

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 1005

TO REQUIRE REPORTING AND DISCLOSURE OF ELECTIONEERING COMMUNICATIONS; AND TO
RESTRICT THE AMOUNT OF MONEY SPENT ON CAMPAIGN COMMUNICATIONS PRODUCED IN
COORDINATION WITH A CANDIDATE FOR OFFICE.

Amendment No. 1 to House Bill No. 1005

Amend House Bill No. 1005 as originally introduced:

Page 3, delete lines 10 through 13, and substitute the following:

"expenditures, or electioneering communications;

(iv) A payment that is otherwise required to be reported as a contribution, electioneering communication, or independent expenditure under this subchapter; or

(v) A transfer made from a collecting agent or a vendor to an account of a recipient established to collect contributions on behalf of the recipient, if the collecting agent or vendor transfers the funds within fourteen (14) days of receipt and the recipient fully reports the contribution of the original contributor in compliance with this subchapter."

AND

Page 3, delete lines 23 through 25, and substitute the following:

"unions or a state or local entities of the organization;

(iv) A corporation and its wholly owned subsidiary;
or

(v) A nonprofit organization and the related state and local entities of the organization."

AND

Page 4, line 4, delete "(19)(B)" and substitute "(20)(B)"

AND

Page 4, line 16, delete "(19)(A)(iii)" and substitute "(20)(A)(iii)"

AND



Page 4, line 24, delete "(19)(A)(iii)" and substitute "(20)(A)(iii)"

AND

Page 4, line 28, delete "(19)(A)(v)" and substitute "(20)(A)(v)"

AND

Page 5, delete line 23, and substitute the following:

"official website or social media account maintained by the person or committee making the"

AND

Page 8, delete line 36

AND

Page 9, delete lines 1 and 2

AND

Page 9, line 3, delete "(F)" and substitute "(E)"

AND

Page 9, line 14, delete "(G)" and substitute "(F)"

AND

Page 9, line 21, delete "(H)" and substitute "(G)"

AND

Page 9, line 23, delete "(I)" and substitute "(H)"

AND

Page 9, line 24, delete "(J)" and substitute "(I)"

AND

Page 10, line 9, delete "(b)(1)(J)(i)" and substitute "(b)(1)(I)(i)"

AND

Page 10, line 15, delete "(b)(1)(J)(iii)(a)" and substitute "(b)(1)(I)(iii)(a)"

AND

Page 10, line 17, delete "(b)(1)(J)(iii)(a)" and substitute

"(b)(1)(I)(iii)(a)"

AND

Page 10, line 22, delete "(b)(1)(J)(iii)(a)" and substitute "(b)(1)(I)(iii)(a)"

AND

Page 10, line 28, delete "(b)(1)(J)iii)(c)(1)" and substitute "(b)(1)(I)(iii)(c)(1)"

AND

Page 10, line 32, delete "(K)", and substitute "(J)"

AND

Page 11, line 18, delete "(b)(1)(K)(i)" and substitute "(b)(1)(J)(i)"

AND

Page 11, line 24, delete "(b)(1)(K)(iii)(a)" and substitute "(b)(1)(J)(iii)(a)"

AND

Page 11, line 26, delete "(b)(1)(K)(iii)(a)" and substitute "(b)(1)(J)(iii)(a)"

AND

Page 11, line 32, delete "(b)(1)(K)(iii)(a)" and substitute "(b)(1)(J)(iii)(a)"

AND

Page 12, line 1, delete "(b)(1)(K)(iii)(c)(1)" and substitute "(b)(1)(J)(iii)(c)(1)"

AND

Page 12, line 5, delete "(L)", and substitute "(K)"

AND

Page 13, delete line 3, and substitute the following:

"media.

(3)(A) The person is only required to disclose contributions in an amount equivalent to the aggregate amount of all expenditures made in the report as required under subdivision (b)(1)(F) of this section.

(B)(i)(a) The person shall report the contributions,

whether under subdivisions (b)(1)(I), (b)(1)(J), or (b)(1)(K) of this section, on the last-in, first-out accounting method.

(b) As used in this subdivision, "last-in, first-out accounting method" means the procedure by which contributions and disbursements are attributed to the contributions of a person in reverse chronological order beginning with the most recent of its contributors.

(ii) A subsequent report shall not duplicate contribution information disclosed in a previous report."

AND

Page 13, line 26, delete "(b)(1)(K)" and substitute "(b)(1)(J)"

AND

Page 16, delete line 4, and substitute the following:

"campaign committee other than a photograph or other likeness of the candidate obtained from a publicly available source; and"

AND

Page 18, delete lines 11 through 36, and substitute the following:

"(c)(1) The statement shall disclose the following:

(A) The name and address of any person who made the covered transfer, or if the person is not an individual, the name and address of the person's principal place of business;

(B) The name and address of any person sharing or exercising direction or control over the activities of the person who made the covered transfer including at least one (1) individual;

(C) The name and address of the custodian of the books and accounts from which the covered transfer was made;

(D) An itemization of each covered transfer made, or agreed to be made by contract, that amounts to two hundred fifty dollars (\$250) or more and is made or agreed to be made during the period covered by the statement, which shall include:

(i) The amount of the covered transfer;

(ii) The date of the covered transfer, or in the case of a covered transfer agreed to be made, the date the agreement was executed; and

