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## DIGEST

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HB 693 Original

2025 Regular Session

Wright

**Abstract:** Provides for revisions to the Campaign Finance Disclosure Act (CFDA).

Present law (CFDA) provides, generally for public disclosure of the financing of election campaigns and to regulate certain campaign practices.

Proposed law provides that the Campaign Finance Disclosure Act is penal in nature and that, in the interest of respecting the constitutional rights of free speech and due process, that the regulation of campaign finance shall be interpreted narrowly and strictly and that any ambiguity be interpreted in favor of any person accused of any violation of the CFDA, and that no deference shall be afforded by any agency enforcing the CFDA, including the supervisory committee on campaign finance (supervisory committee).

### Candidate disclosures

Present law (R.S. 18:1484) requires candidates who are not a candidate for a major office or district office to file disclosure reports if they make expenditures in excess of \$2,500 or receive contributions in excess of \$200. Proposed law increases the minimum threshold for reporting of both expenditures and contributions to \$5,000.

### Proposition and recall election disclosures

Present law (R.S. 18:1486) provides that any person, including a political committee, who receives and accepts any contribution, loan, or transfer of funds, or makes any expenditure in support of or in opposition to a proposition or question submitted to the voters or the recall of a public officer shall be required to file reports of such contributions and expenditures of at least \$200. Proposed law increases the minimum threshold for reporting to \$5,000.

### Committees, generally

Present law (R.S. 18:1483(17)) defines both "political committee" and "committee" as two or more persons, other than a husband and wife, and any legal entity organized for the primary purpose of supporting or opposing one or more candidates, propositions, recalls of a public officer, or political parties, which does either of the following:

- (1) Accepts contributions in the name of the committee, or makes expenditures from committee funds or in the name of the committee, or makes a transfer of funds to or receives a transfer

of funds from another committee, or receives or makes loans in an aggregate amount in excess of \$500 within any calendar year.

- (2) Accepts direct payments for personal services related to an election or a campaign in the name of the committee in an aggregate amount in excess of \$500 within any calendar year, with exceptions.

Proposed law retains present law definition of "political committee", except to increase the threshold amount of contributions and expenditures received within a calendar year to \$1,000, rather than \$500 and remove its application to proposition elections and provides a new definition for "committee". Proposed law provides that "political committee" does not include independent expenditure-only committees, leadership committees, or principal campaign committees.

Present law provides that political party committees that receive contributions or make expenditures of \$500 within a calendar year are "political committees". Proposed law increases the threshold amount of contributions and expenditures to \$2,500 within a calendar year.

Proposed law (R.S. 18:1483(25)) defines "committee" as any legal entity, including an association, political party, or other group of one or more persons other than husband and wife, which receives or anticipates receiving contributions and makes or anticipates making expenditures, and has the primary purpose of making contributions to or expenditures to or on behalf of any state or local elected official, candidate, campaign, or other committee. An entity shall not be a committee if the entity makes expenditures for the purpose of supporting or opposing candidates or recalls using only the entity's general revenues and does not receive contributions for the purpose of supporting or opposing candidates or recalls.

Proposed law provides that independent expenditure-only committees, leadership committees, political committees, and principal campaign committees and subsidiary committees thereof are "committees".

Present law (R.S. 18:1483(17)) provides that an entity that during the reporting period has supported candidates in states other than La.; has received less than 50% of its total receipts for the applicable reporting period from La. candidates or committees formed to support La. candidates; and has expended less than 50%, but not more than \$20,000, of its total disbursements for the applicable reporting period in support of or in opposition to La. candidates shall not constitute a "committee" for record-keeping and reporting requirements.

Proposed law retains present law, except to increase the threshold spending amount from \$20,000 to \$50,000.

Present law (R.S. 18:1491.1) requires committees that anticipate receiving or expending more than \$500 a year to file a statement of organization. Proposed law increases the threshold amount that requires filing a statement of organization to \$1,000 a year.

