
HOUSE COMMITTEE AMENDMENTS

2025 Regular Session

Substitute for Original House Bill No. 596 by Representative Wright as proposed by the House Committee on House and Governmental Affairs

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To amend and reenact 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) and (iii), and (c), (16), (17), (19), (22), and (24), 1484(introductory paragraph), (2) and (3), 1485(E), 1486(A), (B), and (C)(1) and (2)(introductory paragraph) 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) through (J), 1491.6(A), (B)(introductory paragraph), (C)(introductory paragraph), (1)(a), and (2), (D), (E)(introductory paragraph), (G), and (I), 1491.7(A), (B)(introductory paragraph), (4)(a) and (b), (5) through (8), (10), (13), (14), (18), and (22), and (C), 1491.8, 1495.2, 1495.3(B)(1) and (2)(introductory paragraph) 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)(introductory paragraph), 1505.2(A)(1), (B), (C), (D)(3)(b)(i) and (c), (4), and (5), (F), (G), (H)(1)(b) and (c), (2)(a)(introductory paragraph), (b)(i)(introductory paragraph), (c), and (g), (3)(a)(iii) through (vii), and (b) through (d), and (5), (I)(1), (2), (4), (5)(a), (b)(ii), and (c) through (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), (D)(1)(a), (2)(a)(i), and (b)(introductory paragraph) and (ii), 1505.4(A)(1), (2)(a), and (3) and (B), 1505.5(B), and (C)(1), 1505.6(A) through (C), 1511.2(B), 1511.3(B), 1511.4(A)(2)(h) and (i), (C)(1) and (2)(introductory paragraph), and (D), 1511.4.1(C)(3), 1511.5(A)(1) and (B), to enact R.S. 18:1483(6)(a)(introductory paragraph), (i) through (iv), and (b)(v), (9)(a)(introductory paragraph), (i) through (v), (d)(v), (12)(introductory paragraph) and (a) through (c), 15(b)(iii) and (iv), (17)(b)(i) and (ii), and (25) through (31), 1491.6(F), 1491.6.1, 1491.9, 1505.2(I)(1)(a) through (i), (M)(1)(introductory paragraph) and (a) through (e),

(3)(introductory paragraph), (d) through (f), and (4), 1511.2(D) and (E), 1511.4(A)(2)(h)(i)(aa) through (dd), 1511.4(C)(2)(f) and (3), 1511.4.1(E), 1511.4.2, 1511.5(A)(1)(a) and (b)(i) through (iii), and to repeal R.S. 18:1486(C)(1) and (2)(d), 1505.2(N), and 1511.3(B), relative to the revision of the system of laws related to election campaign finance; to provide for the Campaign Finance Disclosure Act; to establish leadership committees and provide authorizations and restrictions related thereto; to provide for the many various duties and requirements of committees including political committees, principal campaign committees, subsidiary committees, independent expenditure-only committees, and leadership committees; to provide for contributions; to provide for contribution limits; to provide for contributions made to or by a political party; to provide for expenditures; to provide for limitations on expenditures; to provide for reporting requirements; to provide for contributions, expenditures, and reporting related to closed party primary elections; to provide for joint fundraising efforts and agreements; to provide for foreign nationals; to provide for powers and duties of the supervisory committee on campaign finance; to provide for investigations conducted by and penalties issued by the supervisory committee on campaign finance; to repeal provisions related to the regulation of contributions and expenditures related to proposition elections; to provide for loans; to provide for coordinated expenditures; to provide for excess contributions; to provide for definitions and terminology; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1482, 1483(1), (2)(a), (4), (6)(a) and (b), (9)(a), (b)(ii), (c), (d)(ii) and (iii), (10), (12), (16), (17), (19), (22), and (24), 1484(introductory paragraph), (2) and (3), 1485(E), 1486(A), (B), and (C)(1) and (2)(introductory paragraph) 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) through (J), 1491.6(A), (B)(introductory paragraph), (C)(introductory paragraph), (1)(a), and (2), (D), (E)(introductory paragraph), (G), and (I), 1491.7(A), (B)(introductory paragraph), (4)(a) and (b), (5) through (8), (10), (13), (14), (18), and (22), and (C), 1491.8, 1495.2, 1495.3(B)(1) and (2)(introductory paragraph) 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)(introductory paragraph), 1505.2(A)(1), (B), (C), (D)(3)(b)(i) and (c), (4), and (5), (F), (G), (H)(1)(b), (2)(a)(introductory paragraph), (b)(i)(introductory paragraph), (c), and (g), (3)(a)(iii) through (vi), and (b) through (d), and (5), (I)(1), (2), (4), (5)(a), (b)(ii), and (c) through (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), 1505.3(B), (D)(1)(a), (2)(a)(i), and (b)(introductory paragraph) and (ii), 1505.4(A)(1), (2)(a), and (3) and (B), 1505.5(B), and (C)(1), 1505.6(A) through (C), 1511.2(B), 1511.3(B), 1511.4(A)(2)(h) and (i), (C)(1) and (2)(introductory paragraph), and (D), 1511.4.1(C)(3), 1511.5(A)(1) and (B) are hereby amended and reenacted and R.S. 18:1483(6)(b)(v), (9)(d)(v), and (25) through (32), 1491.1(B)(5)(d) and (e), 1491.6(F), 1491.6.1, 1491.9, 1505.2(H)(2)(h), (I)(8), 1511.2(D) through (F), 1511.4(C)(2)(f) and (3), 1511.4.1(E), 1511.4.2, 1511.5(A)(1)(a) and (b)(i) through (iii) are hereby enacted to read as follows:

§1482. Statement of purpose

A. The legislature recognizes that the Constitution of the United States and the Constitution of Louisiana protect political speech, especially speech related to elections; that the financing of campaigns facilitates constitutionally protected political speech; that the legislature may regulate the financing of campaigns to prevent the occurrence and appearance of political corruption and to promote transparency; and that the effectiveness of representative government is dependent upon a knowledgeable electorate and the confidence of the electorate in their elected public officials. The legislature, therefore, enacts this Chapter to provide public disclosure of the financing of election campaigns and to regulate certain campaign practices.

B. The legislature further recognizes that the provisions of this Chapter are 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 established in this Chapter shall be interpreted narrowly and strictly and that any ambiguity be interpreted in favor of a person accused of violating any provision of this Chapter,

and that no deference shall be afforded in interpretation of this Chapter to any agency enforcing this Chapter, including the supervisory committee on campaign finance.

§1483. Definitions

As used in this Chapter, the following terms shall have the meanings given to each in this Section unless the context clearly indicates otherwise:

(1) "Affiliated organization" means any organization which is not a ~~political~~ committee but which directly or indirectly establishes, administers, or financially supports a ~~political~~ committee.

(2) "Aggregating period" means:

(a) For a ~~political~~ committee, except a ~~political~~ committee which supports only one candidate, the period from January first of the calendar year through December thirty-first of the same calendar year.

* * *

(4) "Chairman" means the principal executive officer of a ~~political~~ committee regardless of his title.

* * *

(6)(a) "Contribution", except as otherwise provided in this Chapter, means 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:

(i) A committee.

(ii) A candidate for the purpose of supporting, opposing, or otherwise influencing the nomination or election of a ~~person~~ the candidate to public office, whether made before or after the election.

(iii) Any person for the purpose of funding an expenditure to influence the nomination or election of a person to public office, whether made before or after the election.

(iv) Any person for the purpose of funding an expenditure to support or oppose ~~for the purpose of supporting or opposing~~ a proposition or question submitted to the voters, ~~or.~~

(v) Any person for the purpose of ~~supporting or opposing~~ funding an expenditure to influence the recall of a public officer, whether made before or after the election.

(b) "Contribution" shall also include, without limitation:

(i) Contributions in-kind made for any of the purposes stated in this Paragraph, having an attributable monetary value in excess of ~~twenty-five~~ fifty dollars. Contributions in-kind shall include without limitation: the donation by any person, other than a candidate or a political committee, of the services of paid employees, the value of which services exceeds ~~twenty-five~~ fifty dollars, such value to be the amount paid for such services; the donation of, or the donation of the right to use, any item of tangible property when the same is used or consumed and not exchanged or converted to cash or the equivalent of cash and when the accepting candidate, the chairman of the accepting political committee, or accepting person required to file reports under this Chapter and the ~~campaign~~ treasurer of such recipient, if any, determines that its value or the use value, when only the right of use is given, exceeds ~~twenty-five~~ fifty dollars and such determination shall be prima facie evidence of the correctness of the valuation of the item or of the use value when applicable. In addition, successive donations made by the same person, which donations individually are valued below ~~twenty-five~~ fifty dollars but which together exceed such amount, shall be deemed to be in-kind contributions and shall be aggregated for purposes of the requirements of this Chapter.

~~(ii) Contributions shall also include 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~~ Coordinated expenditures made for the purpose of supporting, opposing, or otherwise influencing the nomination or election of the candidate and shall be considered to be a contribution to such candidate.

~~(ii)~~ (iii) A promissory note or written contract to make a contribution as defined above.

~~(iii)~~ (iv) A payment to purchase campaign paraphernalia, ~~such as campaign pins, buttons, badges, flags, emblems, hats, shirts, banners, literature, and similar items,~~ other than expenditures made by a candidate or political committee to purchase its own paraphernalia.

~~(iv)~~ (v) A payment for tickets to a testimonial or similar fund-raising event.

* * *

(9)(a) "Expenditure" means 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.~~ made for a purpose provided for in R.S. 18:1501.1(A) or 1505.2(I).

(b) "Expenditure" shall also include:

* * *

(ii) Expenditures in-kind which have an attributable monetary value in excess of ~~twenty-five~~ fifty dollars, made for any of the purposes stated in this Paragraph. Expenditures in-kind shall include without limitation: the donation by any person, candidate, or ~~political~~ committee of the services of paid employees, the value of which services exceeds ~~twenty-five~~ fifty dollars, such value to be the amount paid for such services; the donation of, or the donation of the right to use, any item of tangible property when the same is used or consumed and not exchanged or converted to cash or the equivalent of cash and when the donating candidate, the chairman of the donating committee, or the donating person required to file reports under this Chapter, and the campaign treasurer of such donor, if any, determines that its value or the use value, when only the right to use is given, exceeds ~~twenty-five~~ fifty dollars and such determination shall be prima facie evidence of the correctness of the valuation of the item or the use value when applicable. In addition, successive donations made to the same person, which donations individually are valued below ~~twenty-five~~ fifty dollars but which together exceed such amount, shall be deemed to

be in-kind expenditures and shall be aggregated for purposes of the requirements of this Chapter.

