

115TH CONGRESS
2D SESSION

S. 3735

To protect freedom of speech in America’s electoral process and ensure transparency in campaign finance.

IN THE SENATE OF THE UNITED STATES

DECEMBER 10, 2018

Mr. CRUZ introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To protect freedom of speech in America’s electoral process and ensure transparency in campaign finance.

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 “SuperPAC Elimination
5 Act of 2018”.

6 **SEC. 2. ELIMINATION OF CERTAIN CONTRIBUTIONS LIM-**
7 **TATIONS.**

8 (a) **PURPOSE.**—The purpose of this section is to allow
9 unlimited direct contributions by citizens and lawful per-

1 manent residents of the United States to candidates in
2 Federal elections.

3 (b) ELIMINATION OF LIMITATIONS.—Section 315(a)
4 of the Federal Election Campaign Act of 1971 (52 U.S.C.
5 30116(a)) is amended—

6 (1) in paragraph (1)—

7 (A) by striking subparagraph (A) and re-
8 designating subparagraphs (B), (C), and (D) as
9 subparagraphs (A), (B), and (C), respectively;
10 and

11 (B) in subparagraph (B), as redesignated
12 by subparagraph (A), by striking “(other than
13 a committee described in subparagraph (D))”
14 and inserting “(other than an authorized polit-
15 ical committee of a candidate or a committee
16 described in subparagraph (C))”;

17 (2) in paragraph (2)—

18 (A) by striking subparagraph (A) and re-
19 designating subparagraphs (B) and (C) as sub-
20 paragraphs (A) and (B), respectively; and

21 (B) in subparagraph (B), as redesignated
22 by subparagraph (A), by inserting “(other than
23 an authorized political committee of a can-
24 didate)” after “political committee”; and

25 (3) by striking paragraph (3).

1 (c) CONFORMING AMENDMENTS.—

2 (1) Section 315(a) of such Act (52 U.S.C.
3 30116(a)) is amended by striking paragraph (6).

4 (2)(A) Section 315(c) of such Act (52 U.S.C.
5 30116(c)) is amended—

6 (i) by striking “(a)(1)(B), (a)(3),” in para-
7 graph (1)(B)(i);

8 (ii) by striking “, (a)(1)(B), (a)(3),” in
9 subparagraph (1)(C); and

10 (iii) by striking “, (a)(1)(B), (a)(3),” in
11 paragraph (2)(B)(ii).

12 (B) Section 304(i)(3)(B) of such Act (52
13 U.S.C. 30104(i)(3)(B)) is amended by striking “,
14 (a)(1)(B), (a)(3),”.

15 (3) Section 323(e)(1)(B)(i) of such Act (52
16 U.S.C. 30125(e)(1)(B)(i)) is amended by striking
17 “contributions to candidates and political commit-
18 tees under paragraphs (1), (2), and (3)” and insert-
19 ing “contributions to political committees under
20 paragraphs (1) and (2)”.

21 **SEC. 3. 24-HOUR NOTIFICATION REQUIRED FOR ALL DI-**
22 **RECT CONTRIBUTIONS TO CANDIDATES.**

23 Section 304(a)(6)(A) of the Federal Election Cam-
24 paign Act of 1971 (52 U.S.C. 30104(a)(6)(A)) is amended
25 to read as follows:

1 “(A) IN GENERAL.—

2 “(i) If a candidate receives an aggregate
3 amount of contributions in excess of
4 \$200 from any contributor during a calendar
5 year, the principal campaign committee of such
6 candidate shall submit to the Secretary or the
7 Commission, and the Secretary of State, as
8 appropriate, in writing, a notification containing
9 the name of the candidate and office sought by
10 the candidate, the identification of the contributor,
11 and the date of the receipt and amount of the
12 contribution.

13
14 “(ii) If, at any time after a candidate
15 is required to submit a notification under
16 this subparagraph with respect to a contributor
17 during a calendar year, the candidate receives
18 additional contributions from that contributor
19 during that year, the principal campaign
20 committee of the candidate shall submit an
21 additional notification under clause (i) with
22 respect to such contributor.

23
24 “(iii) The principal campaign committee
25 of the candidate shall submit the

1 notification required under this subpara-
2 graph with respect to a contributor—

3 “(I) in the case of a notification
4 described in clause (i), not later than
5 24 hours after the date on which the
6 aggregate amount of contributions re-
7 ceived from the contributor during the
8 calendar year exceeds \$200; or

9 “(II) in the case of an additional
10 notification described in clause (ii),
11 not later than 24 hours after the date
12 of the contribution.”.

13 **SEC. 4. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply to con-
15 tributions made for elections occurring after the date of
16 the enactment of this Act.

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