

1 SJR97  
2 142735-5  
3 By Senators Waggoner, Taylor, Reed, Brooks, Williams,  
4 Brewbaker, Whatley, Scofield, McGill, Glover, Allen, Pittman,  
5 Bussman and Bedford  
6 RFD: Rules  
7 First Read: 08-MAY-12

1 SJR97

2  
3  
4 ENROLLED, SJR97,

5 CREATING THE STUDY COMMITTEE ON CAMPAIGN FINANCE  
6 REFORM.

7  
8 WHEREAS, the Alabama Legislature finds as follows:

9 (1) The Alabama Fair Campaign Practices Act,  
10 initially adopted in 1988, has undergone recent positive  
11 amendments designed to ensure greater transparency and  
12 accountability by those who participate in Alabama's election  
13 process.

14 (2) In particular, Act 2010-765 made it unlawful,  
15 for the first time, for a political action committee to  
16 contribute or transfer funds to any other political action  
17 committee. Act 2011-697 provides for the disclosure of certain  
18 "electioneering communications." Act 2011-687 requires  
19 principal campaign committees and political action committees  
20 to file more timely reports of contributions and expenditures,  
21 including monthly filing for one year prior to the election,  
22 weekly filing beginning the month preceding the election, and  
23 daily filing beginning eight days prior to the date of the  
24 election for any contributions received in excess of five  
25 thousand dollars (\$5,000).

1           (3) Moreover, beginning with the 2014 election  
2 cycle, Act 2011-687 requires all statements, reports of  
3 contributions, and expenditures to be filed electronically  
4 over the Internet with this information to be stored in a  
5 format created by the Secretary of State's office and  
6 accessible by the public through the Secretary of State's  
7 website.

8           (4) Despite these recent changes to the Fair  
9 Campaign Practices Act, it continues to be necessary to study  
10 the act in order to find ways to improve campaign finance laws  
11 in a manner that will be beneficial to the public and to the  
12 candidates participating in the election process.

13           (5) It is important that the Fair Campaign Practices  
14 Act be both clear and understandable by the public and  
15 candidates who wish to run for public office.

16           (6) Even more importantly is that the act be  
17 enforceable by law enforcement in the event political action  
18 committees, principal campaign committees, or members of the  
19 public take measures in violation of the Fair Campaign  
20 Practices Act.

21           (7) Sufficient time has passed since the recent  
22 amendments were adopted to the Fair Campaign Practices Act,  
23 and it is time to formalize and bring focus to the act in  
24 order to seek ways to improve its effectiveness as well as the

1 adherence to the strict letter of the law of the act; now  
2 therefore,

3 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
4 HOUSES THEREOF CONCURRING, That there is created the Study  
5 Committee on Campaign Finance Reform to consist of the  
6 following members:

7 (1) The Governor, or his or her designee.

8 (2) The Secretary of State, or his or her designee.

9 (3) The Attorney General, or his or her designee.

10 (4) Three members of the Senate appointed by the  
11 President Pro Tempore of the Senate.

12 (5) Three members of the House of Representatives  
13 appointed by the Speaker of the House of Representatives

14 (6) A representative of the Alabama Probate Judges  
15 Association, appointed by the President of the Association.

16 (7) A representative of the Alabama District  
17 Attorneys Association, appointed by the President of the  
18 Association.

19 (8) The District Attorney of the 15th Judicial  
20 Circuit (Montgomery County), or his or her designee.

21 (9) A representative of the Alabama Bar Association,  
22 appointed by the President of the Association.

23 The membership of the study committee shall be  
24 inclusive and reflect the racial, gender, geographic,  
25 urban/rural, and economic diversity of the state.

1           The study committee may utilize any and all  
2           available expertise and resources of governmental, academic,  
3           financial, educational, or legal organizations or entities in  
4           conducting its business. The Governor, or his or her designee,  
5           shall set a date for the first meeting of the study committee.  
6           The Speaker of the House of Representatives and the President  
7           Pro Tempore of the Senate shall appoint the co-chairs of the  
8           study committee.

9           The study committee shall meet at times and  
10          locations as specified by a call of the chair or upon a vote  
11          of four or more study committee members. The study committee  
12          shall study all aspects of the Fair Campaign Practices Act,  
13          particularly as it relates to the enforcement of the act.

14          The study committee shall report its findings,  
15          conclusions, and recommendations concurrently to the House of  
16          Representatives, the Senate, and the Governor on or before the  
17          fifth legislative day of the 2013 Regular Session, whereupon  
18          the study committee shall stand dissolved and discharged of  
19          any further duties and liabilities. Upon the request of the  
20          chair of the study committee, the Clerk of the House of  
21          Representatives and Secretary of the Senate shall provide  
22          necessary clerical assistance for the work of the study  
23          committee. Each non-legislative member of the study committee  
24          shall be reimbursed for expenses incurred in attending  
25          meetings of the study committee as authorized for state

1 officers in the service of the state as provided in Article 2,  
2 commencing with Section 36-7-20, Chapter 7, Title 36, Code of  
3 Alabama 1975. Upon approval by the chair of the study  
4 committee, and upon requisitions signed by the Clerk of the  
5 House of Representatives or the Secretary of the Senate, these  
6 payments shall be paid out of any funds appropriated to the  
7 use of the House of Representatives or Senate by means of  
8 warrants drawn by the state Comptroller on the State Treasury.

9 Legislative members on the study committee shall be  
10 entitled to regular legislative compensation, per diem, and  
11 travel expenses for each day in attendance at a meeting of the  
12 study committee, which shall be paid out of any funds  
13 appropriated to the use of the Legislature, upon warrants  
14 drawn on the state Comptroller upon requisitions approved by  
15 the chair of the task force and signed by the Clerk of the  
16 House of Representatives or the Secretary of the Senate.  
17 Notwithstanding the foregoing, no legislative member shall  
18 receive additional legislative compensation or per diem on a  
19 regular or special legislative meeting day or regular  
20 committee meeting day, or if a member is being paid any other  
21 payments on the same dates for attendance on other state  
22 business. The total expenditures of the Legislature for study  
23 committee business shall not exceed one thousand dollars  
24 (\$1,000).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

---

President and Presiding Officer of the Senate

---

Speaker of the House of Representatives

SJR97

Senate 09-MAY-12

I hereby certify that the within Act originated in and adopted the Senate.

Patrick Harris  
Secretary

---

House of Representatives  
Amended and adopted 10-MAY-12

---

Senate concurred in House amendment 10-MAY-12

---

By: Senator Waggoner