(c) Expenditures made by a public relations firm, an advertising agency, or agent for a candidate, ~~political~~ committee, or other person required to file reports under this Chapter shall be considered expenditures of the candidate, ~~political~~ committee, or such other person, and must be specifically reported as required by this Chapter. Each such firm, agency, or agent, which makes any expenditure for any candidate, ~~political~~ committee, or other person required to file reports under this Chapter, shall timely furnish to such candidate, ~~political~~ committee, or person such information relative thereto as may be required for compliance with this Chapter.

(d) "Expenditure" shall not include:

* * *

(ii) Any communication by any membership organization or business entity to its employees, members, directors, or stockholders, or their family members, 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 or for the purpose of supporting or opposing a proposition or question to be submitted to the voters. All other expenditures made by such membership organization or business entity which are otherwise reportable under the provisions of this Chapter shall be reported. For purposes of this definition, business entity means any proprietorship, partnership, corporation, or other legal entity, including their subsidiaries.

(iii) A transfer of funds between ~~political~~ committees.

* * *

(v) Any communication disseminated by a church unless the church's expenditures are used to express advocacy for or against a specific candidate. Nothing in this Chapter shall require a church to disclose the identities, donations, or contributions of members of the church. For purposes of this Item, "church" means an organization considered a church by the Internal Revenue Service for federal tax purposes.

* * *

(10)(a) "Independent expenditure-only ~~political~~ committee" means a committee registered with the supervisory committee which makes independent expenditures, makes no political contributions to any candidate for any elected office in this state or any of its subdivisions, or such candidate's principal campaign committee or a subsidiary committee thereof, and makes no coordinated expenditures with a candidate or such candidate's principal campaign committee or a subsidiary committee thereof.

(b) "Independent expenditure" means an expenditure ~~by a person expressly advocating~~ for express advocacy for the election or defeat of a clearly identified or identifiable, qualified candidate for public office, including supporting or opposing the candidates of a political party, and that is not made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate's ~~authorized~~ principal campaign committee or a subsidiary committee thereof, or their agents, or a political party committee or its agents.

* * *

(12) "Loan" means 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,~~ any purpose provided for in R.S. 18:1501.1(A) or 1505.2(I), whether made before or after the election.

* * *

(16) "Person" means any individual, partnership, limited liability company or corporation, association, labor union, ~~political~~ committee, corporation, or other legal entity, including their subsidiaries.

(17)(a)(i) "Political committee" or "~~committee~~" means a committee of two or more persons, other than a husband and wife, and any legal entity organized for the primary purpose of making expenditures supporting or opposing one or more

candidates, propositions, recalls of a public officer, or political parties, which accepts contributions in the name of the political committee, or makes expenditures from political committee funds or in the name of the political 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 ~~five hundred~~ one thousand dollars within any calendar year.

(ii) "Political committee" ~~or "committee"~~ shall also include two or more persons, other than a husband or wife, and any legal entity which supports or opposes one or more candidates, propositions, recalls of a public officer, or political parties, and which accepts direct payments for personal services related to an election or a campaign in the name of the political committee in an aggregate amount in excess of ~~five hundred~~ one thousand dollars within any calendar year. Except that an entity that holds a license or permit duly issued by the appropriate governmental entity to provide the personal services provided, regularly does business in the area state, and regularly has done business in the area state for at least ninety days prior to the date the personal services are provided and the personal services provided are the same as the personal services regularly provided by the business in the normal and usual scope of its usual business activities shall not constitute a "political committee" for purposes of the requirements of R.S. 18:1491.1 through ~~1491.8~~ 1491.9 which would require such an entity to keep records and submit reports.

(iii) Any state central committee, parish executive committee, and any other committee of any political party which receives contributions or makes expenditures ~~in such amount during such period~~ in an aggregate amount in excess of two thousand five hundred dollars within any calendar year shall be considered a "political committee" for the purposes of this Chapter.

(b) ~~An entity that during the reporting period has supported candidates in states other than Louisiana; has received less than fifty percent of its total receipts for the applicable reporting period from Louisiana candidates or committees formed to support Louisiana candidates; and has expended less than fifty percent, but not more than twenty thousand dollars, of its total disbursements for the applicable~~

reporting period in support of or in opposition to Louisiana candidates shall not constitute a "political committee" for purposes of requirements of R.S. 18:1491.1 through 1491.8 which would require such an entity to keep records and submit reports. "Political committee" does not include a principal campaign committee or subsidiary committee thereof, leadership committee, or independent expenditure-only committee.

* * *

(19) "Principal campaign committee" means a ~~political~~ committee designated by a candidate pursuant to R.S. 18:1491.3(A) or a ~~political~~ committee which has designated subsidiary committee(s).

* * *

(22) "Subsidiary committee" means a ~~political~~ committee other than a principal campaign committee, designated by a candidate or by a principal campaign committee pursuant to R.S. 18:1491.3(B) or ~~R.S. 18:1491.3(C)~~ (C) to receive contributions or make expenditures on behalf of the candidate or the principal campaign committee.

* * *

(24) "Transfer of funds" means any money, regardless of amount, received by a committee from another committee or money given by a committee to another committee for any purpose provided for in R.S. 18:1505.2(I).

(25)(a) "Committee" means any legal entity, including an association or political party, or other group of two or more persons, other than a 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. "Committee" includes any

independent expenditure-only committee, leadership committee, political committee, or principal campaign committee, or subsidiary committee thereof.

(b) An entity that during a reporting period has supported candidates in states other than Louisiana; has received less than fifty percent of its total receipts for the applicable reporting period from Louisiana candidates or committees formed to support Louisiana candidates; and has expended less than fifty percent, but not more than fifty thousand dollars, of its total disbursements for the applicable reporting period in support of or in opposition to Louisiana candidates shall not constitute a "committee" for purposes of requirements of R.S. 18:1491.1 through 1491.9 which would require such an entity to keep records and submit reports.

(26) "Coordinated expenditure" means an expenditure made by any person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, his principal campaign committee or a subsidiary committee thereof, or their agents for the purpose of supporting, opposing, or otherwise influencing the nomination or election of the candidate.

(27) "Express advocacy" means communications containing express words of advocacy of election, recall, or defeat, including but not limited to "vote for", "elect", "support", "cast your ballot for", "Smith for Governor", "vote against", "recall", "defeat", or "reject".

(28) "Joint fundraising agreement" means a written agreement between committees or other organizations to engage in joint fundraising efforts, proportionately share expenses of the joint fundraising, and distribute proceeds according to an allotment schedule in accordance with R.S. 18:1491.9.

(29) "Leadership committee" means a committee registered with the supervisory committee which is 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 and that makes expenditures only as authorized by R.S. 18:1505.2(I)(1)(a) and (c).

(30) "Paraphernalia" means campaign pins, buttons, badges, flags, emblems, hats, shirts, banners, literature, and similar items.

(31) "Personal use" means any use of funds of a candidate, principal campaign committee or subsidiary committee thereof, or leadership committee to fulfill a commitment, obligation, or expense that primarily furthers the purposes of the candidate or elected official or his immediate family member not connected to the conduct of a campaign by a candidate or the holding of office and that would exist irrespective of the candidate's campaign or the holding of office.

(32) "Primary purpose" means the purpose of making contributions or expenditures that constitute the preponderance of the association, political party, or group's spending during a calendar year.

§1484. Disclosure reports; persons required to file

Except as otherwise specifically provided, the following persons or their ~~campaign~~ treasurers, if any, shall file reports of contributions and expenditures as more specifically provided in this Chapter:

* * *

(2) Each candidate for any other public office who does either of the following:

(a) Makes expenditures in excess of ~~two thousand five hundred~~ five thousand dollars.

(b) Receives ~~a contribution~~ contributions in excess of ~~two hundred~~ five thousand dollars in the aggregate during the aggregating period. For purposes of this Paragraph only, a contribution by a candidate for his own campaign for a public office other than a major office or district office shall not be considered in determining whether the candidate has received a contribution in excess of ~~two hundred~~ five thousand dollars in the aggregate.

(3) Each ~~political~~ committee.

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§1485. Filing; receipt by supervisory committee; special penalties

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E.(1) Each person and ~~political~~ committee required to file reports pursuant to this Chapter that receives contributions or loans in excess of fifty thousand dollars in a calendar year or which makes expenditures in excess of fifty thousand dollars in a calendar year, other than a candidate or ~~an authorized political principal campaign~~ committee of a candidate or a subsidiary committee thereof or a political committee of a recognized political party, shall file all reports required by this Chapter electronically with the supervisory committee through the Board of Ethics Computerized Data Management System as provided in R.S. 42:1158.

(2) In addition to any other applicable penalties, the failure of a person or ~~political~~ committee required by Paragraph (1) of this Subsection to file a report electronically shall subject such person or ~~political~~ committee to penalties of five hundred dollars per day until the report is filed as required by this Subsection.

* * *

§1486. Proposition and recall elections; required reports; ~~recall elections~~

A.(1) 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 shall be required to file reports of such contributions and expenditures.

~~(2)~~ 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 the recall of a public officer shall be required to file reports of such contributions and expenditures.

~~(3)~~ (2) Except as otherwise specifically provided in this Section and in R.S. 18:1505.4 and 1505.5, the provisions for reporting and filing requirements, prohibited practices, recordkeeping, and penalties applicable to ~~political~~ committees shall apply to persons subject to the provisions of Paragraphs (1) and (2) of this Subsection.

B. ~~These requirements~~ The requirements of Subsection A of this Section shall be applicable only if the aggregate amount of contributions, loans, and transfers of funds received and accepted or expenditures made equals or exceeds ~~two hundred~~

five thousand dollars at any time during the aggregating period; ~~except that, with regard to expenditures made in support of or in opposition to a proposition or question submitted to the voters by a person who is not a candidate or a member of the principal campaign committee of a candidate or of a political committee, these requirements shall be applicable only if the aggregate amount of expenditures made equals or exceeds one thousand dollars.~~ "Aggregating period" for purposes of this Section shall mean the period from the date on which the first contribution is received or the first expenditure is made by the person or ~~political~~ committee, whichever is earlier, through the closing date for the last report required to be filed in accordance with this Chapter.