Present law (R.S. 18:1491.2) requires committees that desire to dissolve to file a statement of

dissolution including a certified statement that the committee has not made or received contributions, transfers of funds, or loans in excess of \$500 and does not anticipate doing so. Proposed law retains present law except to increase the contribution, transfer, or loan amount to \$1,000.

Present law (R.S. 18:1491.4) requires committees to designate a campaign depository that meets certain qualifications and authorizes committees to invest in money market mutual funds. Proposed law retains present law and further authorizes committees to invest in certificates of deposit or U.S. treasury securities.

Present law (R.S. 18:1491.5) requires each committee chairman and treasurer to maintain certain records. Proposed law retains present law.

### **Committee and Candidate Reports**

Present law (R.S. 18:1461.6, 1495.4, and 1501.1) requires committees, candidates, and other persons required to file reports to file reports with the supervisory committee during the period beginning at midnight of the twentieth day prior to an election and extending through midnight of election day identifying any person who from whom the committee received contributions, loans, and funds in excess of the following amounts:

- (1) For major office candidates: \$1,000. Proposed law increases the amount to \$2,000.
- (2) For district office candidates: \$500. Proposed law increases the amount to \$1,000.
- (3) For any other office candidates: \$250. Proposed law increases the amount to \$500.

Present law requires disclosure of any expenditure in excess of \$200 made to a candidate, committee, or person required to file reports who makes endorsements. Proposed law increases the amount to \$500.

Present law provides that a report need not be filed if the committee is dissolved and shows a deficit or surplus of less than \$2,500. Provides the same for a candidate that is not an elected official and shows neither a surplus or deficit of \$2,500. Proposed law increases the amount to \$5,000.

Present law requires certain annual reports to be filed no later than Feb. 15. Proposed law instead requires such reports to be filed no later than Feb. 28.

Present law authorizes all committees to file monthly reports due no later than the 10th of the month following the month in which the committee accepts a contribution or makes an expenditure, rather than file certain reports on the schedule otherwise required by present law. Proposed law authorizes only political committees and independent expenditure-only committees to file such monthly reports and changes the filing date from the 10th of the month to the 15th of the month.

Present law (R.S. 18:1491.7) requires committee reports to contain the name and address of the committee, treasurer, and chairman. Proposed law retains present law.

Present law requires reports of all committees to contain certain information regarding the candidate whom the committee is supporting or opposing and whether the committee is supporting or opposing the entire ticket of any party. Proposed law requires such disclosures only of a political committee, principal campaign committee, or independent expenditure-only committee.

Present law requires reports of a principal campaign committee to contain a statement that the committee is a principal campaign committee and the name of the candidate and of all subsidiary committees for whom the principal campaign committee is reporting and certain contact information. Proposed law retains present law.

Proposed law requires leadership committees to include the name of the elected official with whom the leadership committee is affiliated.

Present law requires reporting of contributions in the form of payroll deductions or dues checkoff system in excess of \$5. Proposed law increases the amounts to \$25.

In the case of a political committee that supports multiple candidates or issues and receives over 10,000 such contributions when no single contributor contributes in excess of \$24 in the aggregate in a calendar year, present law authorizes such committee to report the names and addresses of its contributors on an annual basis. Proposed law increases the minimum contribution amount to \$50.

Present law provides that single transactions to purchase paraphernalia or raffle tickets which are not in excess of \$25 must be reported on in a report of gross proceeds. Proposed law increases the amount to \$50.

Present law requires all committees to disclose the name and address of and office sought by candidates on whose behalf an expenditure was made. Proposed law exempts leadership committees from such a disclosure.

Present law (R.S. 18:1491.7) provides that expenditures made *by* a public relations firm, advertising agency, or agent for a committee or candidate shall be considered expenditures of the committee or candidate and shall be reported as required by present law.

Proposed law retains present law and provides that a committee, candidate, or other reporter may report expenditures of less than \$5,000 made *to* a public relations firm, advertising agency, or agent as an expenditure made to that public relations firm, advertising agency, or agent. However, expenditures of more than \$5,000 made *to* a public relations firm, advertising agency, or agent shall be reported as an expenditure made to the payee.

