

RÉSUMÉ DIGEST

ACT 398 (HB 693)

2025 Regular Session

Wright

Existing law Campaign Finance Disclosure Act (CFDA) provides, generally, for public disclosure of the financing of election campaigns and regulation of certain campaign practices.

New law provides that the CFDA is penal in nature and that, in the interest of respecting the constitutional rights of free speech and due process, 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 Disclosure (supervisory committee).

Candidate Disclosures

Existing law (R.S. 18:1484) requires a candidate who is not a candidate for a major office or district office to file disclosure reports if he makes expenditures in excess of a certain amount or receives contributions in excess of a certain amount. Prior law set the threshold amount of expenditures at \$2,500 and the threshold amount of contributions at \$200. New law increases the minimum threshold for reporting of both expenditures and contributions to \$5,000.

Proposition and Recall Election Disclosures

Existing 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. Prior law set the minimum threshold for reporting at \$200 for contributions and expenditures. New law increases the minimum threshold for reporting to \$5,000 for contributions and expenditures.

Committees, Generally

Existing law (R.S. 18:1483(17)) defines "political 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 a certain threshold amount 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 the threshold amount within any calendar year, with exceptions.

Prior law set the threshold amount of contributions and expenditures received within a calendar year at \$500. New law increases the threshold amount from \$500 to \$1,000. New law provides that "political committee" does not include independent expenditure-only committees, leadership committees, or principal campaign committees.

Existing law provides that political party committees that receive contributions or make expenditures of a certain amount within a calendar year are "political committees". Prior law set the threshold amount of contributions and expenditures at \$500 within a calendar year. New law increases the threshold amount of contributions and expenditures to \$2,500 within a calendar year.

Prior law used the terms "committee" and "political committee" interchangeably.

New law (R.S. 18:1483(25)) instead 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.

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

Existing 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 meets certain expenditure limitations 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.

Prior law provided that the expenditure limit was less than 50%, but not more than \$20,000, of the entity's total disbursements.

New law increases the expenditure limit from \$20,000 to \$50,000.

Existing law (R.S. 18:1491.1) requires committees that anticipate receiving or expending more than a certain amount annually to file a statement of organization. Prior law set the amount at more than \$500 a year. New law increases the threshold amount to \$1,000 a year.

Existing 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 a certain amount and does not anticipate doing so. Prior law set the contribution, transfer, or loan amount at \$500. New law increases the contribution, transfer, or loan amount to \$1,000.

Existing 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. New law further authorizes committees to invest in certificates of deposit or U.S. treasury securities.

Existing law (R.S. 18:1491.5) requires each committee chairman and treasurer to maintain certain records. New law retains existing law.

Committee and Candidate Reports

Existing law (R.S. 18:1461.6, 1495.4, and 1501.1) requires certain committees, candidates, and other persons 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 from whom contributions, loans, and funds were received in excess of certain amounts. Prior law provided the following amounts:

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

Existing law requires disclosure of any expenditure in excess of a certain amount made to a candidate, committee, or person required to file reports who makes endorsements. Prior law set the amount at \$200. New law increases the amount to \$500.

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

Prior law required certain annual reports to be filed no later than February 15. New law instead requires such reports to be filed no later than February 28.

Prior law authorized all committees to file monthly reports due no later than the 10th of the month following the month in which the committee accepted a contribution or made an expenditure, rather than file certain reports on the schedule otherwise required by existing law. New law instead 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.

Existing law (R.S. 18:1491.7) requires reports 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. Prior law required all committees to include such information on their reports. New law requires such information only of a political committee, principal campaign committee, or independent expenditure-only committee.

Existing law required reporting of contributions in the form of payroll deductions or dues checkoff system in excess of a certain amount. Prior law set the amount at \$5. New law increases the amount 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 a certain amount in the aggregate in a calendar year, existing law authorizes such committee to report the names and addresses of its contributors on an annual basis. Prior law set the single maximum contribution amount at \$24. New law increases the single maximum contribution amount to \$50.

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

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

Existing 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 existing law.

New law 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.

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

Leadership Committees

New 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).

New 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.

Existing 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. New law provides that existing law does not apply to contributions made to a candidate by a leadership committee.

Existing law (R.S. 18:1491.6) requires committees to file reports with the supervisory committee on certain dates. New 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

New 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 effort subject to existing law contribution limits.

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

New 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.

New 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.

New 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.

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

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

New 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.

New 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.

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

Candidates

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

New 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.

Existing law (R.S. 18:1495.3) provides that the only record a candidate is required to keep for a single transaction to purchase paraphernalia or raffle tickets which is not in excess of a certain amount is the total amount received and deposited from such sale. Prior law set the maximum amount at \$25. New law increases the amount to \$50.

Reports Required of Other Persons

Prior law (R.S. 18:1501.1) provided that any person, other than a candidate or a committee, who made any expenditure or who accepted a contribution, other than to or from a candidate or to or from a political committee, was required to file reports if either expenditures or contributions exceed \$500 in the aggregate during the aggregating period as defined for committees.

New law repeals prior law and instead 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 or a proposition or question submitted to the voters to file reports if such expenditures exceed \$1,000 in the aggregate during the aggregating period as defined for committees.

Prior law required each person, other than a candidate or committee, who made 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.

New 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.

Prior law required other persons required to file reports to do so at the same time and containing the same information as reports required of committees. New 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 any purpose for which the person is otherwise required to report expenditures. 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.

Prior law required other persons required to file reports to include in such reports, if he made an expenditure other than to a candidate or committee, 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.

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

Gubernatorial Transition

Existing 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.

New law provides that each report shall be complete through January 31.

