

2021 -- S 0124

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO ELECTIONS -- CAMPAIGN CONTRIBUTIONS

Introduced By: Senators Calkin, Bell, Mendes, Mack, and Anderson

Date Introduced: January 26, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-25-10.1 of the General Laws in Chapter 17-25 entitled "Rhode
2 Island Campaign Contributions and Expenditures Reporting" is hereby amended to read as follows:

3 **17-25-10.1. Political contributions -- Limitations.**

4 (a)(1) No person, other than the candidate to his or her own campaign, nor any political
5 action committee shall make a contribution or contributions to any candidate, as defined by § 17-
6 25-3, or political action committee or political party committee that, in the aggregate, exceed one
7 thousand dollars (\$1,000) within a calendar year; nor shall any person make contributions to more
8 than one state or local candidate, to more than one political action committee, or to more than one
9 political party committee, or to a combination of state and local candidates and political action
10 committees and political party committees which in the aggregate exceed ten thousand dollars
11 (\$10,000) within a calendar year, nor shall any political action committee make such contributions
12 that in the aggregate, exceed twenty-five thousand dollars (\$25,000) within a calendar year; nor
13 shall any candidate or any political action committee or any political party committee accept a
14 contribution or contributions that, in the aggregate, exceed one thousand dollars (\$1,000) within a
15 calendar year from any one person or political action committee.

16 (2) Notwithstanding the provisions of subdivision (1) of this subsection, a person or
17 political action committee or political party committee may contribute an amount that in the
18 aggregate, does not exceed ten thousand dollars (\$10,000) within a calendar year to a political party
19 committee, which funds can be utilized for organizational and party building activities, but shall

1 not be used for contributions to candidates state and local for public office.

2 (b) Contributions to a named candidate made to any political committee authorized by that
3 candidate to accept contributions on the candidate's behalf shall be considered to be contributions
4 made to the candidate. Contributions to a candidate by a political committee for another person
5 shall be considered to be contributions by that person.

6 (c) Expenditures made by any person in cooperation, consultation, or concert with, or at
7 the request or suggestion of, a candidate, the candidate's authorized political committees, or their
8 agents shall be considered to be a contribution to the candidate.

9 (d) The financing by any person of the dissemination, distribution, or republication, in
10 whole or in part, of any broadcast or any written, graphic, or other form of campaign materials
11 prepared by the candidate, the candidate's campaign committees, or their authorized agents shall be
12 considered to be a contribution to a candidate.

13 (e) Nothing in this section shall be construed to restrict political party committees
14 organized pursuant to this title from making contributions to the candidates of that political party;
15 provided, that these contributions, other than allowable "in-kind" contributions, shall not exceed,
16 in the aggregate, twenty-five thousand dollars (\$25,000) to any one candidate within a calendar
17 year; nor shall any candidate accept a contribution or contributions, other than allowable "in-kind"
18 contributions, that, in the aggregate, exceed twenty-five thousand dollars (\$25,000) within a
19 calendar year from all committees of his or her political party. There shall be no restriction on the
20 amount of "in-kind" contributions that a political party committee may make to a candidate of its
21 political party; provided, that for the purposes of this subsection only, the cost of any preparation
22 and airing of television and/or radio advertisements and the cost of any print advertisements shall
23 not be considered an allowable "in-kind" contribution and shall be subject to the aggregate
24 limitation of twenty-five thousand dollars (\$25,000).

25 (f)(1) A contribution from an individual's dependent children, as defined in § 36-14-2, shall
26 be deemed a contribution from the individual for the purpose of determining whether aggregate
27 contributions exceed either the one hundred dollar (\$100) threshold for reporting purposes or the
28 one thousand dollar (\$1,000) maximum for contributions to a single candidate or political action
29 committee or the ten thousand dollar (\$10,000) maximum for contributions to all state or local
30 candidates and political action committees within a calendar year.

31 (2) No dependent child shall contribute an amount that, when added to contributions
32 already made by that child's parent or legal guardian and by other dependent children of that parent
33 or legal guardian, exceed the one thousand dollar (\$1,000) maximum for contributions to a single
34 candidate or political action committee or exceed the ten thousand dollar (\$10,000 maximum for

1 [contributions to all state or local candidates and political action committees](#) within a calendar year.

2 (g) Nothing in this section shall be construed to restrict the amount of money that a
3 candidate can borrow in his or her own name, and subsequently contribute or loan to his or her own
4 campaign.

5 (h)(1) It shall be unlawful for any corporation, whether profit or non-profit, domestic
6 corporation or foreign corporation, as defined in § 7-1.2-106, or other business entity to make any
7 campaign contribution or expenditure, as defined in § 17-25-3, to or for any candidate, political
8 action committee, or political party committee, or for any candidate, political action committee, or
9 political party committee to accept any campaign contribution or expenditure from a corporation
10 or other business entity. Any contribution made in the personal name of any employee of a
11 corporation or other business entity, for which the employee received or will receive reimbursement
12 from the corporation or other business entity, shall be considered as a contribution by the
13 corporation or other business entity, in violation of this section.

14 (2) Any voluntary payroll deduction and/or contribution made by employees of a
15 corporation or other business entity shall not be deemed a contribution of a corporation or other
16 business entity, notwithstanding that the contributions were sent to the recipient by the corporation
17 or other business entity.

18 (i) All contributions of funds shall be by check, money order, or credit card and may be
19 made over the internet, but in each case the source of the funds must be identified; provided, that
20 candidates, political action committees, and political party committees may accept contributions in
21 cash that do not exceed twenty-five dollars (\$25.00) in the aggregate from an individual within a
22 calendar year. The cash contribution must be delivered directly by the donor to the candidate, the
23 campaign treasurer, or deputy treasurer. The treasurer or deputy treasurer shall maintain a record
24 of the name and address of all persons making these cash contributions.

25 (j) Except as provided in subsection (h) of this section, no entity other than an individual,
26 a political action committee which is duly registered and qualified pursuant to the terms of this
27 chapter, political party committee authorized by this title, or an authorized committee of an elected
28 official or candidate established pursuant to this chapter shall make any contribution to or any
29 expenditure on behalf of or in opposition to any candidate, political action committee, or political
30 party.

31 (k) For purposes of the limitations imposed by this section, all contributions made by a
32 person, either directly or indirectly, on behalf of a particular candidate, including contributions that
33 are in any way earmarked or otherwise directed through an intermediary or conduit to such
34 candidate, shall be treated as contributions from such person to such candidate. The intermediary

1 or conduit shall report the original source and the intended recipient of such contribution to the
2 board of elections and to the intended recipient, in accordance with regulations and reporting
3 requirements promulgated by the board of elections.

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would restore aggregate contributions limits of not in excess of ten thousand
- 2 dollars (\$10,000) within a calendar year.
- 3 This act would take effect upon passage.

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