

115TH CONGRESS  
1ST SESSION

# H. R. 658

To amend the Federal Election Campaign Act of 1971 to prohibit criminal corporations from making disbursements of funds in connection with a campaign for election for Federal, State, or local office.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2017

Mr. ELLISON (for himself and Mr. SWALWELL of California) introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To amend the Federal Election Campaign Act of 1971 to prohibit criminal corporations from making disbursements of funds in connection with a campaign for election for Federal, State, or local office.

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 “Protect Democracy  
5 From Criminal Corporations Act”.

1 **SEC. 2. PROHIBITING POLITICAL SPENDING BY CRIMINAL**  
2 **CORPORATIONS.**

3 (a) PROHIBITION.—Title III of the Federal Election  
4 Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is  
5 amended by adding at the end the following new section:

6 **“SEC. 325. PROHIBITING POLITICAL SPENDING BY CRIMI-**  
7 **NAL CORPORATIONS.**

8 “(a) PROHIBITION.—

9 “(1) IN GENERAL.—To the extent that corpora-  
10 tions are permitted under law to make a disburse-  
11 ment of funds in connection with a campaign for  
12 election for Federal, State, or local office, including  
13 a disbursement consisting of a contribution or dona-  
14 tion of money or other thing of value, an inde-  
15 pendent expenditure, or a disbursement for an elec-  
16 tioneering communication (as defined in section  
17 304(f)(3)), it shall be unlawful for a corporation  
18 which is a criminal corporation, or for any separate  
19 segregated fund established under section  
20 316(b)(2)(C) by a criminal corporation, to make  
21 such a disbursement during the applicable period de-  
22 scribed in paragraph (2).

23 “(2) APPLICABLE PERIOD DESCRIBED.—In  
24 paragraph (1), the ‘applicable period’ with respect to  
25 a criminal corporation is the 6-year period which be-  
26 gins—

1           “(A) in the case of a criminal corporation  
2           described in paragraph (1) of subsection (b), on  
3           the date on which the corporation is finally con-  
4           victed of the offense described in such para-  
5           graph; or

6           “(B) in the case of a criminal corporation  
7           described in paragraph (2) of subsection (b), on  
8           the date on which the corporation enters into  
9           an agreement described in such paragraph.

10          “(b) CRIMINAL CORPORATION DEFINED.—In this  
11          section, the term ‘criminal corporation’ means a corpora-  
12          tion—

13               “(1) which has been convicted of violating sec-  
14               tion 371 of title 18, United States Code (relating to  
15               conspiracy to commit offense or to defraud the  
16               United States), or any other felony involving dishon-  
17               esty or a breach of trust; or

18               “(2) which has been charged with violating sec-  
19               tion 371 of such title or with another felony involv-  
20               ing dishonesty or a breach of trust and has entered  
21               into a nonprosecution agreement, a deferred pros-  
22               ecution agreement, or any other agreement with the  
23               Attorney General to resolve the charge, if the terms  
24               and conditions of the agreement include a require-

1       ment that the corporation make a payment equal to  
2       or greater than \$1,000,000.”.

3       (b) **EFFECTIVE DATE.**—The amendment made by  
4 subsection (a) shall apply with respect to a corporation  
5 which is convicted of the offense described in paragraph  
6 (1) of section 325(b) of the Federal Election Campaign  
7 Act of 1971 (as added by subsection (a)), or which enters  
8 into an agreement described in paragraph (2) of such sec-  
9 tion, on or after the date of the enactment of this Act.

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