Present law (R.S. 18:1491.8, 1495.6) provides that any committee or candidate which did not receive a contribution in excess of \$200 and which did not make expenditures totaling in excess of \$5,000 in the aggregate may file an affidavit in lieu of any report. Proposed law increases the amount of contributions to \$500 and the amount of expenditures to \$10,000.

### **Leadership Committees**

Proposed law establishes leadership committees. Provides that a leadership committee is a committee registered with the supervisory committee and designated by an elected official, but which is not the principal campaign committee of the elected official and does not make expenditures in support of the candidacy of the elected official or in opposition to any opponent of the elected official (R.S. 18:1483).

Proposed law (R.S. 18:1491.1) requires the statement of organization and reports of a leadership committee to identify the elected official with whom the committee is affiliated.

Present law requires committees other than a candidate's principal campaign committee to clearly indicate to the candidate that the contribution is from a political committee by designation on or notification on the contribution. Present law does not apply to contributions made to a candidate by a leadership committee.

Present law (R.S. 18:1491.6) requires committees to file reports with the supervisory committee on certain dates. Proposed law (R.S. 18:1491.6.1) exempts leadership committees from such filing requirements and instead requires leadership committees to file monthly reports due no later than the 15th day of the month following a month in which the committee accepts a contribution or some other receipt or makes an expenditure or some other disbursement.

### **Joint Fundraising**

Proposed law (R.S. 18:1491.9) authorizes committees to, pursuant to a written joint fundraising agreement, engage in joint fundraising efforts with other committees, committees registered with the Federal Election Commission, or with unregistered committees and certain organizations. Provides that contributions may be made to a joint fundraising efforts subject to present law contribution limits.

Proposed law requires participants to enter into a joint fundraising agreement designating a joint fundraising representative and establishing an allocation formula.

Proposed law authorizes the participants to designate either a person - including a professional fundraising firm, accounting firm, or other agent - or a political committee to serve as the joint fundraising representative.

Proposed law provides that, if the joint fundraising representative is a person, contributions received through the joint fundraising effort are considered to be received by the participants from the contributors and expenses are considered to be paid by the participants. Provides that such contributions and expenditures shall be reported as contributions to and expenditures of each participant.

Proposed law provides that, if the joint fundraising representative is a political committee, contributions shall be reported as contributions to the joint fundraising representative and the distribution of proceeds shall be reported as expenditures made by the joint fundraising

representative to the participants. Participants shall report the amounts received from the joint fundraising representative as contributions from each contributor.

Proposed law provides for circumstances in which a participant participates solely for purposes of receiving contributions to retire outstanding debts.

Proposed law provides for the advancement of costs and payment of expenses. Requires and provides for the contents of a joint fundraising notice.

Proposed law provides for the allocation of contributions when a participating committee is not permitted to receive such contributions or the contribution exceeds contribution limits. Provides for the distribution of funds and required reports.

Proposed law provides that the joint fundraising representative is responsible for certain recordkeeping and reporting requirements, establishing a dedicated depository account, the collection of participant and contributor information, the payment of expenses, and the distribution of proceeds in accordance with the allocation formula as established by proposed law.

Proposed law (R.S. 18:1491.1) requires a joint fundraising committee to include certain information on its statement of organization.

### **Candidates**

Present law (R.S. 18:1495.2) authorizes a candidate to appoint a campaign treasurer and one or more deputy treasurers. Proposed law repeals the authorization to appoint one or more deputy treasurers.

Proposed law provides that any person not prohibited from doing so, including any candidate or elected official, may solicit contributions on behalf of a committee and any such contributions shall be considered contributions made to the committee.

Present law (R.S. 18:1495.3) provides that no record need be kept by a candidate for a single transaction to purchase paraphernalia or raffle tickets which is not in excess of \$25 other than the total amount received and deposited from such sale. Proposed law increases the amount to \$50.

