ACT No. 161

HOUSE BILL NO. 784

BY REPRESENTATIVE MCCORMICK

1	AN ACT
2	To amend and reenact R.S. 18:1491.5(B)(2), 1491.7(B)(5), 1495.3(B)(2), 1495.5(B)(5),
3	1505.2(C)(2), and 1505.3(C), relative to the Campaign Finance Disclosure Act; to
4	provide for the method of reporting certain campaign contributions; to change certain
5	record-keeping requirements; to provide for civil and criminal penalties; and to
6	provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 18:1491.5(B)(2), 1491.7(B)(5), 1495.3(B)(2), 1495.5(B)(5),
9	1505.2(C)(2), and 1505.3(C) are hereby amended and reenacted to read as follows:
10	§1491.5. Maintenance of records; valuation of in-kind contributions and
11	expenditures
12	* * *
13	B.
14	* * *
15	(2) Payments made to purchase <u>raffle tickets</u> , campaign paraphernalia, such
16	as campaign pins, buttons, badges, flags, emblems, hats, shirts, banners, literature,
17	and similar items, other than expenditures made by a political committee for its own
18	paraphernalia, and payments for tickets to testimonials and similar fundraising events
19	are contributions, and records thereof shall be maintained, provided that:
20	(a) In the case of any single transaction involving the sale of raffle tickets or
21	of items such as campaign pins, buttons, badges, flags, emblems, hats, banners,
22	literature, and similar material which is for an amount not in excess of twenty-five
23	dollars and the proceeds of which are received and deposited by a political

committee, no record need be kept by the campaign treasurer for such recipient committee, except the total amount received and deposited from such sale and the fact that such amount was received from such sale.

(b) No person shall sell or buy <u>raffle tickets or</u> campaign paraphernalia in successive single transactions for amounts below those for which specific records are required by this Paragraph as a subterfuge to avoid requirements of this Part that names and addresses of contributors and dates and amounts of contributions be recorded, aggregated, and reported. Such transactions shall be considered single transactions and shall be recorded and reported as provided in this Part. Any person who violates the provisions of this Section shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

* * *

§1491.7. Reports; contents

* *

B. Each report required to be in conformity with this Section shall contain the following information:

* * *

(5)(a) The gross proceeds received and accepted by the political committee during the reporting period from the sale of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials. Purchases of such campaign items and materials from the committee which are made by the same person and are of such amount as to be reportable, either singly or in the aggregate, under as provided in Paragraph (4) hereof of this Subsection, shall be so reported; however, single transactions to purchase such campaign items or materials which are for not in excess of twenty-five dollars must be reported only in the report of gross proceeds and shall not be required to be reported as provided in Paragraph (4) of this Subsection.

(b) The gross proceeds received and accepted by the political committee during the reporting period from the sale of raffle tickets. Purchases of raffle tickets that are made by the same person and are of such amount as to be reportable, either

singly or in the aggregate, as required in Paragraph (4) of this Subsection, shall be so reported; however, single transactions to purchase raffle tickets which are not in excess of twenty-five dollars must be reported only in the report of gross proceeds and shall not be required to be reported as provided in Paragraph (4) of this Subsection.

* * *

§1495.3. Maintenance of records; valuation of in-kind contributions and expenditures

* * *

В.

* * *

(2) Payments made to purchase <u>raffle tickets</u>, campaign paraphernalia, such as campaign pins, buttons, badges, flags, emblems, hats, shirts, banners, literature, and similar items, other than expenditures made by a candidate for his own paraphernalia, and payments for tickets to testimonials and similar fundraising events are contributions, and records thereof shall be maintained, provided that:

- (a) In the case of any single transaction involving the sale of <u>raffle tickets or</u> <u>of</u> items such as campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar material which is for an amount not in excess of twenty-five dollars and the proceeds of which are received and deposited by a candidate, no record need be kept by the campaign treasurer for such recipient candidate, except the total amount received and deposited from such sale and the fact that such amount was received from such sale.
- (b) No person shall sell or buy <u>raffle tickets or</u> campaign paraphernalia in successive single transactions for amounts below those for which specific records are required by this Paragraph as a subterfuge to avoid requirements of this Part that names and addresses of contributors and dates and amounts of contributions be recorded, aggregated, and reported. Such transactions shall be considered single transactions and shall be recorded and reported as provided in this Part. Any person

1	who violates the provisions of this Section shall be subject to the penalties provided
2	in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

3 * * *

4 §1495.5. Reports; contents

5 * * *

B. Each report required to be in conformity with this Section shall contain the following information:

8 * * *

(5)(a) The gross proceeds received and accepted by the candidate during the reporting period from the sale of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials. Purchases of such campaign items and materials which are made by the same person and which are of such amount as to be reportable, either singly or in the aggregate, under as required in Paragraph (4) hereof of this Subsection, shall be so reported; however, single transactions to purchase such campaign items or materials which are for not in excess of twenty-five dollars must be reported only in the report of gross proceeds and shall not be required to be reported as required provided in Paragraph (4) of this Subsection.

(b) The gross proceeds received and accepted by the candidate during the reporting period from the sale of raffle tickets. Purchases of raffle tickets that are made by the same person and are of such amount as to be reportable, either singly or in the aggregate, as provided in Paragraph (4) of this Subsection, shall be so reported; however, single transactions to purchase raffle tickets which are not in excess of twenty-five dollars must be reported only in the report of gross proceeds and shall not be required to be reported as provided in Paragraph (4) of this Subsection.

27 * * *

į	§1505.2.	Contributions:	expenditures;	certain	prohibitions	and limitations

* * *

C.

4 * * *

(2) Upon receipt of a cash contribution of one hundred dollars or less, the candidate or committee receiving the contribution shall provide to the contributor a receipt for the exact amount of the contribution; such receipt shall contain the name; and address, and social security number of the contributor, shall be signed by the contributor, and the candidate or committee receiving the contribution shall retain a copy of the receipt. If the contributor refuses to furnish his name; or address, or social security number or refuses to sign the receipt, the contribution shall be immediately returned to said contributor. If the contributor is unable to write, he shall affix his mark to the receipt, and the person receiving the contribution shall affix the name of the incapacitated person to the receipt, provided he does so in the presence of a witness who shall also sign his name as witness to the mark. The copy of the receipt retained by the candidate or committee provided for in this Subsection shall be available to the supervisory committee for inspection. The supervisory committee shall promulgate rules and regulations relative to the receipt required by this Subsection.

20 * * *

§1505.3. Subterfuge to avoid compliance with Chapter

22 * * *

C. As more specifically provided in R.S. 18:1491.5(B)(2)(b) and R.S. 18:1495.3(B)(2)(b), no person shall sell or buy <u>raffle tickets or</u> campaign paraphernalia in successive single transactions for amounts below those for which specific records are required as a subterfuge to avoid the requirements of this Chapter. Any person who violates the provisions of said Paragraphs shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

29 * * *

1	Section 2.(A) Any changes to campaign finance disclosure forms as a result of the				
2	provisions of this Act shall become effective after February 17, 2021.				
3 (B) This Act shall become effective on January 1, 2021.					
	SPEAKER OF THE HOUSE OF REPRESENTATIVES				
	PRESIDENT OF THE SENATE				
	GOVERNOR OF THE STATE OF LOUISIANA				

ENROLLED

HB NO. 784

APPROVED: _____