

**DRAFT**

DRKMF047

-----  
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 REPORTS; AMENDING SECTION 67-6607, IDAHO CODE,  
3 TO REVISE PROVISIONS REGARDING REPORTS OF CONTRIBUTIONS AND EXPEN-  
4 DITURES BY CANDIDATES AND POLITICAL COMMITTEES; AND AMENDING SECTION  
5 67-6608, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTS OF UNEX-  
6 PENDED BALANCES OR CAMPAIGN DEBT.

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

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

10 67-6607. REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY CANDIDATES AND  
11 POLITICAL COMMITTEES. (a) The political treasurer for each candidate and  
12 the political treasurer of each political committee shall file with the sec-  
13 retary of state:

14 ~~(1) Not more than fourteen (14) days and not less than seven (7) days~~  
15 ~~before the date of a primary election in which the candidate or polit-~~  
16 ~~ical committee is involved,~~ a statement of all contributions received  
17 and all expenditures ~~or~~ and encumbrances made by or on behalf of the  
18 candidate or political committee ~~prior to the fifteenth day before the~~  
19 ~~primary~~ for four months preceding each election and for the month of  
20 the election itself. The statement shall itemize each contribution  
21 received and each expenditure or encumbrance made during the reported  
22 month and shall include the following:

23 (a) Under contributions, the statement shall include a list of all the  
24 contributions received, including any funds or property of the candi-  
25 date used to cover expenditures. The statement shall list the full name  
26 and complete address of each person who contributed an aggregate amount  
27 of more than fifty dollars (\$50.00) and the amount contributed by that  
28 person. The statement may list as a single item the total amount of con-  
29 tributions of fifty dollars (\$50.00) or less; and

30 (b) Under expenditures, the statement shall include the name and ad-  
31 dress of each person to whom an expenditure or encumbrance was made in  
32 the amount of twenty-five dollars (\$25.00) or more, and the amount,  
33 date, and purpose of each expenditure. Each expenditure or encumbrance  
34 in the amount of twenty-five dollars (\$25.00) or more shall be vouched  
35 for by a receipt or canceled check or an accurate copy thereof. The  
36 statement may list as a single item the total amount of expenditures and  
37 encumbrances of less than twenty-five dollars (\$25.00) without showing  
38 the exact amount of or vouching for each such expenditure or encum-  
39 brance. Anything of value, other than money, paid for or contributed by  
40 any person shall be listed both as an expenditure and as a contribution.

41 ~~(2) Not more than thirty (30) days after the date of a primary election~~  
42 ~~in which a candidate or a political committee is involved,~~ a statement

1 of all contributions received and all expenditures or encumbrances made  
2 by or on behalf of the candidate or political committee to cover the pe-  
3 riod since the fifteenth day before the primary election to and includ-  
4 ing the tenth day after the primary election;

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

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

16 ~~(5) Not more than fourteen (14) days and not less than seven (7) days~~  
17 ~~before the date of a general election in which the candidate or polit-~~  
18 ~~ical committee is involved, a statement of all contributions received~~  
19 ~~and all expenditures or encumbrances made by or on behalf of the can-~~  
20 ~~didate or political committee since and including October 1 and to and~~  
21 ~~including the sixteenth day before the general election, together with~~  
22 ~~a cumulative statement showing all such contributions and expenditures~~  
23 ~~or encumbrances to and including the sixteenth day before the general~~  
24 ~~election; and~~

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

31 ~~(b2) For t~~The first report under this section the reporting period  
32 shall cover the period beginning with the first contribution, expenditure,  
33 or encumbrance through the end of the fourth month prior to the election. A  
34 monthly report shall subsequently be filed for each of the three months prior  
35 to the election and for the month of the election. Each monthly report shall  
36 be due on the tenth day of the month following the month being reported.

37 (3) In addition to the regular monthly reports set forth in subsection  
38 (2) of this section, a report shall be filed:

39 (a) By the seventh day before the November election and shall cover all  
40 contributions and expenditures made since the last report was filed and  
41 up through the fourteenth day before the November election; and

42 (b) By the thirty-first day of January and shall cover all contribu-  
43 tions and expenditures made since the last report was filed covering the  
44 month of the November election.

