

DRAFT

DRKMF030

LEGISLATURE OF THE STATE OF IDAHO
Sixty-fifth Legislature First Regular Session - 2019

This bill draft contains confidential and privileged information exempt from disclosure under Section 74-109(1), Idaho Code. If you have received this message by mistake, please notify us immediately by replying to this message or telephoning the Legislative Services Office at (208) 334-2475.

1 AN ACT
2 RELATING TO CAMPAIGN FINANCE; AMENDING SECTION 67-6607, IDAHO CODE, TO RE-
3 VISE PROVISIONS REGARDING REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY
4 CANDIDATES AND POLITICAL COMMITTEES; AMENDING SECTION 67-6608, IDAHO
5 CODE, TO REVISE PROVISIONS REGARDING REPORTS OF UNEXPENDED BALANCES OR
6 CAMPAIGN DEBT; AND AMENDING SECTION 67-6610B, IDAHO CODE, TO PROVIDE A
7 CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 67-6607, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 67-6607. REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY CANDIDATES AND
12 POLITICAL COMMITTEES. (a) The political treasurer for each candidate and
13 the political treasurer of each political committee shall file with the sec-
14 retary of state:

15 ~~(1) Not more than fourteen (14) days and not less than seven (7) days~~
16 ~~before the date of a primary election in which the candidate or polit-~~
17 ~~ical committee is involved, a statement of all contributions received~~
18 ~~and all expenditures or encumbrances made by or on behalf of the candi-~~
19 ~~date or political committee prior to the fifteenth day before the pri-~~
20 ~~mary election;~~

21 ~~(2) Not more than thirty (30) days after the date of a primary election~~
22 ~~in which a candidate or a political committee is involved, a statement~~
23 ~~of all contributions received and all expenditures or encumbrances made~~
24 ~~by or on behalf of the candidate or political committee to cover the pe-~~
25 ~~riod since the fifteenth day before the primary election to and includ-~~
26 ~~ing the tenth day after the primary election;~~

27 ~~(3) For all political committees supporting or opposing measures, a~~
28 ~~statement of all contributions received and all expenditures or encum-~~
29 ~~brances made by or on behalf of the measure or any candidate or made by~~
30 ~~or against the measure or any candidate shall be filed on the same dates~~
31 ~~provided in paragraphs (1), (2), (4), (5) and (6) of this subsection;~~

32 ~~(4) Not later than October 10 immediately preceding a general election~~
33 ~~in which the candidate or political committee is involved, a statement~~
34 ~~of all contributions received and all expenditures or encumbrances made~~
35 ~~by or on behalf of the candidate or political committee since and in-~~
36 ~~cluding the eleventh day after the date of the primary election and to~~
37 ~~and including September 30;~~

38 an itemized statement of all contributions received and all expenditures and
39 encumbrances made by or on behalf of the candidate or political committee
40 since the last contributions, expenditures and encumbrances were reported.
41 A report shall be filed:

1 (a) Monthly for the four (4) months preceding the month for which a can-
2 didate or measure will stand for election and once for the month of the
3 election. Each report shall be filed by the tenth day of the month fol-
4 lowing the month that is being reported.

5 ~~(5b)~~ Not more than fourteen (14) days and not less than seven (7) days
6 before the date of a general November election in which the candidate or
7 political committee is involved, a statement of all contributions re-
8 ceived and all expenditures or encumbrances made by or on behalf of the
9 candidate or political committee since and including October 1 and to
10 and including the sixteenth day before the general November election,
11 together with a cumulative statement showing all such contributions and
12 expenditures or encumbrances to and including the sixteenth day before
13 the general November election; and

14 (c) Monthly for any political committee supporting or opposing an ini-
15 tiative or referendum petition following the issuance of a ballot ti-
16 tle. Each report shall be filed by the tenth day of the month following
17 the month that is being reported.

18 ~~(6) Not more than thirty (30) days after the date of a general election~~
19 ~~in which the candidate or political committee is involved, a statement~~
20 ~~of all contributions received and all expenditures or encumbrances made~~
21 ~~by or on behalf of the candidate or political committee to cover the pe-~~
22 ~~riod since the fifteenth day before the general election to and includ-~~
23 ~~ing the tenth day after the general election.~~

24 ~~(b2)~~ For the first report under this section, the reporting period
25 shall cover the period beginning with the first contribution, expenditure,
26 or encumbrance.