C.(1) The reports required as provided in Paragraph A(1) of this Section shall be filed not later than the thirtieth day prior to the election, which shall be complete through the fortieth day prior to the election, not later than the tenth day prior to the election, which shall be complete through the twentieth day prior to the election, and not later than the fortieth day after the election, which shall be complete through the thirtieth day after the election. During the period from midnight of the twentieth day prior to the election and extending through midnight of election day a report shall be filed within forty-eight hours after the time any contribution, loan, or transfer of funds is received and accepted or expenditure in excess of ~~two hundred~~ five thousand dollars is made; if such time falls other than during regular working hours, this report shall be filed with the supervisory committee on the next working day after the report is otherwise due. Such report shall provide information relative to such contributions, loans, and transfers of funds and expenditures in excess of ~~two hundred~~ five thousand dollars as provided in R.S. 18:1491.6(C). If the report filed on the fortieth day after the election shows a deficit, the person or ~~political~~ committee reporting shall be required to file supplemental reports as required by R.S. 18:1491.6(D).

(2) Any person or ~~political~~ committee who is required to file reports as provided in ~~Paragraph A(2)~~ Paragraph (A)(2) of this Section shall file reports as provided in this Chapter according to the following schedule:

* * *

(d) If the recall effort is successful in having the recall question submitted to the voters, the person or ~~political~~ committee shall be required to file reports as provided in Paragraph (1) of this Subsection.

* * *

PART II. ~~POLITICAL~~ COMMITTEES

§1491.1. Registration of ~~political~~ committees

A. Each ~~political~~ committee, including a subsidiary committee, which knows or anticipates that it will receive contributions or loans, make expenditures or loans, or make a transfer of funds to or receive a transfer of funds from another committee during a calendar year in the aggregate amount exceeding ~~five hundred~~ one thousand dollars shall file a statement of organization with the supervisory committee annually after January 1 and no later than January 31 of each calendar year. Any such committee organized after January 31 shall file the required statement of organization no later than the tenth day after its organization. Any committee which, after January 31, knows or anticipates that it will receive contributions, loans, or transfers of funds or make expenditures, loans, or transfers of funds in the aggregate in excess of ~~five hundred~~ one thousand dollars during the calendar year shall file the required statement of organization within ten days after the date on which it has information which causes it to know or anticipate that it will receive such contributions, loans, or transfers of funds or make such expenditures, loans, or transfers of funds. If a ~~political~~ committee which knows or anticipates that it will receive contributions, loans, or transfers of funds or make expenditures, loans, or transfers of funds in the aggregate in excess of ~~five hundred~~ one thousand dollars during a calendar year, is organized within ten days prior to any election, it shall file the statement of organization required by this Section no later than the third day after such organizing. Any committee required to file supplemental reports under the provisions of R.S. 18:1491.6 shall file the annual statement of organization. The supervisory committee shall issue a certificate of registration to each committee which submits the statement required by this Subsection.

B. The statement of organization shall include:

* * *

(3) The name and address of the ~~campaign~~ treasurer of the committee, if any, and of any deputy ~~campaign~~ treasurers of the committee.

* * *

(5)

* * *

(d) A statement, if applicable, that the committee is organized as a leadership committee, an identification of the elected official with whom the committee is affiliated, and a certification by the committee that the committee is not making and will not make contributions, whether direct or in-kind, to the principal campaign committee of the elected official with which it is affiliated, or any subsidiary committee thereof, or expenditures for the purpose of supporting the election to public office of the elected official with which it is affiliated, or opposing the election to public office of any opponent of the elected official with which it is affiliated.

(e) A statement, if applicable, that the committee is organized as a joint fundraising committee pursuant to R.S. 18:1491.9 and the name and mailing address of each committee and organization participating in the joint fundraising agreement that designates the committee as the joint fundraising committee.

* * *

D. No committee shall receive contributions or loans, make expenditures or loans or make a transfer of funds to or receive a transfer of funds from another committee in the aggregate in excess of ~~five hundred~~ one thousand dollars in any calendar year until it has filed the annual statement of organization required by this Section. Any committee which violates the provisions of this Subsection shall be subject to the penalties provided in R.S. 18:1505.5 and R.S. 18:1505.6.

* * *

§1491.2. Statement of dissolution

A.~~(1)~~ Each ~~political~~ committee, ~~including any subsidiary committee~~, which after having filed an annual statement of organization wishes to dissolve shall file a statement of dissolution with the supervisory committee prior to dissolving stating that the committee has determined either of the following: ~~or disband and (1) determines that~~

(a) That it no longer meets the criteria set forth in R.S. 18:1491.1(A), ~~or (2) determines that~~

(b) That it will no longer receive any contributions, loans, or transfers of funds and will no longer make any expenditures, loans, or transfers of funds, ~~shall file a statement of dissolution with the supervisory committee prior to dissolving.~~

(2) No committee which has unpaid debts or obligations or which has any funds on hand shall file a statement of dissolution; until any debts or obligations have been paid or otherwise extinguished and any funds have been expended or otherwise distributed.

(3) A statement of dissolution shall include the following: ~~(1) a~~

(a) A certified statement by the committee chairman and ~~campaign~~ treasurer, if any, that the committee has not received contributions, transfers of funds, or loans, or made expenditures, transfers of funds, or loans in the aggregate during the calendar year in excess of ~~five hundred~~ one thousand dollars and does not anticipate doing so, or ~~(2) a certified statement by the committee chairman and campaign treasurer, if any,~~ that the committee will receive no contributions, transfers of funds, or loans and will make no expenditures, transfers of funds, or loans, during the remainder of the calendar year.

(b) ~~The committee shall file a~~ A report of contributions and expenditures containing the information required in R.S. 18:1491.7. ~~with the statement of dissolution.~~

B. No ~~political~~ committee shall dissolve or file a statement of dissolution as provided in Subsection A ~~above~~ of this Section and reorganize under a modified name, charter, or organizational structure ~~merely~~ as a subterfuge to avoid the reporting and other requirements of this Part. Any committee which dissolves or

files a statement of dissolution as provided in Subsection A ~~above of this Section~~ and is thereafter recreated with substantially the same membership and purposes with the intent to avoid the requirements of this Part, for purposes of this Part, shall be deemed not to have been dissolved and shall be subject to the provisions of this Part as if no dissolution had taken place and no statement of dissolution filed. In addition, any committee which violates the provisions of this Subsection shall be subject to the penalties provided in R.S. 18:1505.4, 1505.5, and 1505.6 ~~R.S. 18:1505.5, and R.S. 18:1505.6.~~

§1491.3. Principal campaign committees; subsidiary committees; consolidation of reports

A. Each candidate may designate only one ~~political committee~~ as his principal campaign committee. Such designation shall be in writing and a copy thereof shall be filed with the supervisory committee no later than ten days after such designation is made. Any committee which designates subsidiary committees shall be a principal campaign committee and shall file a self-designation as a principal campaign committee with the supervisory committee at the time it first files a designation of a subsidiary committee. A principal campaign committee of a candidate shall report, in lieu of the candidate, all information required to be reported by the candidate pursuant to R.S. 18:1495.4 and R.S. 18:1495.5.

* * *

§1491.4. ~~Campaign Committee~~ treasurers; campaign depositories; expenditures; petty cash fund

A. The chairman of each ~~political~~ committee shall be the ~~campaign~~ treasurer of the ~~political~~ committee, unless the ~~political~~ committee appoints a ~~campaign~~ treasurer. ~~Political committees~~ Committees also may appoint one or more deputy ~~campaign~~ treasurers. The names and addresses of any ~~campaign~~ treasurer or deputy ~~campaign~~ treasurer so appointed shall be filed with the supervisory committee in the statement of organization required by R.S. 18:1491.1, or if appointed after the statement of organization is filed, the names and addresses of any ~~campaign~~ treasurer

or deputy ~~campaign~~ treasurer shall be reported to the supervisory committee within ten days following appointment.

B.(1) Any person may solicit contributions for or on behalf of the ~~political~~ committee, or sell political paraphernalia, ~~including such items as buttons, flags and literature,~~ or tickets to a testimonial or other fund-raising event, provided that all contribution(s) or proceeds are transmitted directly to the chairman of the ~~political~~ committee or its ~~designated~~ treasurer or a ~~designated~~ deputy treasurer of the ~~committee~~ together with such information as may be required by this Chapter. No chairman of a ~~political~~ committee or designated treasurer or deputy treasurer shall accept such funds without such information and they shall be responsible under the provisions of this Chapter for any errors and omissions in records or reports of such funds. Any contributions or transfer of funds received by a ~~political~~ committee which has appointed a ~~campaign~~ treasurer shall be transferred to the ~~campaign~~ treasurer.

(2) When any person who is not the ~~campaign~~ treasurer or a deputy treasurer of a ~~political~~ committee makes any expenditure for the committee, he shall transmit directly to the ~~campaign~~ treasurer or a deputy treasurer all information concerning the expenditure required by this Chapter. The ~~campaign~~ treasurer of the committee shall be responsible under the provisions of this Chapter for any errors or omissions in the records or reports of such expenditures.

(3) For purposes of all reports required by this Chapter, all contributions received by or transferred to a ~~campaign~~ treasurer or a deputy treasurer of a ~~political~~ committee, and all expenditures made by a ~~campaign~~ treasurer or a deputy treasurer of a ~~political~~ committee or by any other person on behalf of the committee, shall be considered contributions or expenditures of the ~~political~~ committee.

C. ~~Deputy campaign treasurers~~ A deputy treasurer of a committee may exercise any of the powers and duties of a ~~campaign~~ treasurer as set forth in this Chapter when specifically authorized to do so by the ~~campaign~~ treasurer and the chairman of the ~~political~~ committee.