45 ~~(e(4)) Notwithstanding any other reports required under this section,~~  
46 ~~the political treasurer for each candidate and any political committee shall~~  
47 ~~notify the secretary of state, in writing, of any aggregate contribution of~~  
48 ~~one thousand dollars (\$1,000) or more, received by the political treasurer~~  
49 ~~after the sixteenth day before, but more than forty-eight (48) hours before,~~  
50 ~~any primary or general election. This notification shall be made within~~

1 forty-eight (48) hours after the receipt of such contribution and shall  
2 include the name of the candidate, political committee or measure, the iden-  
3 tification of the contributor, and the date or dates of receipt and amount of  
4 the contribution. The notification shall be in addition to the reporting of  
5 these contributions in the ~~postelection report~~ regular reports.

6 (d5) ~~For a~~All reports required pursuant to this section shall be filed  
7 online with the secretary of state shall accept the date of a postmark as the  
8 date of receipt except for the seven (7) day preelection reports which must  
9 be received by no later than 5:00 p.m. on the seventh day preceding the pri-  
10 mary or general election, except as provided in section 67-6623, Idaho Code,  
11 by no later than midnight on the date the filing is due.

12 ~~(c) Any reports required to be filed under the provisions of this sec-~~  
13 ~~tion may also be filed by means of an electronic facsimile transmission ma-~~  
14 ~~chine and may be filed by other electronic means as approved by the secretary~~  
15 ~~of state.~~

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

18 67-6608. ~~DISPOSITION~~ POST-ELECTION REPORTS OF UNEXPENDED BALANCES OR  
19 CAMPAIGN DEBT. (a1) If a statement filed under ~~paragraph (3) of subsection~~  
20 ~~(a) of section 67-6607, Idaho Code, pertaining to post-general election~~  
21 ~~reports or under paragraph (6) of subsection (a) of section 67-6607, Idaho~~  
22 ~~Code,~~ shows an unexpended balance of contributions or an expenditure  
23 deficit, the political treasurer for the a candidate for nonstatewide office  
24 or political committee or measure that has prevailed in an election shall  
25 continue to file annual reports on January 31, to cover the period since the  
26 end of the last report period, to and including the last day of the month  
27 preceding the month in which the report is filed. If a statement filed under  
28 paragraph (6) of subsection (a) of pursuant to section 67-6607, Idaho Code,  
29 shows an unexpended balance of contributions or an expenditure deficit, the  
30 political treasurer for the candidate for statewide office shall continue  
31 to file semiannual reports on January 31 and July 31, to cover the period  
32 since the end of the last report period, to and including the last day of the  
33 month preceding the month in which the report is filed. Such reports shall  
34 be filed until the account shows no unexpended balance of contributions or  
35 expenditure deficit.

36 ~~(b) If a candidate wins nomination, supplemental statements under sub-~~  
37 ~~section (a) of this section need not be filed with respect to the nomination~~  
38 ~~campaign by the political treasurer of a political committee supporting the~~  
39 ~~candidate or by the political treasurer for such candidate, if such politi-~~  
40 ~~cal committee continues to function in support of such candidate in the cam-~~  
41 ~~paign for the general or special election.~~

42 ~~(c) A political committee which is organized after an election shall~~  
43 ~~file reports required by subsection (a) of this section.~~

44 (d2) The political treasurer for a candidate or political committee  
45 or measure who was defeated in the primary election and whose post-primary  
46 last filed report shows an unexpended balance of contributions or a cam-  
47 paign debt, shall continue to file semi- annual reports until there is no  
48 unexpended balance of contributions or no campaign expenditure deficit. A

**DRAFT**

DRKMF047

4

1 report shall be filed by the tenth day of July for the first six (6) months of  
2 the year, and by the tenth day of January for the last six (6) months of the  
3 year.