(iii) The name and address of the person to whom the covered transfer was made, or in the case of a covered transfer agreed to be made, the person to whom the covered transfer was agreed to be made;

(E) The aggregate amount of all covered transfers made, or agreed to be made, that:

(i) Is not disclosed under subdivision (c)(1)(D) of this section; and

(ii) Was made during the period covered by the statement;

(F) Except as provided in subsection (g) of this section, if the covered transfer was paid exclusively from a segregated bank account established to pay for expenditures or communications required to be reported under this subchapter, a list of the contributions made in an aggregate

amount of two hundred fifty dollars (\$250) or more to the segregated bank account aggregating since the first day of the preceding calendar year that includes:

(i) If the person making the qualifying contributions is an individual, the name and address of the individual making the qualifying contributions;

(ii) If the person making the qualifying contributions is not an individual:

(a) The name and address of the entity; and

(b) A list of each person sharing or exercising direction or control over the entity, including at least one (1) individual;

(iii) If the person making the qualifying contributions is doing so with funds contributed by another person, a separate list titled "Second Degree Contributors (Segregated Account)" that indicates:

(a) The name and address of each person from whom each person listed as a contributor under subdivisions (c)(1)(F)(i) and (ii) of this section received contributions since the first day of the preceding calendar year aggregating more than one thousand dollars (\$1,000), together with the date and amount of each contribution;

(b) The name of any person sharing or exercising direction or control of any person listed under subdivision (c)(1)(F)(iii)(a) of this section, including at least one (1) individual; and

(c) If the person making the contribution listed under subdivision (c)(1)(F)(iii)(a) of this section is doing so with funds contributed by another person, a separate list titled "Third Degree Contributors (Segregated Account)" that indicates:

(1) The name and address of each person from whom each person identified as a contributor in the list titled "Second Degree Contributors (Segregated Account)" under subdivision (c)(1)(F)(iii)(a) of this section received contributions since the first day of the preceding calendar year, aggregating more than three thousand dollars (\$3,000), together with the date and amount of each contribution; and

(2) The name of any person sharing or exercising direction or control of any person listed under subdivision (c)(1)(F)(iii)(a) of this section, including at least one (1) individual;

(iv) The dates of the qualifying contributions;

(v) The amount of each contribution; and

(vi) The total aggregate amount contributed; and

(G) Except as provided in subsection (g) of this section, if the covered transfer was not paid exclusively from a segregated bank account established to pay for electioneering communications or other communications required to be reported under this subchapter, including without limitation independent expenditures, a list of the contributions made in an aggregate amount of five hundred dollars (\$500) or more to the person making the electioneering communication aggregating since the first day of the preceding calendar year that includes:

(i) If the person making the qualifying contributions is an individual, the name and address of the individual making the qualifying contributions;

(ii) If the person making the qualifying

contributions is not an individual:

(a) The name and address of the entity; and
(b) A list of each person sharing or
exercising direction or control over the entity, including at least one (1)
individual;

(iii) If the person making the qualifying
contributions is doing so with funds contributed by another person, a
separate list titled "Second Degree Contributors (Nonsegregated Account)"
that indicates:

(a) The name and address of each person from
whom each person listed as a contributor under subdivisions (c)(1)(G)(i) and
(ii) of this section received contributions since the first day of the
preceding calendar year aggregating more than one thousand dollars (\$1,000),
together with the date and amount of each contribution;

(b) The name of any person sharing or
exercising direction or control of any person listed under subdivision
(c)(1)(G)(iii)(a) of this section, including at least one (1) individual; and

(c) If the person making the contribution
listed under subdivision (c)(1)(G)(iii)(a) of this section is doing so with
funds contributed by another person, a separate list titled "Third Degree
Contributors (Nonsegregated Account)" that indicates:

(1) The name and address of each person
from whom each person listed as a contributor in the list titled "Second
Degree Contributors (Nonsegregated Account)" under subdivision
(c)(1)(G)(iii)(a) of this section received contributions since the first day
of the preceding calendar year aggregating more than three thousand dollars
(\$3,000), together with the date and amount of each contribution; and

(2) The name of any person sharing or
exercising direction or control of any person listed under subdivision
(c)(1)(G)(iii)(c)(1) of this section, including at least one (1) individual;

(iv) The dates of the qualifying contributions;

(v) The amount of each contribution; and

(vi) The total aggregate amount contributed.

(2)(A) The person is only required to disclose contributions in
an amount equivalent to the aggregate amount of all expenditures made in the
report as required under subdivisions (c)(1)(D) and (c)(1)(E) of this
section.

(B)(i)(a) The person shall report the contributions,
whether under subdivisions (c)(1)(F) or (c)(1)(G) of this section, on the
last-in, first-out accounting method.

(b) As used in this subdivision, "last-in,
first-out accounting method" means the procedure by which contributions and
disbursements are attributed to the contributions of a person in reverse
chronological order beginning with the most recent of its contributors.

(ii) A subsequent report shall not duplicate
contribution information disclosed in a previous report."

AND

Page 19, delete lines 1 through 36

AND

Page 20, delete lines 1 through 36

AND

Page 21, delete lines 1 through 11

The Amendment was read _____

By: Representative Tucker

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Chief Clerk