D.(1) The chairman of each ~~political~~ committee shall designate one or more national or state banks or state or federally chartered savings and loan associations or savings banks, or state or federally chartered credit unions, as the campaign depositories of the committee and may invest in a money market mutual fund, certificate of deposit, or United States treasury security and designate such investment or fund as a campaign depository. The committee chairman, the committee ~~campaign~~ treasurer, and any deputy treasurers shall deposit any contributions received by them into an account or accounts maintained at such depository or depositories. No expenditure shall be made by any committee chairman, committee ~~campaign~~ treasurer, deputy treasurer, or any other person on behalf of the committee, except by check drawn on such account or accounts, except as specifically provided in Paragraph (2) of this Subsection and Subsection E of this Section. Each check drawn on any such account shall be made payable to a specific person, except a check made payable to petty cash. Each check drawn on such an account shall indicate the objects or services for which such check is drawn and such check shall be maintained as part of the records required by R.S. 18:1491.5. The name and address of such campaign depository so designated shall be filed with the supervisory committee in the statement of organization required by R.S. 18:1491.1. If any additional depositories are designated, they shall be reported within ten days following such designation as required by R.S. 18:1491.1.

(2) An expenditure may be made by a committee chairman, committee ~~campaign~~ treasurer, deputy treasurer, or other authorized person on behalf of the committee by electronic funds transfer provided that the transfer of funds is to a specific person and that records are maintained as to the objects or services for which such transfer of funds was made. Detailed records of each electronic fund transfer shall be maintained as part of the records required by R.S. 18:1491.5.

(3) A ~~political~~ committee, which is not the principal campaign committee or designated subsidiary committee of a candidate, or that makes a contribution to a candidate or to the principal campaign committee or designated subsidiary committee of a candidate shall clearly indicate to the candidate or the principal

campaign committee or designated subsidiary committee of the candidate that the contribution is from a political committee either by a designation on the check or by a separate notification attached to the contribution.

E. A ~~political~~ committee may maintain a petty cash fund or funds. A petty cash fund shall be maintained on an imprest system, that is, expenditures may be made in cash from the fund, and the fund shall from time to time be restored to its original amount by a transfer of funds from other committee funds of a sum equal to the aggregate of the sums expended from the fund. No expenditure in excess of two hundred dollars shall be made from the petty cash fund, and no expenditure shall be made from the petty cash fund for any personal services, except for gratuities paid for the serving of food or drink. No expenditure shall be made from the petty cash fund in violation of R.S. 18:1531. A complete record of petty cash expenditures shall be maintained in accordance with the provisions of R.S. 18:1491.5(D).

§1491.5. Maintenance of records; valuation of in-kind contributions and expenditures

A. The chairman of each ~~political~~ committee and the ~~campaign~~ treasurer, ~~if the chairman does not act as campaign treasurer~~, shall be responsible for providing and maintaining such records of ~~campaign~~ the finances of the committee as are necessary to comply with the provisions of this Part, including but not limited to the records specifically required by this Section.

B.(1) Except as otherwise provided in this Section, the ~~campaign~~ treasurer of each ~~political~~ committee shall keep such records of ~~campaign~~ contributions received and accepted by him or a deputy treasurer as shall be necessary to comply with the provisions of this Part, including the names and addresses of all contributors, and the date of each contribution, the amount or value of the contribution of whatever value, and a description and valuation of all in-kind contributions.

(2) Payments made to purchase raffle tickets, ~~campaign~~ or paraphernalia; ~~such as campaign pins, buttons, badges, flags, emblems, hats, shirts, banners, literature, and similar items~~, other than expenditures made by a ~~political~~ committee

for its 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 raffle tickets or ~~of items such as campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar material~~ paraphernalia which is for an amount not in excess of ~~twenty-five~~ fifty 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 raffle tickets or ~~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, 1505.5, and 1505.6 ~~R.S. 18:1505.5, and R.S. 18:1505.6.~~

(3) The ~~campaign~~ treasurer of each ~~political~~ committee shall also keep such records of campaign expenditures made or contracted as shall be necessary to comply with the provisions of this Part, including the name and address of the person or firm from whom goods or services were purchased or contracted, the date, the amount or value and the purpose of the expenditure, a description of the goods or services purchased or contracted, and a description and valuation of all in-kind expenditures.

* * *

E. A record shall be kept of each loan made by the committee to or from any person or ~~political~~ committee, together with the full name and address of the lender, of the recipient of the proceeds of the loan, and of any person who makes any type of security agreement binding himself or his property, directly or indirectly, for the

repayment of all or any part of the loan. In addition, a record shall be kept of the repayment of each such loan and of the source of funds expended for repayment.

* * *

H. Expenditures made by a public relations firm, an advertising agency, or agent for a ~~political~~ committee shall be considered expenditures of the ~~political~~ committee and must be specifically reported as required by this Part. Each such firm, agency, or agent shall timely furnish to such ~~political~~ committee such information relative thereto as may be required for compliance with this Part. Failure by any such firm, agency or agent to timely furnish a ~~political~~ committee such information required for compliance with this Part shall be grounds for a civil action for damages.

I. A ~~campaign~~ treasurer shall preserve records required by this Part for six years; ~~except~~ However, a ~~campaign~~ treasurer for a committee which supports only one candidate shall preserve such records for two years after the final report which he is required by this Part to file for the election has been filed, including any supplemental reports required.

J. The accounts and records kept by a ~~campaign~~ treasurer under the provisions of this Part shall be available for inspection or use by the supervisory committee in connection with any investigation pursuant to this Chapter, or by any grand jury or court in connection with any proceeding instituted under the provisions of this Chapter; however, such accounts and records shall be kept strictly confidential by the supervisory committee and any court, except to the extent any contents thereof may become a public record in any judicial proceeding to enforce the provisions of this Chapter.

§1491.6. Reports required; reporting times and periods

A. The chairman of a ~~political~~ committee and the ~~campaign~~ treasurer of the committee, if any, shall be responsible for filing a report of all information required in this Section and R.S. 18:1491.7 with the supervisory committee at the times required in this Section. The ~~political~~ committee chairman and ~~campaign~~ treasurer ~~of the committee~~, if any, shall certify, in each report, that the information contained

in the report is true and correct to the best of their knowledge, information, and belief, that no expenditures have been made and no contributions have been received that are not reported therein, and that no information required by this Part has been deliberately omitted.

B. A report shall be filed for a ~~political~~ committee for each regularly scheduled election in which the committee participates according to the following schedule:

* * *

C. During the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day, and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, each committee which is participating in the election shall file a report with the supervisory committee of:

(1)(a) The full name and address of each person from whom the committee has received and accepted a contribution, loan, or transfer of funds during such period in excess of the following amounts: a committee participating in the election of a candidate for any major office, ~~one~~ two thousand dollars; a committee participating in the election of a candidate for district office, ~~five hundred~~ one thousand dollars; a committee participating in the election of a candidate for any other office, ~~two~~ five hundred ~~fifty~~ dollars. If the committee is participating in the election of candidates for offices with different reporting amounts, the amount shall be the lowest for any candidate in whose election the committee is participating or in which any committee is participating to which it makes or from which it receives a transfer of funds.

* * *

(2) Any expenditure in excess of ~~two~~ five hundred dollars made to a candidate, committee, or person required to file reports by this Chapter, who makes endorsements, including the full name and address of each person to whom such expenditure is made, the amount, date and purpose of each such expenditure, and a brief description and valuation of an in-kind expenditure.

* * *

D.(1) If the final report of a ~~political~~ committee for an election, as required by Paragraph (5), (6), or (7) of Subsection B of this Section, or the most recent monthly report of a such committee pursuant to Subsection I of this Section shows a deficit or a surplus, the chairman and treasurer of the committee, if any, shall file supplemental reports with the supervisory committee of all information required in R.S. 18:1491.7. Such reports shall be filed annually no later than February ~~fifteenth~~ twenty-eighth and shall be complete through the preceding December thirty-first. Such a supplemental report shall be filed each year until a report has been filed which shows no deficit and until any surplus campaign funds have been disposed of in accordance with R.S. 18:1505.2(I). The report on surplus funds shall disclose the disbursement of such funds in the same manner as expenditures are reported.

(2) A "deficit", for purposes of this Subsection, means debts or obligations owed by the ~~political~~ committee which are required to be reported by R.S. 18:1491.7(B)(14).

(3)(a) A report need not be filed under this Subsection if the committee is dissolved ~~or disbanded~~ and shows a deficit of less than ~~two thousand five hundred~~ five thousand dollars. However, if the ~~political~~ committee is dissolved ~~or disbanded~~ and its deficit is equal to or greater than ~~two thousand five hundred~~ five thousand dollars, the ~~political~~ committee shall file supplemental reports with the supervisory committee of all information required in R.S. 18:1491.7. Such report shall be filed annually no later than February ~~fifteenth~~ twenty-eighth and shall be complete through the preceding December thirty-first. Such report shall be filed each year for five years or until a report has been filed which shows no deficit or surplus.

(b) However, if after five years ~~the political~~ a committee with a deficit receives any contribution or if any repayment occurs on an outstanding debt or loan, such ~~political~~ committee shall file a supplemental report by the following February ~~fifteenth~~ twenty-eighth which shall be complete through the preceding December thirty-first.

(c) If the ~~political~~ committee has surplus campaign funds, a report need not be filed under this Subsection if such ~~political~~ committee files an annual report in accordance with Subsection E of this Section which includes such surplus campaign funds.

E. A report shall be filed for each committee of all information required in R.S. 18:1491.7 no later than February ~~fifteenth~~ twenty-eighth of each year which shall be complete as of the preceding December thirty-first. The annual report required by this Subsection shall not be required:

* * *

G. The reporting period for all reports of ~~political~~ committees, except the first report of a committee, shall be the period from the time through which the preceding report was complete through the closing date for the particular report. The reporting period for the first report of a committee shall be the period from the time when the committee was organized through the closing date for the particular report.

* * *

I.(1) A political committee ~~other than a principal or subsidiary campaign committee of a candidate~~ or an independent expenditure-only committee, may file monthly reports due no later than the ~~tenth~~ fifteenth 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 rather than file the reports otherwise required by Subsections B, (C)(1), and F of this Section.

(2) Such monthly reports shall include all of the information required to be included in a report pursuant to R.S. 18:1491.7.

(3) A political committee or an independent expenditure-only committee wishing to file monthly reports may do so upon written notification to the supervisory committee of its intention to do so delivered to the supervisory committee no less than forty-five days prior to the due date for the next report the committee would otherwise be required to file. The committee shall file its first monthly report no later than the month following the month in which such

notification is so delivered. Such report shall include all information required for reports pursuant to R.S. 18:1491.7 for the period since the committee's last report.