### **Reports required of other persons**

Present law (R.S. 18:1501.1) provides that any person, other than a candidate or a committee, who makes any expenditure or who accepts a contribution, other than to or from a candidate or to or from a political committee, shall file reports if either said expenditures or said contributions exceed \$500 in the aggregate during the aggregating period as defined for committees.

Proposed law repeals present law.

Proposed law requires persons other than candidates or committees to file reports of expenditures made for express advocacy supporting or opposing the nomination or election of a person to public

office, the recall of a public office, or a proposition or question submitted to the voters or for a communication for which the only reasonable conclusion to be drawn from the presentation and content is that it is intended to appeal to vote for or against a specific candidate or for or against the recall of a specific elected official shall file reports if such expenditures exceed \$1,000 in the aggregate during the aggregating period as defined for committees.

Proposed law requires reporting for the following expenditures, only:

- (1) Paid advertising disseminated through any federally regulated broadcast media.
- (2) Any mass mailing of more than 500 pieces of identical or substantially similar materials within any 30 day period, or phone bank of more than 500 telephone calls of an identical or substantially similar nature within any 30 day period.
- (3) Paid digital advertising or publication of paid print advertising which contains the name or image of a candidate that is made within 30 days before a primary, party primary, or second party primary election or 60 days before any other election in which the candidate will appear on the ballot and is targeted to the relevant electorate in the geographic area the candidate would represent if elected.

Present law requires each person, other than a candidate or committee, who makes an expenditure for purposes of canvassing, irrespective of the amount expended, to submit in writing to the candidate or committee on whose behalf such expenditure was made the full name, address, and the last four digits of the social security number of each individual to whom such an expenditure was made.

Proposed law requires such person to submit such information only to a candidate, independent expenditure-only committee, political committee, or principal campaign committee and requires reporting of the last four digits of the individual's social security number only under certain circumstances.

Present law requires other persons required to file reports do so at the same time and containing the same information as reports required of committees. Proposed law requires that reports shall be filed as required of principal campaign committees, except that reports are not required to include information about contributions or contributors or identify contributors, unless a contributor has designated his contribution for the purpose of supporting, opposing, or otherwise influencing the nomination or election of a person to public office or the recall of a public officer. In such case, reports shall include the name and address of the contributor who made the designated contribution and the amount and date of the designated contribution.

Present law requires other persons required to file reports to include in such reports, if he made an expenditure other than to a candidate or committee to report the full name and address of each person to whom such an expenditure was made during a reporting period in excess of \$1,000 in support or opposition to a candidate for any major office or \$500 in support or opposition to a candidate for district office or other office.

Proposed law instead requires such information to be reported for such expenditures made in excess of \$1,000.

### **Gubernatorial transition**

Present law (R.S. 18:1501.3) requires reporting of certain contributions and expenditures related to a gubernatorial transition and inauguration. Requires the governor to file a report on or before the 60th day after the gubernatorial inauguration and annually thereafter.

Proposed law retains present law and provides that each report shall be complete through Jan. 31.

### **Contribution limits**

Present law (R.S. 18:1483(6)) defines "contribution" as a gift, conveyance, payment, or deposit of money or anything of value, or the forgiveness of a loan or of a debt, made for the following purposes:

- (1) Supporting, opposing, or otherwise influencing the nomination or election of a person to public office, whether made before or after the election. Proposed law revises present law so that such contributions are considered "contributions" only if made to the candidate.
- (2) Supporting or opposing a proposition or question submitted to the voters. Proposed law repeals present law.
- (3) Supporting or opposing the recall of a public officer, whether made before or after the election. Proposed law retains present law, except to provide that such contribution must be made to fund and expenditure to influence the recall.

Proposed law additionally provides that a gift, conveyance, payment, or deposit of money or anything of value, or the forgiveness of a loan or of a debt, made to any of the following is considered a "contribution":

- (1) A committee.
- (2) Any person for the purpose funding and expenditure to influence the nomination or election of a person to public office.

Present law also defines "contribution" as an in-kind contributions and the donation of services and tangible property valued at \$25. Proposed law increases the minimum value to \$50.

