

1 H.102

2 Introduced by Representatives Toll of Danville, Brumsted of Shelburne, Dakin
3 of Colchester, Dunn of Essex, Hooper of Brookfield, Lucke of
4 Hartford, Parent of St. Albans Town, Pugh of South Burlington,
5 Scheuermann of Stowe, and Sullivan of Burlington

6 Referred to Committee on

7 Date:

8 Subject: Elections; campaign finance; campaign reports; failure to file; list

9 Statement of purpose of bill as introduced: This bill proposes to require the
10 Secretary of State to post on his or her official website a list of the candidates,
11 political committees, and political parties that failed to timely file a standard
12 campaign finance report, and proposes to impose a late fee for their failure to
13 timely file.

14 An act relating to penalties for the failure to timely file standard campaign
15 finance reports

16 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 17 V.S.A. § 2964 is amended to read:

2 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,
3 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;
4 POLITICAL COMMITTEES; POLITICAL PARTIES

5 (a)(1) Each candidate for State office, the General Assembly, or a
6 two-year-term county office who has rolled over any amount of surplus into
7 his or her new campaign or who has made expenditures or accepted
8 contributions of \$500.00 or more during the two-year general election cycle
9 and, except as provided in subsection (b) of this section, each political
10 committee that has not filed a final report pursuant to subsection 2965(b) of
11 this chapter, and each political party required to register under section 2923 of
12 this chapter shall file with the Secretary of State campaign finance reports as
13 follows:

14 (A) in the first year of the two-year general election cycle, on
15 July 15; and

16 (B) in the second year of the two-year general election cycle:

17 (i) on March 15;

18 (ii) on July 15 and August 15;

19 (iii) on September 1;

20 (iv) on October 1, October 15, and the Friday before the general
21 election; and

1 (v) two weeks after the general election.

2 (2) Each candidate for a four-year-term county office who has rolled
3 over any amount of surplus into his or her new campaign or who has made
4 expenditures or accepted contributions of \$500.00 or more during the four-year
5 general election cycle shall file with the Secretary of State campaign finance
6 reports as follows:

7 (A) in the first three years of the four-year general election cycle, on
8 July 15; and

9 (B) in the fourth year of the four-year general election cycle:

10 (i) on March 15;

11 (ii) on July 15 and August 15;

12 (iii) on September 1;

13 (iv) on October 1, October 15, and the Friday before the general
14 election; and

15 (v) two weeks after the general election.

16 (b)(1) A political committee or a political party ~~which~~ that has accepted
17 contributions or made expenditures of \$1,000.00 or more during the local
18 election cycle for the purpose of influencing a local election or supporting or
19 opposing one or more candidates in a local election shall file with the Secretary
20 of State campaign finance reports regarding that local election 30 days before,
21 10 days before, and two weeks after the local election.

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(c) The failure of a candidate, political committee, or political party to file a report under this section shall be deemed an affirmative statement that a report is not required of the candidate, political committee, or political party under this section.

(d)(1) A candidate, political committee, or political party that is required to file a report under this section shall have a grace period of five days following the date on which the report is due to file that report.

(2)(A) Within one week following the expiration of the grace period described in subdivision (1) of this subsection, the Secretary of State shall post on his or her official website a list of any registered candidates, political committees, and political parties that have failed to file such a required report.

(B) The Secretary shall maintain each list on his or her website until his or her posting of such a list for the next report required to be made under this section.

(3) A candidate, political committee, or political party that is required to file a report under this section but fails to do so before the expiration of the grace period described in subdivision (1) of this subsection shall pay to the Secretary of State a late fee of \$50.00.

1 Sec. 2. 17 V.S.A. § 2968 is amended to read:

2 § 2968. CAMPAIGN REPORTS; LOCAL CANDIDATES

3 (a) Each candidate for local office who has rolled over any amount of
4 surplus into his or her new campaign or who has made expenditures or
5 accepted contributions of \$500.00 or more since the last local election for that
6 office shall file with the Secretary of State campaign finance reports 30 days
7 before, 10 days before, and two weeks after the local election.

8 (b) Within 40 days after the local election, each candidate for local office
9 required to report under the provisions of subsection (a) of this section shall
10 file with the Secretary of State a “final report” ~~which~~ that lists a complete
11 accounting of all contributions and expenditures since the last report and a
12 liquidation of surplus and which shall constitute the termination of his or her
13 campaign activities.

14 (c) The failure of a local candidate to file a campaign finance report under
15 this section shall be deemed an affirmative statement that the candidate either
16 did not roll over any amount of surplus into his or her new campaign or has not
17 accepted contributions or made expenditures of \$500.00 or more since the last
18 local election for that office.

19 (d)(1) A candidate who is required to file a report under subsection (a) of
20 this section shall have a grace period of five days following the date on which
21 the report is due to file that report.

1 (2)(A) Within one week following the expiration of the grace period
2 described in subdivision (1) of this subsection, the Secretary of State shall post
3 on his or her official website a list of any registered candidates who have failed
4 to file such a required report.

5 (B) The Secretary shall maintain each list on his or her website until
6 his or her posting of such a list for the next report required to be made under
7 subsection (a) of this section.

8 (3) A candidate who is required to file a report under subsection (a) of
9 this section but fails to do so before the expiration of the grace period
10 described in subdivision (1) of this subsection shall pay to the Secretary of
11 State a late fee of \$50.00.

12 Sec. 3. EFFECTIVE DATES

13 This act shall take effect on July 1, 2017 except the following shall take
14 effect on January 1, 2018:

15 (1) Sec. 1, 17 V.S.A. § 2964(d)(3) (late fee for nonlocal candidates and
16 political committees and political parties); and

17 (2) Sec. 2, 17 V.S.A. § 2968(d)(3) (late fee for local candidates).