(4) Nothing in this Subsection shall exempt a political committee or an independent expenditure-only committee from filing the reports required by Paragraphs (2) and (3) of Subsection C of this Section.

J. The provisions of this Section shall not apply to reports filed by a leadership committee.

§1491.6.1. Leadership committees; reports required

A. A leadership committee shall file monthly reports due no later than the fifteenth 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.

B. Monthly reports filed as provided in this Section shall include all of the information required to be included pursuant to R.S. 18:1491.7.

§1491.7. Reports; contents

A.(1) Unless otherwise specifically provided, each report required by this Part shall contain the following information:

~~(1) (a) the~~ The name and address of the ~~political~~ committee for whom the report is ~~filed~~; filed.

~~(2) (b) the~~ The name and address of the treasurer completing the ~~report~~; report.

~~(3) (c) the~~ The names and addresses of the committee chairman and of the other principal ~~officers~~; officers.

(2) Unless otherwise specifically provided, each report by a political committee, principal campaign committee, or independent expenditure-only committee required by this Part shall contain the following information:

~~(4) (a) the~~ The name, address, office sought, and party affiliation of each candidate whom the committee is supporting or opposing, and a designation as to whether such committee is supporting or opposing such ~~candidate~~; candidate.

~~(5) (b) whether~~ Whether the committee is supporting or opposing the entire ticket of any party, and, if so, the name of the ~~party,~~ party.

~~(6) (c) if~~ If the report is for a principal campaign committee, a statement that the committee is a principal campaign committee and the name of the candidate, ~~if any,~~ and of all subsidiary committees for whom the principal campaign committee is reporting and the address of such committees, or if a committee has no address, the address of the committee chairman.

(3) Unless otherwise specifically provided, each report by a leadership committee required by this Part shall contain the name of the elected official with whom the leadership committee is affiliated.

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

* * *

(4) Contributions received during the reporting period for which the report is being completed shall be reported, and the same shall be reported irrespective of the amount thereof except as otherwise provided, as follows:

(a) The full name and address of each person who has made one or more contributions, except contributions in the form of a payroll deduction or dues check-off system, to and which have been received and accepted by the ~~political~~ committee during the reporting period; the aggregate amount of such contributions, except in-kind contributions, from each person, and the date and amount of each such contribution; and a brief description of each in-kind contribution from each person, the valuation thereof made by the chairman and the ~~campaign~~ treasurer, and the date of the in-kind contribution.

(b) The full name and address of each person who has made one or more contributions in the form of a payroll deduction or dues check-off system in excess of ~~five~~ twenty-five dollars in the aggregate in a calendar year to and which have been received and accepted by the ~~political~~ committee during the reporting period, and the date and amount of each contribution. In the case of a political committee that supports multiple candidates or issues and receives over ten thousand contributions

in the form of a payroll deduction or dues check-off system when no single contributor contributes in excess of ~~twenty-four~~ fifty dollars in the aggregate in a calendar year, such committee may elect to report the names and addresses of its contributors on an annual basis. Political committees making this election shall list the names and addresses of its contributors, the total amount of the contributions received per contributor, and the schedule of the receipt of such contributions on the annual report due by February ~~fifteenth~~ twenty-eighth complete through the preceding December thirty-first.

* * *

(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~~ paraphernalia. Purchases of ~~campaign items and materials~~ paraphernalia 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, as provided in Paragraph (4) of this Subsection, shall be so reported; however, single transactions to purchase ~~campaign items or materials~~ paraphernalia which are not in excess of ~~twenty-five~~ fifty 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~~ fifty 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.

(6) The gross proceeds received and accepted by the ~~political~~ committee during the reporting period from the sale of tickets to testimonials or similar

fundraising events. The proceeds of any such sale shall be considered a contribution, and such contributions shall also be reported as provided in Paragraph (4).

(7) The name and address of each ~~political~~ committee from which the reporting ~~political~~ committee received and accepted any transfer of funds during the reporting period, and the amount of each such transfer.

(8) Any other cash receipts, not contributions, received from any other source not included above during the reporting period, for example, refunds of overpayments or excess contributions and the nature, source, and an explanation thereof.

* * *

(10) The date and amount of each loan for campaign purposes made or received by the ~~political~~ committee to or from any person or ~~political~~ committee during the reporting period, together with the full name and address of the lender, of the recipient of the proceeds of the loan, and of any person who makes any type of security agreement binding himself or his property, directly or indirectly, for the repayment of all or any part of the loan.

* * *

(13) The full name and address of each person to whom an expenditure has been made by the committee during the reporting period. The amount, a description of the purpose as it relates to the expenditure, the date of each expenditure, and, for all committees other than leadership committees, the name and address of and office sought by candidates on whose behalf each such expenditure was made shall be reported. A brief description of an in-kind expenditure shall be given, as well as the valuation made by the chairman and the ~~campaign~~ treasurer and the date(s) of the expenditure. When multiple expenditures have been made to the same person during the reporting period, the aggregate amount of such expenditures, other than in-kind expenditures, and the aggregate valuation of in-kind expenditures shall be reported for each such person. The aggregate of all expenditures made during the reporting period, other than in-kind expenditures, and the aggregate valuation of all in-kind

expenditures shall also be reported. The aggregate amount expended for each candidate shall also be reported.

(14) The amount and nature of debts and obligations owed by or to the ~~political~~ committee during the reporting period which relate to the conduct of any political campaign, including but not limited to loans required to be reported under Paragraph (10) of this Subsection.

* * *

(18) The name and address of each ~~political~~ committee to which the reporting ~~political~~ committee made a transfer of funds, during the reporting period, and the date and amount of each such transfer.

* * *

(22) The total amount of expenditures during the reporting period made in relation to the publication, distribution, transportation, or transmission of statements relative to candidates ~~or propositions~~ which do not fully disclose the name of the individual or the name of the association, organization, committee, or corporation and the full and correct name and address of its chairman or other chief administrative officer and whether or not such individual, association, organization, committee, or corporation supports or opposes such candidate ~~or proposition~~.

C.(1) Expenditures made by a public relations firm, an advertising agency, or agent for a ~~political~~ committee shall be considered expenditures of the ~~political~~ committee and must be reported as required by this Section. Each such firm, agency, or agent, which makes any expenditure for any ~~political~~ committee shall timely furnish to such ~~political~~ committee such information relative thereto as may be required for compliance with this Part.

(2) The committee may report expenditures made to a public relations firm, advertising agency, or agent as an expenditure made to the public relations firm, advertising agency, or agent if the expenditure is less than five thousand dollars. However, expenditures of five thousand dollars or more made to a public relations firm, advertising agency, or agent shall be reported as expenditures made to the payee.

* * *

§1491.8. Small campaigns; affidavit in lieu of reports

Any ~~political~~ committee which did not receive a contribution in excess of ~~two~~ five hundred dollars and which did not make expenditures totaling in excess of ~~five~~ ten thousand dollars in the aggregate during the aggregating period, may file an affidavit setting out such facts, in lieu of any report required by R.S. 18:1491.6; but a separate affidavit shall be required in lieu of any such report.

§1491.9 Joint fundraising; joint fundraising representative or committee; authority, requirements, and prohibitions

A.(1) Committees may, pursuant to a written joint fundraising agreement, engage in joint fundraising efforts with other committees registered with the supervisory committee pursuant to this Chapter, committees registered with the Federal Election Commission, or with unregistered committees and organizations including any of the following:

- (a) A principal campaign committee.
- (b) A state party central committee, or committee designated thereby.
- (c) A leadership committee.
- (d) An independent expenditure-only committee.
- (e) An organization exempt from federal income tax under Section 501 of the Internal Revenue Code.
- (f) An entity that accepts contributions and makes expenditures for a gubernatorial transition and inauguration pursuant to R.S. 18:1501.3.

(2) For purposes of this Section, "participants" means all committees and organizations that enter into a joint fundraising agreement.

B. (1) Prior to engaging in joint fundraising activities, the participants shall execute a joint fundraising agreement. The agreement shall designate a joint fundraising representative as provided in Subsection C of this Section and establish an allocation formula as provided in Subsection E of this Section.

(2) The joint fundraising representative shall file the written agreement with the supervisory committee within ten days after the date that the agreement is

executed. If a committee is designated as the joint fundraising representative, the committee chairman shall file the written joint fundraising agreement with the supervisory committee within ten days after the date that the agreement is executed or within ten days following the date that the committee's statement of organization is filed with the supervisory committee, whichever is later. A joint fundraising committee's statement of organization and written joint fundraising agreement may be filed electronically by facsimile or through the Board of Ethics Computerized Data Management System as provided in R.S. 18:1485 and R.S. 42:1158.

(3) The joint fundraising representative shall retain the written joint fundraising agreement for a period of at least six years following the last joint fundraising effort conducted pursuant to the agreement.

C. The participants shall designate a joint fundraising representative pursuant to one of the following:

(1) The participants may designate a person, including a professional fundraising firm, accounting firm, or other agent, to serve as the joint fundraising representative. In such case, each participant shall report the contributions received through a joint fundraising effort as if the contributions were received directly by the participant from the contributor and as if the participant's share of expenses of the joint fundraising effort were made directly by the participant, to be reported as an expenditure of the participant. Notwithstanding R.S. 18:2(17), a person shall not be considered a political committee if acting solely as a financial agent to solicit and receive contributions for participants, distribute contributions to participants, or make expenditures on behalf of participants as provided in this Section.

(2) The participants may designate a political committee to serve as the joint fundraising representative, referred to in this Section as a "joint fundraising committee". A joint fundraising committee shall report all contributions made to the joint fundraising effort as contributions to the joint fundraising committee and shall report the distribution of proceeds pursuant to this Section as expenditures made to the participants pursuant to R.S. 18:1491.6, 1491.6.1, and 1491.7. Each participant shall report the amounts received from the joint fundraising committee as

contributions from each contributor. The joint fundraising committee chairman shall be responsible for all duties of the joint fundraising representative provided for in this Section. Within ten days following the execution of the joint fundraising agreement, the joint fundraising committee shall file a statement of organization with the supervisory committee as provided in R.S. 18:1491.1.

D. (1) The joint fundraising representative shall make expenditures and shall collect contributions, pay fundraising costs from gross proceeds and from funds advanced by participants, and disburse net proceeds to each participant as provided in this Section.