Present law further defines "contributions" as expenditures made by any person in cooperation, consultation, or concert with or at the request or suggestion of, a candidate, his authorized political committees, or their agents and shall be considered to be a contribution to such candidate. Proposed law limits present law definition so that it only applies if the expenditure is made for the purpose of supporting, opposing, or otherwise influencing the nomination or election of the candidate.



Present law (R.S. 18:1505.2(B)) prohibits candidates, committees, and other persons required to file reports from making expenditures from funds the source of which is anonymous and requires contributions received from an anonymous source and deposited to be reported and escheat to the state. Proposed law repeals present law as it relates to other persons required to file reports.

Present law (R.S. 18:1505.2(C)) limits cash contributions to \$100. Proposed law increases the limit to \$200.

Present law (R.S. 18:1505.2(D)) prohibits organizations, including committees, from having as a condition of membership or participation a requirement that a person made a contribution for the purposes of supporting, opposing, or otherwise influencing the nomination or election of a person to public office or the recall of a public officer. Proposed law retains present law, except as it applies to political committees or independent expenditure-only committees.

Present law makes various provisions related to the authorized and prohibited contributions and expenditures of a recognized political party. Proposed law provides for the same to apply to a committee designated to receive contributions on behalf of the state central committee of the political party by joint fundraising agreement or otherwise.

Present law (R.S. 18:1505.2(H)) imposes contribution limits for various contributions.

Present law provides limits for contributions made by any committee supporting or opposing a candidate for certain offices. Proposed law limits present law to only apply to contributions made by a political committee or leadership committee.

Present law provides contribution limits applicable to political committees which had more than 250 members and to which more than 250 members had contributed at least \$100. Proposed law decreases the minimum contribution by the 250 members to \$50.

Present law provides for the contribution limit applicable to contributions made to any committee supporting or opposing candidates for different offices. Proposed law limits present law to only apply to contributions made to a leadership committee, political committee, or an independent expenditure-only committee.

Present law provides for the contribution limit for contributions by any committee to a recognized political party. Proposed law limits present law to only apply to contributions made by a political committee, leadership committee, or principal campaign committee.

Proposed law provides that the contribution limit for contributions by any committee to a leadership committee is \$25,000 per calendar year.

Present law contribution limits do not apply to contributions or loans made by a candidate to his own campaign. Proposed law provides the same for contributions or loans made by a candidate to his own leadership committee.

Present law (R.S. 18:1505.2(Q) and (R)) prohibits legislators and the governor from accepting or depositing a contribution, loan, or transfer of funds during a regular legislative session. Proposed law retains present law.

Present law provides that the governor or a legislator who receives such a contribution during a session shall return the contribution within 10 days after the receipt of the contribution. Proposed law instead requires the governor or legislator who *accepts or deposits* such a contribution during a session to return the contribution within 10 days after the acceptance or deposit of the contribution.

### **Expenditures**

Present law (R.S. 18:1483(9)) defines "expenditure" as a purchase, payment, advance, deposit, or gift, of money or anything of value made for the purpose of supporting, opposing, or otherwise influencing the nomination or election of a person to public office, for the purpose of supporting or opposing a proposition or question submitted to the voters, or for the purpose of supporting or opposing the recall of a public officer, whether made before or after the election.

Proposed law repeals present law and instead defines "expenditure" as a purchase, payment, advance, deposit, or gift, of money or anything of value made for the specific purposes provided for in present law and proposed law.

Present law further defines "expenditure" as in-kind expenditures and the donation of services and tangible property valued at \$25. Proposed law increases the minimum value to \$50.

Present law provides that "expenditures" do not include any communication by any membership organization or business entity to its employees, members, or stockholders, if such membership organization or business entity is not organized primarily for the purpose of supporting, opposing, or otherwise influencing the nomination for election, or election, of any person to public office.

Proposed law retains present law and further exempts communications made to the organization or entity's directors and the family members of the employees, members, stockholders, and directors.

