

HOUSE BILL NO. HB0187

Campaign finance.

Sponsored by: Representative(s) Stubson, Nicholas, B. and  
Throne and Senator(s) Hines

A BILL

for

1 AN ACT relating to campaign finance reporting; modifying  
2 persons required to file campaign receipts reports;  
3 removing a requirement that contributors annually renew  
4 their consent to automatic contributions; limiting  
5 contributions by political action committees; adjusting  
6 contribution limits to candidates for statewide political  
7 office; requiring amendment of campaign finance reports as  
8 specified; providing and modifying criminal penalties; and  
9 providing for an effective date.

10

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

12

13 **Section 1.** W.S. 22-25-102(c) by creating a new  
14 paragraph (i), by amending and renumbering (i) as (ii) and  
15 by renumbering (ii) as (iii), (e), (h) and by creating new

1 subsections (m) and (n) and 22-25-108(a), (c)(intro) and  
2 (d) are amended to read:

3

4       **22-25-102. Contribution of funds or election**  
5 **assistance restricted; limitation on contributions; right**  
6 **to communicate; civil penalty.**

7

8       (c) Except as otherwise provided in this section, no  
9 individual other than the candidate, or the candidate's  
10 immediate family shall contribute directly or indirectly:

11

12               (i) To any candidate for statewide political  
13 office, or to any candidate for statewide political  
14 office's candidate's campaign committee:

15

16               (A) More than two thousand five hundred  
17 dollars (\$2,500.00) per election; and

18

19               (B) No contribution for the general  
20 election may be given prior to the date for the primary  
21 election.

22

1           ~~(i)~~(ii) To any candidate for nonstatewide  
2 political office, or to any candidate for nonstatewide  
3 political office's candidate's campaign committee:  
4

5                   (A) More than one thousand dollars  
6 (\$1,000.00) per election; and  
7

8                   (B) No contribution for the general  
9 election may be given prior to the date for the primary  
10 election.  
11

12           ~~(ii)~~(iii) Total political contributions for any  
13 two (2) year period consisting of a general election year  
14 and the preceding calendar year, of more than twenty-five  
15 thousand dollars (\$25,000.00).  
16

17           (e) Any corporation, person or organization violating  
18 the provisions of subsection (a), (b), (c), ~~or~~ (j), (m) or  
19 (n) of this section is subject to a civil penalty up to ten  
20 thousand dollars (\$10,000.00) and costs including a  
21 reasonable attorney's fee which shall be imposed in a court  
22 of competent jurisdiction only if the corporation, person  
23 or organization has previously been convicted of a  
24 violation of those provisions. The amount of penalty

1 imposed shall be in such amount as will deter future  
2 actions of a similar nature. An action to impose the civil  
3 penalty may be prosecuted by and in the name of any  
4 candidate adversely affected by the transgression, any  
5 political party, any county attorney, any district attorney  
6 or the attorney general. Proceeds of the penalty collected  
7 shall be paid to the state treasurer and credited as  
8 provided in W.S. 8-1-109.

9

10 (h) No organization of any kind, as specified in  
11 subsection (a) of this section, shall solicit or obtain  
12 contributions for any of the purposes specified in  
13 subsection (a) of this section from an individual on an  
14 automatic basis, including but not limited to a payroll  
15 deduction plan or reverse checkoff method, unless the  
16 individual who is contributing affirmatively consents in  
17 writing to the contribution. ~~at least once in every~~  
18 ~~calendar year.~~ Nothing in this subsection shall be  
19 construed to authorize contributions otherwise prohibited  
20 under this election code.

21

22 (m) Except as otherwise provided in this section, no  
23 political action committee shall contribute directly or  
24 indirectly more than two thousand five hundred dollars

1 (\$2,500.00) to any candidate for statewide political office  
2 or one thousand dollars (\$1,000.00) per election to any  
3 candidate for other political office. For purposes of this  
4 subsection the primary, general and special elections shall  
5 be deemed separate elections. No candidate for political  
6 office shall accept, directly or indirectly, contributions  
7 which violate this subsection. Contributions to a  
8 candidate's campaign committee shall be considered to be  
9 contributions to the candidate. This subsection does not  
10 limit political contributions by political parties, nor  
11 expenditures by a candidate from his own funds nor from his  
12 candidate's campaign committee funds.

13

14 (n) Contributions donated to a political action  
15 committee which are designated by the donor to be used only  
16 for a particular candidate and no other purpose are subject  
17 to the limitations of subsection (c) of this section.

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19 **22-25-108. Failure of candidate or committee to file**  
20 **statement.**

21

22 (a) Candidates shall be given notice prior to an  
23 election that failure to file, within the time required, a  
24 full and complete itemized statement of receipts if

1 required pursuant to W.S. 22-25-107 and a statement of  
2 receipts and expenditures shall subject the candidate to  
3 civil penalties as provided in subsection (e) of this  
4 section.

5  
6 (c) In addition to any other penalty provided by law,  
7 a candidate who ~~fails~~ is convicted of failure to file the  
8 statement required by W.S. 22-25-106 within thirty (30)  
9 days of the report due date is ineligible to run as a  
10 candidate for any state or local office for which a  
11 statement is required by W.S. 22-25-106 until:

12  
13 (d) Each political action committee and each  
14 candidate's campaign committee shall be given notice prior  
15 to an election that failure to file the statement may  
16 result in the filing of criminal charges against the  
17 committee's officers responsible for the filing. Any  
18 officer of a political action committee or candidate's  
19 campaign committee who is responsible for filing a report  
20 and who knowingly and willfully fails to file a report as  
21 required or who knowingly and willfully subscribes to,  
22 makes or causes to be made a false report is guilty of a  
23 ~~felony~~ misdemeanor punishable by imprisonment not to exceed  
24 ~~two (2) years~~ one (1) year.

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2       **Section 2.** This act is effective July 1, 2013.

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(END)