

117TH CONGRESS
1ST SESSION

H. R. 1274

To amend the Federal Election Campaign Act of 1971 to prohibit campaign activities by chief State election administration officials.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2021

Mrs. MCBATH introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Federal Election Campaign Act of 1971 to prohibit campaign activities by chief State election administration officials.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Election Official Integ-
5 rity Act of 2021”.

6 **SEC. 2. PROHIBITION ON CAMPAIGN ACTIVITIES BY CHIEF**
7 **STATE ELECTION ADMINISTRATION OFFI-**
8 **CIALS.**

9 (a) IN GENERAL.—Title III of the Federal Election
10 Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is

1 amended by inserting after section 319 the following new
2 section:

3 “CAMPAIGN ACTIVITIES BY CHIEF STATE ELECTION

4 ADMINISTRATION OFFICIALS

5 “SEC. 319A. (a) PROHIBITION.—It shall be unlawful
6 for a chief State election administration official to take
7 an active part in political management or in a political
8 campaign with respect to any election for Federal office
9 over which such official has supervisory authority.

10 “(b) CHIEF STATE ELECTION ADMINISTRATION OF-
11 FICIAL.—The term ‘chief State election administration of-
12 ficial’ means the highest State official with responsibility
13 for the administration of Federal elections under State
14 law.

15 “(c) ACTIVE PART IN POLITICAL MANAGEMENT OR
16 IN A POLITICAL CAMPAIGN.—The term ‘active part in po-
17 litical management or in a political campaign’ means—

18 “(1) holding any position (including any unpaid
19 or honorary position) with an authorized committee
20 of a candidate, or participating in any decision-mak-
21 ing of an authorized committee of a candidate;

22 “(2) the use of official authority or influence
23 for the purpose of interfering with or affecting the
24 result of an election for Federal office;

1 “(3) the solicitation, acceptance, or receipt of a
2 contribution from any person on behalf of a can-
3 didate for Federal office; and

4 “(4) any other act which would be prohibited
5 under paragraph (2) or (3) of section 7323(b) of
6 title 5, United States Code, if taken by an individual
7 to whom such paragraph applies (other than any
8 prohibition on running for public office).

9 “(d) EXCEPTION IN CASE OF RECUSAL FROM AD-
10 MINISTRATION OF ELECTIONS INVOLVING OFFICIAL OR
11 IMMEDIATE FAMILY MEMBER.—

12 “(1) IN GENERAL.—This section does not apply
13 to a chief State election administration official with
14 respect to an election for Federal office in which the
15 official or an immediate family member of the offi-
16 cial is a candidate, but only if—

17 “(A) such official recuses himself or herself
18 from all of the official’s responsibilities for the
19 administration of such election; and

20 “(B) the official who assumes responsi-
21 bility for supervising the administration of the
22 election does not report directly to such official.

23 “(2) IMMEDIATE FAMILY MEMBER DEFINED.—
24 In paragraph (1), the term ‘immediate family mem-
25 ber’ means, with respect to a candidate, a father,

1 mother, son, daughter, brother, sister, husband,
2 wife, father-in-law, or mother-in-law.”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall apply with respect to elections for
5 Federal office held after December 2021.

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