Proposed law further exempts communications disseminated by a church unless the church's expenditures are used to express advocacy for or against a specific candidate. Further provides that present law shall not require a church to disclose the identities, donations, or contributions of members of the church.

Present law (R.S. 18:1505.2(I)) provides for authorized expenditures and for the use of excess campaign funds. Proposed law repeals present law and provides that *all candidates and committees* may expend contributions for any lawful purpose related to any of the following:

- (1) Supporting or opposing a proposition or question submitted to the voters.
- (2) Supporting or opposing the recall of a public officer.

- (3) Contributions to a gubernatorial transition and inauguration.
- (4) Contributions to an independent expenditure-only committee.
- (5) Donations to an organization exempt from federal income tax under Section 501 of the Internal Revenue Code.
- (6) Lobbying.
- (7) Social and issue advocacy.
- (8) The administrative costs or operating expenses of the committee making the expenditure, including costs and expense related to legal services and costs, accounting services, and fundraising.

Proposed law provides that a *candidate or his principal or subsidiary campaign committee* may also make expenditures related to the following:

- (1) Supporting or nominating the candidate for election to a public office.
- (2) Supporting or opposing or otherwise influencing the nomination or election of a person to public office.
- (3) Contributions to another candidate's principal campaign committee, to a political committee, or to a leadership committee.
- (4) The holding of public office or party position.
- (5) The payment of fines, fees, or penalties assessed for a violation of the CFDA.

Proposed law provides that a candidate or his principal or subsidiary campaign committee may not make expenditures for any personal use of the candidate or a member of his immediate family.

Proposed law provides that excess campaign contributions received by a candidate or his principal campaign committee and not expended during a party primary, primary, or general election may be maintained in a segregated fund or a fund of the principal campaign committee for use in future campaigns, activity related to preparing for future candidacy, or for any lawful purpose otherwise provided for. Any excess campaign contributions shall be considered a contribution for the candidate's next campaign.

Proposed law provides that a *leadership committee* may also make expenditures related to the following:

- (1) The elected official's holding of public office or party position.

- (2) Contributions to another candidate or another candidate's principal or subsidiary committee.
- (3) Contributions to another official's leadership committee.
- (4) The payment of fines, fees, or penalties assessed for a violation of the CFDA.

Proposed law prohibits the use of contributions received by a leadership committee for any personal use of the elected official or a members of his immediate family or for making expenditures in support of the elected official's campaign, to oppose the recall of the elected official, or to oppose an opponent of the elected official. Provides that the use of funds to replace articles lost, stolen, or damaged in connection with the operation of the leadership committee or the holding of public office or party position by the public officer shall not be considered personal use.

Proposed law provides that a *political committee* may also make expenditures related to supporting, opposing, or otherwise influencing the nomination or election of any person to public office or related to contributions to any candidate's principal campaign committee, any other political committee, or any leadership committee.

Proposed law provides that contributions received by a political committee may not be used for the personal use of any candidate or elected official, or his immediate family, or for coordinated expenditures with a candidate or candidate's principal campaign committee.

Proposed law provides that an *independent expenditure-only committee* may also make expenditures related to supporting, opposing, or otherwise influencing the nomination or election of any person to public office or for contributions to any leadership committee.

Proposed law provides that contributions received by an independent expenditure-only committee may not be used for the personal use of any candidate or elected official, or a member of his immediate family, contributions to any candidate or a candidate's principal campaign committee, or a subsidiary committee thereof, or coordinated expenditures with any candidate or candidate's principal campaign committee.

Proposed law provides enumerates expenses that shall not be considered to be personal use by the candidate or his principal campaign committee or a subsidiary committee thereof, or by an elected official or his leadership committee.

Proposed law enumerates expenses that shall be presumed to be considered to be personal use by the candidate or his principal campaign committee or a subsidiary committee thereof, or by an elected official or his leadership committee.

Present law prohibits a candidate or his principal or subsidiary campaign committee from using contributions to make a payment or expenditure to an immediate family member of the candidate. Proposed law retains present law and further prohibits an elected official or his leadership committee from using contributions to make a payment or expenditure to an immediate family member of the candidate.