(2) The joint fundraising representative shall be responsible for managing all joint fundraising activities, including but not limited to the following:

- (a) Recordkeeping and reporting as required by this Chapter or federal law.
- (b) Collecting all contributions on behalf of the participants.
- (c) Paying all costs of the joint fundraising effort incurred with gross proceeds from the dedicated depository account or from funds contributed to the dedicated depository account by the participants.
- (d) Distributing net proceeds to each participant according to the allocation formula or as otherwise provided in this Section.

E. The allocation formula adopted by the participants shall be stated in the written agreement as the amount or percentage of each contribution received to be allocated to each participant. If a participant participates solely for purposes of receiving contributions to retire outstanding debts, the allocation formula shall provide that if contributions allocated to the participant exceed the outstanding debts, the allocation formula shall be adjusted.

F. The joint fundraising representative shall establish a dedicated depository account to be used solely for the receipt of contributions received through the joint fundraising effort, the payment of costs associated with the joint fundraising effort, and distribution of contributions received to the participants. Only lawful contributions and advanced funds shall be deposited into the dedicated depository account.

G.(1) The fundraising representative shall collect and provide to participants all contributor information required by R.S. 18:1491.7.

(2) Participants shall provide to the joint fundraising representative all contributor information related to contributions received by the participant during the contribution period.

(3) Prior to distributing any contributions received through the joint fundraising effort, the joint fundraising representative and participants shall review contributor records and determine whether any contributions violate the provisions of this Chapter.

H.(1) Except as provided in Paragraph (2) of this Subsection, the amount of funds advanced by each participant for fundraising costs shall be made in proportion to the allocation formula.

(2) A participant may advance more than its proportionate share of the fundraising costs, however, the amount advanced in excess of the participant's proportionate share shall be considered a contribution made to the other participants in accordance with the allocation formula, subject to the contribution limitations provided in R.S. 18:1505.2.

I.(1) A person not otherwise prohibited by this Chapter from making contributions to each participant may make a contribution to a joint fundraising effort, subject to the contribution limits provided in R.S. 18:1505.2.

(2) The maximum contribution that may be received by the joint fundraising representative from a contributor shall not exceed the contribution limitations set forth in R.S. 18:1505.2 for each participant in the aggregate less any contributions previously received by each respective participant from the specific contributor.

(3) Contributions may be designated by a contributor for a specific participant or participants. The calculation of the maximum contribution limitation for that specific contribution shall only include the maximum lawful amount for the participant or participants from the particular contributor.

(4) For purposes of calculating the maximum contribution limitation, gross proceeds shall be considered for the calculation of the amount of funds received by each participant.

J. The joint fundraising representative shall deposit all contributions received through the joint fundraising effort in the dedicated depository account. If one or more participants may lawfully accept contributions that another participant may not lawfully accept, the joint fundraising representative may either deposit such contributions in a second depository account established for that purpose or may forward such contributions directly to the appropriate participant or participants.

K.(1) The joint fundraising representative may distribute fundraising proceeds to participants only after sufficient contributions are received and correlating fundraising costs are paid.

(2) For reporting purposes, the date a contribution is deposited in the account of the party responsible for reporting the contribution shall be deemed the date of receipt of the contribution. For electronic transmission of a contribution, the date of the completed transmission to the party responsible for reporting the contribution shall be deemed the date of the receipt of the contribution.

(3) Participants shall report joint fundraising proceeds in accordance with R.S. 18:1491.6, 1491.6.1, and 1491.7 in the reporting period in which they are received by the participant. If any contributor's information is not known by the close of the reporting period, the participant or participants shall report all available information and amend the appropriate report once all contributor information is known, but no later than fifteen days after the close of the reporting period.

L.(1) Reallocation of surplus funds shall be based upon the remaining participants' proportionate shares under the allocation formula. However, if reallocation would result in a violation of a contribution limit provided in R.S. 18:1505.2 or federal law, the joint fundraising representative shall return to the contributor the amount of the contribution that exceeds the limit.

(2) Notwithstanding Paragraph (1) of this Subsection, designated contributions which exceed the contributor's limit to the designated participant may

not be reallocated by the fundraising representative without the prior written permission of the contributor.

M.(1) Fundraising costs of a joint fundraising event shall be paid by the joint fundraising representative from the gross proceeds of the event.

(2) The joint fundraising representative shall calculate each participant's proportionate share of fundraising costs based on the allocation formula set forth in the joint fundraising agreement. If any contributions are received from prohibited sources and distributed only to participants that may lawfully accept such contributions or contributions are designated for a certain participant or participants, those funds shall not be included in gross proceeds for the purpose of allocating expenses.

(3) The joint fundraising representative shall calculate each participant's share of the proceeds by subtracting fundraising costs from the gross proceeds and allocating the remaining amount in accordance with the allocation formula.

(4) The costs from a series of fundraising events or activities shall be allocated among the participants of each individual event.

N. Any solicitation for contributions made pursuant to this Section shall include a joint fundraising notice. The notice may be made accessible via a hyperlink or QR code, provided the recipient shall take no more than one action to view the disclaimer. The notice shall include the following information:

(1) The names of all the participants of the joint fundraising effort.

(2) The allocation formula adopted by the participants.

(3) A statement that, notwithstanding the allocation formula, a contributor may designate a contribution for a particular participant or participants.

(4) A statement that contributions will be distributed in accordance with the allocation formula unless the distribution would exceed the maximum contribution that may be received by a participant, a participant is prohibited from accepting a contribution from the contributor, or the contribution is designated for a particular participant or participants.

(5) If one or more participants engage in a joint fundraising activity solely to receive contributions to pay outstanding debts, a statement informing contributors that the allocation formula may be adjusted if a participant receives sufficient contributions to pay its outstanding debts.

(6) A statement that contributions will be distributed only to those participants that may lawfully accept them.

O. The joint fundraising representative shall retain all records required by R.S. 18:1491.5 regarding disbursement of contributions for a period of at least six years following the date of the disbursement.

* * *

§1495.2. Campaign treasurers; campaign depositories; expenditures; petty cash fund

A. The candidate shall be his own campaign treasurer, unless he appoints a campaign treasurer. ~~Candidates also may appoint one or more deputy campaign treasurers.~~ The ~~names and addresses of any~~ name and address of the campaign treasurer ~~or deputy campaign treasurer so appointed~~ shall be filed with the supervisory committee at the time of the first report following appointment. Changes in appointment shall be reported in the first report after such change.

B.(1) Any person may solicit contributions for or on behalf of a candidate; or sell ~~political paraphernalia, including such items as buttons, flags and literature,~~ or tickets to a testimonial or other fund-raising event, provided that all contribution(s) or proceeds are transmitted directly to the candidate or his designated treasurer ~~or a designated deputy treasurer~~ together with such information as may be required by this Chapter. No candidate or designated treasurer ~~or deputy treasurer~~ shall accept such funds without such information and they shall be responsible under the provisions of this Chapter for any errors and omissions in records or reports for such funds. Any contribution received by a candidate who has appointed a campaign treasurer shall be transferred to the campaign treasurer.

(2) When any person who is not the campaign treasurer ~~or a deputy treasurer~~ of a candidate makes any expenditure for the candidate, he shall transmit directly to

the campaign treasurer ~~or a deputy treasurer~~ all information concerning the expenditure required by this Chapter. The candidate and his campaign treasurer, if any, shall be responsible under the provisions of this Chapter for any errors or omissions in the records or reports of such expenditures.

(3) For purposes of all reports required by this Chapter, all contributions received by or transferred to a campaign treasurer ~~or a deputy treasurer~~ of a candidate and all expenditures made by a campaign treasurer ~~or a deputy treasurer~~ ~~of a candidate~~ or by any other person on behalf of the candidate, shall be considered contributions or expenditures of the candidate.

~~C. Deputy campaign treasurers of a candidate may exercise any of the powers and duties of a campaign treasurer as set forth in this Chapter when specifically authorized to do so by the campaign treasurer and the candidate.~~

~~D.~~(1) The candidate shall designate one or more national or state banks or state or federally chartered savings and loan associations or savings banks, or state or federally chartered credit unions, as his campaign depositories and may invest in a money market mutual fund and designate such fund as a campaign depository. The candidate, and his campaign treasurer, ~~and any deputy treasurers~~ shall deposit any contributions received by them into an account or accounts maintained at such depository or depositories. No expenditure shall be made by any candidate, campaign treasurer, ~~deputy treasurer~~, or any other person on behalf of the candidate, except by check drawn on such account or accounts, except as specifically provided in Paragraph (2) of this Subsection and Subsection ~~E~~ D of this Section. Each check drawn on any such account shall be made payable to a specific person, except a check made payable to petty cash. Each check drawn on such an account shall indicate the objects or services for which such check is drawn and such check shall be maintained as part of the records required by R.S. 18:1495.3. The name and address of each campaign depository so designated shall be filed with the supervisory committee in the first report after such designation. If any additional depositories are designated, they shall be reported in the first report following such designation.

(2) An expenditure may be made by the candidate, campaign treasurer, ~~deputy treasurer~~, or other authorized person on behalf of the candidate by electronic funds transfer provided that the transfer of funds is to a specific person and that records are maintained as to the objects or services for which such transfer of funds was made. Detailed records of each electronic fund transfer shall be maintained as part of the records required by R.S. 18:1495.3.

E.D. A candidate may maintain a petty cash fund or funds. A petty cash fund shall be maintained on an imprest system, that is, expenditures may be made in cash from the fund, and the fund shall from time to time be restored to its original amount by a transfer of funds from other funds of the candidate of a sum equal to the aggregate of the sums expended from the fund. No expenditure in excess of two hundred dollars shall be made from the petty cash fund, and no expenditure shall be made from the petty cash fund for any personal services, except for gratuities paid for the serving of food or drink. No expenditure shall be made from the petty cash fund in violation of R.S. 18:1531. A complete record of petty cash expenditures shall be maintained in accordance with the provisions of R.S. 18:1495.3(D).

E. Any person not prohibited by law from doing so, including any candidate or elected official, may solicit contributions on behalf of any committee. Any such contributions shall be considered contributions made to the committee and reported by the respective committee pursuant to R.S. 18:1491.6 and 1491.7.

