

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 243

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO CAMPAIGN FINANCE; AMENDING SECTION 67-6610A, IDAHO CODE, TO  
2 REVISE PROVISIONS REGARDING CANDIDATE CAMPAIGN CONTRIBUTION LIMITA-  
3 TIONS.  
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 67-6610A, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 67-6610A. LIMITATIONS ON CONTRIBUTIONS. (1) Except as provided in  
9 subsection (2) of this section, aggregate contributions for a primary elec-  
10 tion or a general election made by a corporation, political committee, other  
11 recognized legal entity or an individual shall be subject to the limita-  
12 tions of this subsection; ~~provided, however, this.~~ This subsection shall  
13 not apply to a candidate contributing or loaning money to his own campaign  
14 account or to a candidate for a state legislative office who, in terminating  
15 his campaign account, transfers the balance of funds to that candidate's new  
16 campaign account for a different state legislative office. In such case,  
17 any contributions received in the closed account, combined with any contri-  
18 butions received in the new account, shall count against the contribution  
19 limits provided in this subsection when received from the same contributor  
20 for the same election date.

21 (a) Aggregate contributions by a corporation, political committee,  
22 other recognized legal entity, or an individual to a candidate for the  
23 state legislature, judicial office, or local government office, and  
24 political committees organized on the candidate's behalf, shall be  
25 limited to an amount not to exceed one thousand dollars (\$1,000) for  
26 the primary election and an amount not to exceed one thousand dollars  
27 (\$1,000) for the general election.

28 (b) Aggregate contributions for a primary election or a general elec-  
29 tion by a corporation, political committee, other recognized legal en-  
30 tity or an individual to a candidate for statewide office and politi-  
31 cal committees organized on the candidate's behalf shall be limited to  
32 an amount not to exceed five thousand dollars (\$5,000) for the primary  
33 election and an amount not to exceed five thousand dollars (\$5,000) for  
34 the general election.

35 (2) Aggregate contributions for a primary election or for a general  
36 election made by a county central committee or by the state central committee  
37 of the political parties qualified under section 34-501, Idaho Code, to a  
38 candidate for the state legislature and political committees organized on  
39 the candidate's behalf shall be limited to an amount not to exceed two thou-  
40 sand dollars (\$2,000) for the primary election and an amount not to exceed  
41 two thousand dollars (\$2,000) for the general election. Aggregate contribu-  
42 tions for the primary election or the general election by the state central

1 committee of the political parties qualified under section 34-501, Idaho  
2 Code, to a candidate for statewide office and political committees organized  
3 on the candidate's behalf shall be limited to an amount not to exceed ten  
4 thousand dollars (\$10,000) for the primary election and an amount not to  
5 exceed ten thousand dollars (\$10,000) for the general election.

6 (3) For purposes of this section, "statewide office" shall mean an of-  
7 fice in state government that shall appear on the primary or general election  
8 ballot throughout the state.

9 (4) Recall and special elections, for purposes of this section, shall  
10 be treated the same as general elections for contribution limits.

11 (5) Contributions other than money or its equivalent are deemed to have  
12 a monetary value equivalent to the fair market value of the contribution.  
13 Services or property or rights furnished at less than their fair market value  
14 for the purpose of assisting any candidate or political committee are deemed  
15 a contribution. A contribution of this kind shall be reported as an in-kind  
16 contribution at its fair market value and counts toward any applicable con-  
17 tribution limit of the contributor. Contributions shall not include the  
18 personal services of volunteers.

19 (6) For the purposes of contribution limits, the following apply:

20 (a) A contribution by a political committee with funds that have all  
21 been contributed by one (1) person who exercises exclusive control over  
22 the distribution of the funds of the political committee is a contribu-  
23 tion by the controlling person.

24 (b) All contributions made by a person or political committee whose  
25 contribution or expenditure activity is financed, maintained or con-  
26 trolled by a trade association, labor union or collective bargaining  
27 organization shall be considered a contribution from such trade associ-  
28 ation, labor union or collective bargaining organization.

29 (c) Two (2) or more entities are treated as a single entity if the enti-  
30 ties:

31 (i) Share the majority of members on their board of directors;

32 (ii) Share two (2) or more officers;

33 (iii) Are owned or controlled by the same majority shareholder or  
34 shareholders or persons;

35 (iv) Are in a parent-subsidiary relationship; or

36 (v) Have bylaws so stating.

37 (7) The provisions of this section are hereby declared to be severable  
38 and if any provision of this section or the application of such provision to  
39 any person or circumstance is declared invalid for any reason, such declara-  
40 tion shall not affect the validity of the remaining portions of this section.