Present law prohibits all candidates and committees from using contributions to purchase immovable property or a motor vehicle. Proposed law retains present law only as it applies to candidates, political committees, principal or subsidiary campaign committees, or leadership committees.

Present law provides that checks drawn on a campaign account for the return of excess campaign contributions shall be presumed abandoned 12 months from the date of the check if not negotiated and treated as unclaimed property. Proposed law instead provides for such checks to be presumed abandoned six months from the date of the check.

Present law (R.S. 18:1505.2.1), related to the designation and attribution of contributions, provides that a candidate's records shall demonstrate that prior to the primary election, recorded cash on hand was at all time equal to or in excess of the sum of general election contributions received less the sum of general election disbursements made. Proposed law repeals present law.

### **Foreign nationals**

Present law (R.S. 18:1505.2(M)) provides that no foreign national shall, directly or through any other person, make any contribution of money or other thing of value, or promise expressly or impliedly, any such contribution in connection with an election to any political office or in connection with any election, convention, or caucus held to select candidates for any political office and prohibits all persons from soliciting, accepting, or receiving any contribution from a foreign national.

Proposed law retains present law and further prohibits contributions from foreign nationals made in connection with a proposition or question submitted to the voters or with the recall of a public officer, or made to any committee or to a gubernatorial transition or inauguration.

Present law defines of "foreign national" as a foreign principal such as a government of a foreign country or a foreign political party or as a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country, unless authorized and qualified to do business in La. Proposed law retains present law.

Present law further defines "foreign national" as an individual who is not a U.S. citizen and who is not lawfully admitted for permanent residence and accorded the privilege of residing permanently in the U.S. as an immigrant. Proposed law instead requires such an individual to reside in the U.S. to be considered a "foreign national".

Proposed law additionally provides that "foreign national" includes a person who is a citizen of a foreign government identified as a foreign adversary or state sponsor of terrorism by federal law; any foreign non-government person, including an individual, identified as a foreign adversary by federal law; any foreign terrorist organization as designated in accordance with federal law; or a partnership, association, corporation, organization, or other entity organized under the laws of a foreign government identified as a foreign adversary or organized under the laws of or having its principal place of business in the country of a foreign adversary as designated by federal law.

## **Supervisory Committee on Campaign Finance**

Present law (R.S. 18:1511.2) authorizes the supervisory committee to render advisory opinions. Proposed law retains present law and further requires the supervisory committee to publish its advisory opinions on the Board of Ethics website in an easily searchable format.

Proposed law requires the supervisory committee to annually reviewing specific information and report its findings to the House and Senate committees on governmental affairs.

Present law requires the supervisory committee to prepare and distribute booklets of explanation and instruction regarding the CFDA. Proposed law retains present law.

Present law (R.S. 18:1511.4) provides for the supervisory committee to conduct investigations upon a two-thirds vote of the committee. Proposed law retains present law and provides additional criteria for the supervisory committee to consider in determining whether to conduct an investigation.

Proposed law (R.S. 18:1511.4.1) provides prerequisites for and procedures related to the issuance of subpoenas by the supervisory committee.

Present law (R.S. 18:1511.5) authorizes the supervisory committee to file administrative proceedings. Proposed law provides additional procedural requirements before filing administrative proceedings.

Present law provides for the imposition of civil and criminal penalties for certain violations of the CFDA. Proposed law retains present law.

## **Party primary elections**

Present law provides for the definition of "participation", reporting times and periods, contribution limits for unsuccessful candidates, and the designation and attribution of contributions.

Proposed law retains present law and recognizes and provides for party primary elections.

## **Definitions**

Present law (R.S. 18:1483) provides for terminology used throughout the Campaign Finance Disclosure Act.

Present law defines "independent expenditure-only committee" as a registered committee that makes independent expenditures, makes no contributions to any candidate, and makes no coordinated expenditures with a candidate. Proposed law retains present law except to provide that such committee makes no contributions or coordinated expenditures with a candidate's principal campaign committee or a subsidiary committee thereof.