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

* * *

B.(1) Except as otherwise provided in this Section, the campaign treasurer for each candidate shall keep such records of campaign contributions received and accepted by him ~~or a deputy treasurer~~ as shall be necessary to comply with the provisions of this Part, including the names and addresses of all contributors, the date of each contribution, the amount or value of the contribution of whatever value, and a description and valuation of all in-kind contributions.

(2) Payments made to purchase raffle tickets; or 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 raffle tickets or ~~of items such as campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar material~~ paraphernalia which is for an amount not in excess of ~~twenty-five~~ fifty 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.

* * *

E. A record shall be kept of each loan made by the candidate to or from any person or ~~political~~ committee, together with the full name and address of the lender, of the recipient of the proceeds of the loan, and of any person who makes any type of security agreement binding himself or his property, directly or indirectly, for the repayment of all or any part of the loan. In addition, a record shall be kept of the repayment of each such loan and of the source of funds expended for repayment.

* * *

§1495.4. Reports required; reporting times and periods; extension

* * *

C. During the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day, and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, each candidate shall file a report with the supervisory committee of:

(1)(a) The full name and address of each person from whom the candidate has received and accepted a contribution or loan during such period in excess of the following amounts: a candidate for any major office, ~~one~~ two thousand dollars; a

candidate for district office, ~~five hundred~~ one thousand dollars; a candidate for any other office, ~~two hundred fifty~~ five hundred dollars.

* * *

(2) Any expenditure in excess of ~~two~~ five hundred dollars made to a candidate, committee, or person required to file reports by this Chapter, who makes endorsements, including the full name and address of each person to whom such expenditure is made, the amount, date, and purpose of each such expenditure, and a brief description and valuation of an in-kind expenditure.

* * *

D.(1) If the final report of a candidate for an election, as required by Paragraph (5), (6), or (7) of Subsection B of this Section, shows a deficit or a surplus, the candidate and his treasurer, if any, shall file supplemental reports with the supervisory committee of all information required in R.S. 18:1495.5. Such reports shall be filed annually no later than February ~~fifteenth~~ twenty-eighth and shall be complete through the preceding December thirty-first. Such a supplemental report shall be filed each year until a report has been filed which shows no deficit and until any surplus campaign funds have been disposed of in accordance with R.S. 18:1505.2(I). The report on surplus funds shall disclose the disbursement of such funds in the same manner as expenditures are reported.

* * *

(3)(a) A report need not be filed under this Subsection if the candidate is not an elected public official and shows either a deficit or a surplus of less than ~~two thousand five hundred~~ five thousand dollars. However, if the candidate is not an elected public official and his deficit or surplus is equal to or greater than ~~two thousand five hundred~~ five thousand dollars, the candidate shall file supplemental reports with the supervisory committee of all information required in R.S. 18:1495.5. Such report shall be filed annually no later than February ~~fifteenth~~ twenty-eighth and shall be complete through the preceding December thirty-first. Such report shall be filed each year for five years or until a report has been filed which shows no deficit or surplus.

* * *

§1495.5. 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 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~~ paraphernalia. Purchases of such campaign ~~items and materials~~ paraphernalia which are made by the same person and which 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 campaign items or materials which are not in excess of ~~twenty-five~~ fifty 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 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~~ fifty 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.

* * *

(9) The date and amount of each loan for campaign purposes made or received by the candidate to or from any person or ~~political~~ committee during the reporting period, together with the full name and address of the lender, of the recipient of the proceeds of the loan, and of any person who makes any type of

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

security agreement binding himself or his property, directly or indirectly, for the repayment of all or any part of the loan.

* * *

C.(1) Expenditures made by a public relations firm, an advertising agency, or agent for a candidate shall be considered expenditures of the candidate and must be reported as required by this Section. Each such firm, agency, or agent which makes any expenditure for any candidate shall timely furnish to such candidate such information relative thereto as may be required for compliance with this Part.

(2) The candidate may report expenditures made to a public relations firm, advertising agency, or agent as an expenditure made to the public relations firm, advertising agency, or agent if the expenditure is less than five thousand dollars. However, expenditures of five thousand dollars or more made to a public relations firm, advertising agency, or agent shall be reported as expenditures made to the payee.

* * *

§1495.6. Small campaigns; affidavit in lieu of reports

Any candidate, for a major or district office required by this Chapter to file reports of information as provided in R.S. 18:1495.5, who did not receive a contribution in excess of ~~two~~ five hundred dollars and who did not make expenditures totaling in excess of ~~five~~ ten thousand dollars in the aggregate during the aggregating period, may file an affidavit setting out such facts in lieu of each report required by R.S. 18:1495.4, but a separate affidavit shall be required in lieu of each such report.

* * *

§1501.1. Reports by persons not candidates or committees

A.(1)(a) Any person, other than a candidate or a ~~political~~ committee, who makes any expenditure ~~or who accepts a contribution, other than to or from a candidate or to or from a political committee,~~ provided for in Subparagraph (b) of this Paragraph for express advocacy supporting or opposing the nomination or election of a person to public office, the recall of a public official, 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 ~~either said~~ such expenditures or ~~said contributions~~ exceed ~~five hundred~~ one thousand dollars in the aggregate during the aggregating period as defined for committees.

(b) Reporting is required for the following expenditures, only:

(i) Paid advertising disseminated through any federally regulated broadcast media.

(ii) Any mass mailing of more than five hundred pieces of identical or substantially similar materials within any thirty day period, or phone bank of more than five hundred telephone calls of an identical or substantially similar nature within any thirty day period.

(iii) Paid digital advertising or publication of paid print advertising which contains the name or image of a candidate that is made within thirty days before a primary, party primary, or second party primary election or sixty 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.

(2)(a) Each person, other than a candidate or ~~political~~ committee, who makes an expenditure on behalf of a candidate, independent expenditure-only committee, political committee, or principal campaign committee for purposes of canvassing, irrespective of the amount expended, shall submit in writing to the respective candidate or ~~political~~ committee on whose behalf such expenditure was made the full name; and address ~~and the last four digits of the social security number~~ of each individual to whom such an expenditure was made.

(b) Each person, other than a candidate or committee, who makes an expenditure on behalf of a candidate, independent expenditure-only committee, political committee, or principal campaign committee for purposes of canvassing in an amount of at least six hundred dollars shall maintain for six years a written record of the last four digits of the social security number of each individual to whom such

expenditure was made or submit in writing to the respective candidate or committee on whose behalf such expenditure was made the last four digits of the social security number of each individual to whom such expenditure was made.

B. Such reports shall be filed at the same time, shall contain the same information, and shall be certified correct in the same manner as reports required of ~~political principal campaign~~ committees by this Chapter. However, a person that is not a candidate or committee shall not be required to include in such reports 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 which case, such reports shall include the name and address of the contributor who made the designated contribution and the amount and date of the designated contribution.

C. In addition to the reports filed in Subsection B of this Section, during the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day, and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, any person, other than a candidate or a ~~political~~ committee, who makes any expenditure ~~or who accepts a contribution~~ provided for in Subsection A of this Section, other than to ~~or from~~ a candidate or to ~~or from~~ a ~~political~~ committee, shall file a report with the supervisory committee of:

(1) The full name and address of each person ~~from whom such person has received and accepted a contribution, or to whom such person has made an expenditure during such period in excess of the following amounts:~~ one thousand dollars.

(a) ~~In support or opposition to a candidate for any major office, one thousand dollars.~~

(b) ~~In support or opposition to a candidate for district office, five hundred dollars.~~

~~(c) In support or opposition to a candidate for any other office, five hundred dollars.~~

(2) Each report required by this Subsection shall be filed within forty-eight hours after the time the ~~contribution is received~~ or expenditure is made. If such time falls ~~other than during~~ outside of regular ~~working office~~ hours, the report shall be filed as soon as possible after the opening of the office of the supervisory committee on the next working day after the time at which the report is otherwise due.

* * *

§1501.3. Gubernatorial transition and inauguration; contribution limits; reports

* * *

C. On or before the sixtieth day after the gubernatorial inauguration and by February ~~fifteenth~~ twenty-eighth annually thereafter until all contributions have been expended or used, the governor shall file an all-inclusive report with the supervisory committee. Each report shall be complete through January thirty-first. Each report ~~which~~ shall state:

* * *

§1505.2. Contributions; expenditures; certain prohibitions and limitations

A.(1) No person shall give, furnish, or contribute monies, materials, supplies, or make loans to or in support of a candidate or to any ~~political~~ committee, through or in the name of another, directly or indirectly. This prohibition shall not apply to dues or membership fees of any membership organization or corporation made by its members or stockholders, if such membership organization or corporation 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.

* * *

B.(1) No candidate, ~~political~~ or committee, ~~or other person required to file reports under this Chapter~~ shall make any expenditure from funds the source of which is anonymous, and any contribution received by a candidate, ~~political~~ or committee, ~~or other person required to file reports under this Chapter~~ from an anonymous source and deposited shall be reported as provided in R.S.

18:1491.7(B)(19) and R.S. 18:1495.5(B)(18) and shall escheat to the state and shall be paid over to the state by such candidate, ~~political or committee, or other such person.~~

(2) Any single transaction involving the sale of ~~items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials~~ paraphernalia, which transaction is for not in excess of ~~twenty-five~~ fifty dollars and in which transaction the purchaser is not known, shall not be deemed to constitute an anonymous contribution under the provisions of this Subsection.

C.(1) No person shall make a cash contribution to a candidate or a committee and no candidate or committee shall receive cash contributions in excess of ~~one~~ two hundred dollars during any calendar year. Any contribution in excess of such ~~one~~ two hundred dollar aggregate amount, other than an in-kind contribution, shall be made by an instrument containing the name of the ~~donor~~ contributor and the name of the payee.

(2) Upon receipt of a cash contribution of ~~one~~ two 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 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 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.

D.

* * *

(3)

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(b)(i) No organization shall directly or indirectly have as a condition of membership or participation the requirement that a person make a contribution to such organization which will be used by such organization for the purpose of supporting, opposing, or otherwise influencing the nomination 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.

* * *

(c) For the purposes of this Paragraph, "organization" shall mean a partnership, association, labor union, ~~political committee~~, corporation, or other legal entity, including its subsidiaries. For purposes of this Paragraph, "organization" does not include a political committee or independent expenditure-only committee.

