITTEES; REGISTRATION; CHECKING
11 ACCOUNT; TREASURER

12 (a)(1)(A) Each political committee shall register with the Secretary of State
13 within 10 days of making expenditures of \$1,000.00 or more and accepting
14 contributions of \$1,000.00 or more stating, and any other political committee
15 may register with the Secretary of State prior to reaching those \$1,000.00
16 thresholds.

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

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

21 (i) its full name and address;

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

3 (iii) the name and address of the treasurer responsible for
4 maintaining the checking account; and

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

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

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

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

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

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

10 (d) As used in this section, “connected organization” means the formal or
11 informal committee of two or more individuals, corporation, labor
12 organization, public interest group, or other entity that directly or indirectly
13 establishes, administers, or financially supports a political committee. For
14 purposes of this subsection:

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

18 (2) Members of a connected organization, such as organizations that or
19 individuals who are members of a trade association, labor organization, or
20 public interest group that is a connected organization, shall not be considered

1 to have directly or indirectly established, administered, or financially
2 supported the connected organization's political committee.

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

4 § 2941. LIMITATIONS OF CONTRIBUTIONS

5 (a) In any election cycle:

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

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

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

10 (B) Such a candidate may accept unlimited contributions from a
11 political party.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (6) [Repealed.]

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

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

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 or a political party shall not accept a contribution from
9 any person other than those permitted to make such a contribution under
10 subdivision (1) of this 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 38
16 days after the general or local election for the office for which that person is a
17 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. EFFECTIVE DATE~~

7 ~~This act shall take effect on December 11, 2022.~~

Sec. 4. PUBLIC CAMPAIGN FINANCE STUDY COMMITTEE; REPORT

(a) Creation. There is created the Public Campaign Finance Study Committee to study and make recommendations regarding Vermont’s current public campaign finance option.

(b) Membership. The Committee shall be composed of the following members:

(1) one current member of the Senate, who shall be appointed by the Committee on Committees and who shall be Co-Chair;

(2) one current member of the House of Representatives, who shall be appointed by the Speaker of the House and who shall be Co-Chair;

(3) the Secretary of State or designee;

(4) the Attorney General or designee; and

(5) the Executive Director of the State Ethics Commission or designee.

(c) Powers and duties. The Committee shall consult with interested stakeholders to study and make recommendations on Vermont’s current public campaign finance option (Option), including the following issues:

(1) whether the structure of the Option is appropriate or whether Vermont should instead enact a different public campaign finance system, such as one based on vouchers as in the Seattle Democracy Voucher Program or one that provides supplemental payments based on the amount of qualifying contributions as in the Maine Clean Election Act;

(2) if Vermont should retain the Option;

(A) whether the current qualifying contributions and grant amounts for candidates for Governor and Lieutenant Governor are appropriate;

(B) whether the Option should be extended to other offices and, if so, which offices and what the qualifying contributions and grant amounts should be for each office; and

(C) how it may be improved; and

(3) what the funding source should be for either the Option or any recommended substitute.

(d) Assistance. The Committee shall have the assistance of the Office of Legislative Counsel and the Joint Fiscal Office.

(e) Report. On or before December 1, 2021, the Committee shall report to the Senate and House Committees on Government Operations with its findings and any recommendations for legislative action. The report may be in the form of legislation.

(f) Meetings.

(1) The Co-Chairs shall call the first meeting of the Committee to occur on or before August 15, 2021.

(2) A majority of the membership shall constitute a quorum.

(3) The Committee shall cease to exist on December 1, 2021.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than five meetings. These payments shall be made from monies appropriated to the General Assembly.

(2) Other members of the Committee shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than five meetings. These payments shall be made from monies appropriated to the member's appointing authority.

Sec. 5. EFFECTIVE DATES

This act shall take effect on December 11, 2022, except that Sec. 4 (campaign finance study) shall take effect upon passage.