New law provides that no person who contracts, is employed, or volunteers for a gubernatorial transition or inauguration shall be considered a public servant for purposes of existing law (Code of Governmental Ethics) by reason of such contract, employment, or volunteer service.

Contribution Limits

Existing 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 certain purposes. Prior law provided 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. New law provides that such contributions are considered "contributions" only if made to the candidate.
- (2) Supporting or opposing a proposition or question submitted to the voters. New law provides that such contributions are considered "contributions" only if made for the purpose of *funding an expenditure* to support or oppose a proposition or question submitted to the voters.
- (3) Supporting or opposing the recall of a public officer, whether made before or after the election. New law provides that such contributions are considered "contributions" only if made for the purpose of *funding an expenditure* to influence the recall.

New 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.

Existing law also defines "contribution" as an in-kind contribution and the donation of services and tangible property of a certain value. Prior law set the minimum value at \$25. New law increases the minimum value to \$50.

Existing law further defines "contribution" as an expenditure 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, which shall be considered to be a contribution to such candidate. New law limits existing 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.

Existing law (R.S. 18:1505.2(B)) prohibits candidates and committees 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. Prior law required the same of other persons required to file reports. New law repeals prior law as it relates to other persons required to file reports.

Prior law (R.S. 18:1505.2(C)) limited cash contributions to \$100. New law increases the limit to \$200.

Existing 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. New law provides that existing law does not apply to political committees or independent expenditure-only committees.

Existing law makes various provisions related to the authorized and prohibited contributions and expenditures of a recognized political party. New 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.

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

Existing law provides limits for contributions made *by* committees. Prior law applied existing law to any committee supporting or opposing a candidate for certain offices. New law limits existing law to only apply to contributions made by a political committee or leadership committee.

Existing law provides contribution limits applicable to political committees which have more than 250 members and to which more than 250 members have contributed at least a certain amount. Prior law set the minimum contribution amount at \$100. New law decreases the minimum contribution to \$50.

Existing law provides for the contribution limit applicable to contributions made *to* committees. Prior law applied existing law to contributions made by any committee supporting or opposing candidates for different offices. New law limits existing law to only apply to contributions made to a leadership committee, political committee, or an independent expenditure-only committee.

Existing law provides for the contribution limit for contributions to a recognized political party. Prior law applied existing law to any committee. New law limits existing law to only apply to contributions made by a political committee, leadership committee, or principal campaign committee.

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

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

Existing 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.

Prior law required that the governor or a legislator who *receives* such a contribution during a session to return the contribution within 10 days after the receipt of the contribution. New 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

Prior law (R.S. 18:1483(9)) defined "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.

New law 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 existing law and new law.

Existing law further defines "expenditure" as in-kind expenditures and the donation of services and tangible property of a certain minimum value. Prior law set the minimum value at \$25. New law increases the minimum value to \$50.

Existing 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.

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

New law further exempts communications disseminated by a church unless the communication is of express advocacy for or against a specific candidate. Further provides that existing law shall not require a church to disclose the identities, donations, or contributions of members of the church.

Prior law (R.S. 18:1505.2(I)) provided for authorized expenditures and for the use of excess campaign funds. New law 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.

New 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.

New 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.

New 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.

New 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.

New 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.

New 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.

New 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.

New 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.

New 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.

New law 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.

New 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. New law provides that the presumption may be overcome by showing by a preponderance of the evidence that the expenditure was not for personal use.

Existing 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. New law 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.

Existing law prohibits the use of contributions to purchase immovable property or a motor vehicle. Prior law applied existing law to all candidates and committees. New law applies existing law only to candidates, political committees, principal or subsidiary campaign committees, or leadership committees.

Prior law provided 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. New law instead provides for such checks to be presumed abandoned six months from the date of the check.

Prior law (R.S. 18:1505.2.1), related to the designation and attribution of contributions, provided 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. New law repeals prior law.

Foreign Nationals

Existing 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.

New law 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.

Existing law defines "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.

New 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.

New 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.

New law further prohibits a Section 501 tax-exempt organization that has received more than \$100,000 in contributions from a foreign national in the current or prior calendar year, or has received more than 20% of its total contributions from a foreign national in the current or prior year, from making or promising to make certain contributions or expenditures in connection with an election to any political office, any primary election, convention, or caucus held to select candidates for any political office, a proposition or question submitted to the voters, or the recall of a public officer.

Supervisory Committee on Campaign Finance Disclosure

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

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

Existing law (R.S. 18:1511.4) provides for the supervisory committee to conduct investigations upon a two-thirds vote of the committee. New law provides that, in order to conduct an investigation, the supervisory committee shall consider whether there is probable cause to believe that the respondent has committed a violation in consideration of the totality of the known circumstances.

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

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

Party Primary Elections

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

New law recognizes and provides for party primary elections as related to existing law.

Definitions

Existing law (R.S. 18:1483) provides for terminology used throughout the CFDA.

Existing 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. New law additionally provides that such committee makes no contributions or coordinated expenditures with a candidate's principal campaign committee or a subsidiary committee thereof.

Prior law defined "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.

New law 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.

Existing law defines "transfer of funds" as any money received or given by a committee from or by another committee. New law provides that such moneys shall be given or received for the specific purposes provided for in the CFDA.

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

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

Effectiveness

Requires the supervisory committee to prepare updated forms and instructions in compliance with new law no later than January 15, 2026. Authorizes all candidates, committees, and other persons required to file reports to utilize forms offered by the supervisory committee on the effective date of new law until the updated forms and instructions are available for use.

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 (June 20, 2025).

(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), Part II of Ch. 11(Section Heading), 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), (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)(intro. para.) and (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, 1501.3(G), 1505.2(H)(2)(h) and (I)(8), 1511.2(D) and (E), 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))