Present law defines "loan" as a transfer of money, property, or anything of value in exchange for an

obligation to repay in whole or in part, made for the purpose of supporting, opposing, or otherwise influencing the nomination for election, or election, of any person to public office, for the purpose of supporting or opposing a proposition or question submitted to the voters, or for the purpose of supporting or opposing the recall of a public officer, whether made before or after the election.

Proposed law repeals present law definition and instead defines "loan" as a transfer of money, property, or anything of value in exchange for an obligation to repay, made for the specific purposes provided for in the CFDA, whether made before or after the election.

Present law defines "transfer of funds" as any money received or given by a committee from or by another committee. Proposed law retains present law except to provide that such moneys shall be given or received for the specific purposes provided for in the CFDA.

Present law provides for when a candidate is considered to have participated in an election without withdrawing and an election from which he has withdrawn. Proposed law retains present law defines "participation" for purposes of a closed party primary.

Proposed law defines "coordinated expenditure", "express advocacy", "joint fundraising agreement", "leadership committee", "paraphernalia", "personal use", and "primary purpose".

### **Effectiveness**

Provisions related to party primary elections are effective upon the effective date of Act No. 640 of the 2024 R.S.

All other provisions are effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 9:154(A)(18) and R.S. 18:1482, 1483(1), (2)(a), (4), (6)(a) and (b), (9)(a), (b)(ii), (c), (d)(ii) and (iii), (10), (12), (15)(a), (b)(ii), (c), and (d), (16), (17), (19), (22), and (24), 1484(intro. para.), (2) and (3), 1485(E), 1486(A), (B), and (C)(1) and (2)(intro. para.) and (d), 1491.1(A), (B)(3), and (D), 1491.2, 1491.3(A), 1491.4, 1491.5(A), (B)(1), (2), and (3), (E), and (H)-(J), 1491.6(A), (B)(intro. para.), (C)(intro. para.), (1)(a), and (2), (D), (E)(intro. para.), (G), and (I), 1491.7(A), (B)(intro. para.), (4)(a) and (b), (5)-(8), (10), (13), (14), (18), and (22), and (C), 1491.8, 1495.2, 1495.3(B)(1) and (2)(intro. para.) and (a) and (E), 1495.4(C)(1)(a) and (2) and (D)(1) and (3)(a), 1495.5(B)(5) and (9) and (C), 1495.6, 1501.1, 1501.3(C)(intro. para.), 1505.2(A)(1), (B), (C), (D)(3)(b)(i) and (c), (4), and (5), (F), (G), (H)(1)(b) and (c), (2)(a)(intro. para.), (b)(i)(intro. para.), (c), (e), (f), and (g), (3)(a)(iii)-(vii) and (b)-(d), and (5), (I)(1), (2), (4), (5)(a), (b)(ii), and (c)-(e), (6), and (7), (J), (K), (L)(2) and (4), (M), (O)(1), (P), (Q)(1), (2), and (3)(a)(i), and (R)(2) and (3)(a)(i), 1505.2.1(A), (D), and (E), 1505.3(B) and (D)(1)(a) and (2)(a)(i) and (b)(intro. para.) and (ii), 1505.4(A)(1), (2)(a), and (3) and (B), 1505.5(B) and (C)(1), 1505.6(A)-(C), 1511.2(B), 1511.4(A)(2)(h) and (i), (C)(1) and (2)(intro. para.), and (D), 1511.4.1(C)(3), and 1511.5(A)(1) and (B); Adds R.S. 18:1483(9)(d)(v), (15)(b)(iii) and (iv), and (25)-(32), 1491.1(B)(5)(d) and (e), 1491.6(J), 1491.6.1, 1491.9, 1505.2(H)(2)(h) and (I)(8), 1511.2(D)-(F), 1511.4(C)(2)(f) and (3), and 1511.4.2; Repeals R.S. 18:1486(C)(1) and (2)(d), 1505.2(N), and 1511.3(B))