27 ~~(e3)~~ Notwithstanding any other reports required under this section,
28 the political treasurer for each candidate and any political committee shall
29 notify the secretary of state, ~~in writing,~~ of any contribution of one thou-
30 sand dollars (\$1,000) or more, received by the political treasurer after
31 the ~~sixteenth thirtieth~~ day before, ~~but more than forty-eight (48) hours~~
32 ~~before,~~ any ~~primary or general~~ election. This notification shall be made
33 within forty-eight (48) hours after the receipt of such contribution and
34 shall include the name of the candidate, political committee or measure,
35 the identification of the contributor, and the date of receipt and amount of
36 the contribution. The notification shall be in addition to the reporting of
37 these contributions in the postelection report.

38 ~~(d4)~~ For a All reports required pursuant to this section shall be filed
39 online with the secretary of state shall accept the date of a postmark as the
40 date of receipt except for the seven (7) day preelection reports which must
41 be received by no later than 5:00 p.m. on the seventh day preceding the pri-
42 mary or general election , except as provided in section 67-6623, Idaho Code,
43 by no later than midnight on the date the filing is due.

44 ~~(e) Any reports required to be filed under the provisions of this sec-~~
45 ~~tion may also be filed by means of an electronic facsimile transmission ma-~~
46 ~~chine and may be filed by other electronic means as approved by the secretary~~
47 ~~of state.~~

48 SECTION 2. That Section 67-6608, Idaho Code, be, and the same is hereby
49 amended to read as follows:

1 67-6608. DISPOSITION REPORTS OF UNEXPENDED BALANCES OR CAMPAIGN
2 DEBT. ~~(a) If a statement filed under paragraph (3) of subsection (a) of~~
3 ~~section 67-6607, Idaho Code, pertaining to post-general election reports~~
4 ~~or under paragraph (6) of subsection (a) of section 67-6607, Idaho Code,~~
5 ~~shows an unexpended balance of contributions or an expenditure deficit, the~~
6 ~~political treasurer for the candidate for nonstatewide office or political~~
7 ~~committee or measure shall continue to file annual reports on January 31, to~~
8 ~~cover the period since the end of the last report period, to and including the~~
9 ~~last day of the month preceding the month in which the report is filed. If~~
10 ~~a statement filed under paragraph (6) of subsection (a) of section 67-6607,~~
11 ~~Idaho Code, shows an unexpended balance of contributions or an expenditure~~
12 ~~deficit, the political treasurer for the candidate for statewide office~~
13 ~~shall continue to file semiannual reports on January 31 and July 31, to~~
14 ~~cover the period since the end of the last report period, to and including~~
15 ~~the last day of the month preceding the month in which the report is filed.~~
16 ~~Such reports shall be filed until the account shows no unexpended balance of~~
17 ~~contributions or expenditure deficit.~~
18 ~~(b) If a candidate wins nomination, supplemental statements under sub-~~
19 ~~section (a) of this section need not be filed with respect to the nomination~~
20 ~~campaign by the political treasurer of a political committee supporting the~~
21 ~~candidate or by the political treasurer for such candidate, if such politi-~~
22 ~~cal committee continues to function in support of such candidate in the cam-~~
23 ~~paign for the general or special election.~~
24 ~~(c) A political committee which is organized after an election shall~~
25 ~~file reports required by subsection (a) of this section.~~
26 ~~(d) The political treasurer for a candidate who was defeated in the pri-~~
27 ~~mary election and whose post-primary or political committee whose last filed~~
28 ~~report shows an unexpended balance of contributions or a campaign debt,~~
29 ~~shall continue to file semi-annual reports until there is no unexpended bal-~~
30 ~~ance of contributions or no campaign expenditure deficit. Each report shall~~
31 ~~be filed by the tenth day of the month following the period that is being~~
32 ~~reported.~~

33 SECTION 3. That Section 67-6610B, Idaho Code, be, and the same is hereby
34 amended to read as follows:

35 67-6610B. RETIRING DEBT. (1) If a political committee organized on
36 behalf of a candidate has unpaid debt at the end of the reporting periods
37 specified in section 67-6607(a)(2) ~~or 67-6607(a)(6)~~, Idaho Code, then the
38 committee may accept additional contributions to retire such unpaid debt,
39 provided the contributions do not exceed the applicable contribution limits
40 prescribed.

41 (2) For the purposes of this section "unpaid debt" means any unpaid
42 monetary obligation incurred by the political committee as listed on the
43 reports filed through the postelection report period minus any cash balance
44 reported on the postelection report. Outstanding loans are considered a
45 type of "unpaid debt."