

## HOUSE BILL NO. HB0052

Campaign funds-personal use restrictions.

Sponsored by: Representative(s) Stubson, Brown, Pedersen  
and Throne and Senator(s) Jennings, Landen  
and Von Flatern

A BILL

for

1 AN ACT relating to campaign funds; providing restrictions  
2 on use of campaign funds; providing for disposal of  
3 campaign funds after terms of office; providing for  
4 penalties; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 22-25-116 is created to read:

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10 **22-25-116. Campaign funds for personal use; required**  
11 **disposal of campaign funds.**

12

13 (a) Contributions received by a candidate or a  
14 candidate's campaign committee shall only be expended for  
15 purposes directly related to either:

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1           (i) Promoting the nomination or election of a  
2 candidate; or

3

4           (ii) Promoting an issue of public concern;

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6           (iii) Performing the duties of public office or  
7 party position.

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9           (b) Campaign funds shall not be converted to personal  
10 use, which shall include expenditures that:

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12           (i) Are for the personal benefit of or to defray  
13 normal living expenses of the candidate, officeholder, his  
14 immediate family or any other person;

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16           (ii) Are used to fulfill any commitment,  
17 obligation or expense that would exist irrespective of the  
18 candidate's campaign or duties as an officeholder; or

19

20           (iii) Are put to any use for which the candidate  
21 or officeholder would be required to treat the amount of  
22 the expenditure as gross income under Section 61 of the  
23 United States Internal Revenue Code.

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1           (c) A candidate or candidate's campaign committee  
2 shall dispose of all campaign funds within four (4) years  
3 after the later of:

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5           (i) The end of the individual's most recent term  
6 of office; or

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8           (ii) The date of the election in which the  
9 individual last was a filed candidate.

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11           (d) Any candidate or candidate's campaign committee  
12 required to dispose of funds pursuant to subsection (c) of  
13 this section shall, at the option of the candidate, dispose  
14 of those funds by any of the following means or any  
15 combination thereof:

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17           (i) Returning, pro rata, to each contributor the  
18 funds that have not been spent or obligated;

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20           (ii) Donating the funds to a charitable  
21 organization or organizations that meet the qualifications  
22 of Section 501(c)(3) of the United States Internal Revenue  
23 Code;

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1           (iii) Donating the funds to the state university  
2 or a Wyoming community college;

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4           (iv) Donating the funds to the state's general  
5 fund;

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7           (v) Transferring the funds to a political party  
8 committee registered with the secretary of state's office;  
9 or

10

11           (vi) Contributing the funds to a candidate,  
12 candidate's campaign committee or political action  
13 committee as permitted by law.

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15           (e) No candidate or candidate's campaign committee  
16 shall dispose of campaign funds by making expenditures for  
17 personal use as defined in subsection (b) of this section.

18

19           (f) For purposes of this section, "campaign funds"  
20 means contributions received by a candidate or a  
21 candidate's campaign committee as provided under W.S.  
22 22-25-102.

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24           **Section 2.** W.S. 22-26-112(a)(ix) is amended to read:

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**22-26-112. Misdemeanor offenses generally.**

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(ix) Violating W.S. 22-25-101 through ~~22-25-115~~

11

22-25-116;

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**Section 3.** This act is effective July 1, 2010.

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(END)