



Lynda J. Jacobsen

Bill Analysis
Legislative Service Commission

S.B. 294

123rd General Assembly
(As Introduced)

Sens. Herington, Fingerhut, Shoemaker, Brady, DiDonato, Espy, Hagan, Latell, Mallory, McLin

BILL SUMMARY

- Specifies that all loans, gifts, and other donations made to, or received or used by, the operating fund of a state or county political party are for the purpose of influencing the results of the next subsequent primary or general election and must be included in campaign finance reports.

CONTENT AND OPERATION

Existing law

Existing law requires political parties to file campaign finance reports at specified times identifying contributions made or received, and expenditures made, in connection with the nomination or election of any candidate, or in connection with a ballot issue or question, at any election held or to be held in this state (sec. 3517.10--not in the bill). "Contribution" generally means a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, transfer of funds or of anything of value including a transfer of funds from an inter vivos trust or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, *which contribution is made, received, or used for the purpose of influencing an election*. "Expenditure" means the disbursement or use of a contribution *for the purpose of influencing the results of an election*, or of making a charitable contribution. (Sec. 3517.01(B)(5) and (6)--not in the bill.)

State and county political parties also are required, under existing law, to file annual reports identifying gifts received, and how those gifts were disbursed, if those gifts are specifically designated and used to defray costs incurred for the construction, renovation, or purchase of an office facility that is not used solely for the purpose of directly influencing the election of any individual candidate in any particular election for any office (sec. 3517.101(A)(1) and (C)--not in the bill).

Political parties are not required to report, under existing law, loans, gifts, and other donations they receive that are not for the purpose of either (1) influencing the results of an election or (2) constructing, renovating, or purchasing an office facility.

Changes proposed by the bill

The bill specifies that (1) a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or a decedent's estate, and (2) a payment by any person, other than the person to whom the services are rendered, for personal services of another person, that is made to or received or used by the *operating fund* of a state or county political party on or after the bill's effective date must be considered to be *for the purpose of influencing the results of the next subsequent primary or general election* and (4) *must be reported under the Campaign Finance Law* (sec. 3517.08(H)).

The bill does not affect existing law's requirement that gifts to a political party for the purpose of constructing, renovating, or purchasing an office facility must be reported by a political party on an annual basis (sec. 3517.101--not in the bill).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-02-00	p. 1634

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