(4) No ~~political~~ committee, candidate, or other person shall knowingly and willfully make a contribution or expenditure using funds which were obtained through practices prohibited in this Subsection.

(5) Any contribution received by a candidate, ~~political~~ committee, or other person required to file reports under this Chapter which was obtained through practices prohibited in this Subsection shall be reported as provided in R.S. 18:1491.7(B)(21) and 1495.5(B)(20) and shall escheat to the state and shall be paid over to the state by such candidate, ~~political~~ committee, or other such person.

* * *

F. No profit or nonprofit corporation, labor organization, or trade, business, or professional association shall make any ~~campaign~~ contribution or expenditure unless specifically authorized to do so whether: by the vote of the board of directors of the corporation, of the executive board of the labor organization or of the trade, business, or professional association at a regular or special meeting thereof; by the president, vice president, secretary, or treasurer of a corporation or labor organization whom the board has specifically empowered to authorize such

contributions or expenditures, or, for a corporation, by any other person designated by resolution of the board of directors of a corporation to authorize contributions or expenditures; or by a vote of the membership of the labor organization. No profit or nonprofit corporation, labor organization or trade, business, or professional association shall make any contribution or expenditure, other than an in-kind contribution or expenditure, except by check.

G. No committee shall receive contributions or loans or make expenditures or loans, or make or receive a transfer of funds to or from another committee in the aggregate in excess of ~~five hundred~~ one thousand dollars during a calendar year until it has filed the annual statement of organization required by R.S. 18:1491.1. The chairman and the treasurer of any committee which violates the provisions of this Subsection shall be subject to the penalties provided in this Part. No candidate shall make a contribution to any committee required to file an annual statement of organization by the provisions of R.S. 18:1491.1 which has not filed such a statement.

H.(1)

* * *

(b) The provisions of this Paragraph shall not apply to contributions made to a candidate or the principal campaign committee or any subsidiary committee of a candidate by a recognized political party or ~~any committee thereof~~ a committee designated to receive such contributions on behalf of the state central committee of the political party by joint fundraising agreement or otherwise.

* * *

(2)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection, the following contribution limits are established for contributions by political committees or leadership committees supporting or opposing a candidate for the following offices:

* * *

(b)(i) Notwithstanding the provisions of Paragraph (1) of this Subsection and Subparagraph (a) of this Paragraph, the following campaign contribution limits are

established for contributions by political committees supporting or opposing a candidate for the following offices, the membership of which political committee exceeds two hundred fifty members as of the December thirty-first of the preceding calendar year, and additionally, provided that at least two hundred fifty of the members have each contributed at least ~~one hundred~~ fifty dollars to the political committee during the preceding one-year period:

* * *

(c) If the contribution is made to a leadership committee, political committee, or independent expenditure-only committee which is supporting or opposing candidates for different offices, the highest applicable limit shall apply.

* * *

(g) Notwithstanding the provisions of Subparagraphs (a) and (b) of this Paragraph, the contribution limit for contributions by a political committee, leadership committee, or a principal campaign committee to a recognized political party or any committee thereof designated to receive such contributions on behalf of the state central committee of the political party by joint fundraising agreement or otherwise shall be as provided in Subsection K of this Section.

(h) Notwithstanding the provisions of Subparagraphs (a) and (b) of this Paragraph, the contribution limit for contributions by any committee to a leadership committee shall be twenty-five thousand dollars per calendar year.

(3)(a)

* * *

(iii) For purposes of this Subsection, for candidates, principal campaign committees, independent expenditure-only committees, and political committees that participate in a general election, the reporting period for the general election shall be deemed to begin the day following the primary election.

(iv) For purposes of this Subsection, if a judgment orders only a new general election, for candidates, principal campaign committees, independent expenditure-only committees, and political committees that participate in the court-ordered

general election, the reporting period shall be deemed to begin the day following the rendering of the judgment.

(v) For purposes of this Subsection, for candidates, principal campaign committees, independent expenditure-only committees, and political committees that participate in an election held pursuant to R.S. 18:512, the reporting period for that election shall be deemed to begin the day following the general election.

(vi) A candidate or his principal campaign committee or subsidiary ~~campaign~~ committee thereof may receive contributions that are designated in writing; or made in accordance with a properly noticed joint fundraising agreement for use in connection with either the general election or primary election in a single election cycle as provided in R.S. 18:1505.2.1.

* * *

(b) No person shall make a loan, transfer of funds, or contribution, including but not limited to funds for any purchase of campaign materials for more than ~~twenty-five~~ fifty dollars, funds for the purchase of testimonial tickets, and any in-kind contribution, in the aggregate for all reporting periods for an election, as defined in this Paragraph, including reporting periods for any supplemental reports required, in excess of the contribution limits established in Paragraphs (1) and (2) of this Subsection, except as otherwise specifically provided in this Subsection.

(c) No candidate including his principal campaign committee ~~and any or~~ subsidiary committee thereof or leadership committee, shall accept from the same contributor a loan, transfer of funds, or contribution, including but not limited to funds for any purchase of campaign materials for more than ~~twenty-five~~ fifty dollars, funds for the purchase of testimonial tickets, and any in-kind contribution, in the aggregate for all reporting periods of an election, as defined in this Paragraph, including reporting periods for any supplemental reports, in excess of the contribution limits established in Paragraph (1) of this Subsection, except as otherwise specifically provided in this Subsection, and except that the provisions of Paragraph (2) shall apply for contributions accepted from a ~~political committee~~ leadership committee, political committee, or principal campaign committee. The

provisions of this Subparagraph shall not apply to recognized political parties and their state central committees.

(d) ~~After January 1, 1989, no~~ No person shall make a loan, transfer of funds, or contribution to a candidate including his principal campaign committee or leadership committee with funds loaned to him without disclosing to the candidate or his committee the source of the funds. A candidate or his committee receiving such a loan, transfer of funds, or contribution shall not only report the name of the contributor, but also the source of the funds contributed.

* * *

(5) The provisions of this Subsection shall not apply to any contributions or loans a candidate makes to his own campaign or leadership committee.

* * *

~~I.(1)(a) On and after January 1, 1991, contributions received by candidate or a political committee may be expended for any lawful purpose, but such funds shall not be used, loaned, or pledged by any person for any personal use unrelated to a political campaign, the holding of a public office or party position, or, in the case of a political committee, other than a candidate's principal campaign committee or subsidiary committee, the administrative costs or operating expenses of the political committee; except that excess campaign funds may be returned to contributors on a pro rata basis, given as a charitable contribution as provided in 26 USC 170(c), given to a charitable organization as defined in 26 USC 501(c)(3), expended in support of or in opposition to a proposition, political party, or candidacy of any person, or maintained in a segregated fund for use in future political campaigns or activity related to preparing for future candidacy to elective office. However, the use of campaign funds of a candidate or his principal or subsidiary committees to reimburse a candidate for expenses related to his political campaign or his holding of a public office or party position shall not be considered personal use by the candidate. If a candidate is required by state or federal law to pay taxes on the interest earned by campaign funds of the candidate or any political committee of the candidate, the candidate may use the interest on which such tax is paid for such~~

~~purpose. A payment from campaign funds shall not be considered as having been spent for personal use when the funds are used to replace articles lost, stolen, or damaged in connection with the campaign.~~ Contributions received by a candidate or committee may be expended for any lawful purpose related to any of the following:

- (i) Supporting or opposing a proposition or question submitted to the voters.
- (ii) Supporting or opposing the recall of a public officer.
- (iii) Contributions to a gubernatorial transition and inauguration.
- (iv) Contributions to an independent expenditure-only committee.
- (v) Donations to an organization exempt from federal income tax under Section 501 of the Internal Revenue Code.
- (vi) Lobbying.
- (vii) Social and issue advocacy.
- (ix) 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.

(b)(i) In addition to the permitted expenditures provided in Subparagraph (a) of this Paragraph, contributions received by a candidate or a candidate's principal campaign committee, or any subsidiary committee thereof, may also be expended for any lawful purpose related to any of the following:

- (aa) Supporting or nominating the candidate for election to a public office.
- (bb) Supporting or opposing or otherwise influencing the nomination or election of a person to public office.
- (cc) Contributions to another candidate's principal campaign committee, to a political committee, or to a leadership committee.
- (dd) The holding of public office or party position.
- (ee) The payment of fines, fees, or penalties assessed for a violation of this Chapter.

(ii) Contributions received by a candidate or candidate's principal campaign committee, or any subsidiary committee thereof, may not be used, loaned, or pledged

by any person for any personal use of the candidate or a member of his immediate family.

(iii) Excess campaign contributions received by a candidate or a candidate's 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 candidate's principal campaign committee for use in future political campaigns, activity related to preparing for future candidacy to elective office, or for any lawful purpose provided for in this Subparagraph and Subparagraph (a) of this Paragraph. Any excess campaign contributions received from a contributor deposited in a segregated fund shall be considered a contribution from the contributor for the candidate's next campaign.

(c)(i) In addition to the permitted expenditures provided in Subparagraph (a) of this Paragraph, contributions received by a leadership committee shall not be used, loaned, or pledged by any person for any personal use unrelated to any of the following:

(aa) Holding of the elected official's public office or party position.

(bb) Contributions to another candidate or another candidate's principal campaign committee, or any subsidiary committee thereof.

(cc) Contributions to another elected official's leadership committee.

(dd) The payment of fines, fees, or penalties assessed for a violation of this Chapter.

(ii) Notwithstanding Subparagraph (a) of this Paragraph, contributions received by a leadership committee may not be used, loaned, or pledged by any person for any personal use of the elected official or a member 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.

(iii) For purposes of this Subparagraph, use of funds by a leadership committee to replace articles lost, stolen, or damaged in connection with the

operations of the leadership committee or the holding of public office or party position by the public officer shall not be considered personal use.

(d)(i) In addition to the permitted expenditures provided in Subparagraph (a) of this Paragraph, contributions received by a political committee may be expended for any lawful purpose, including any lawful purpose related to any of the following:

(aa) Supporting, opposing, or otherwise influencing the nomination or election of any person to public office.

(bb) Contributions to any candidate's principal campaign committee, any other political committee, or any leadership committee.

(ii) 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.

(e)(i) In addition to the permitted expenditures provided in Subparagraph (a) of this Paragraph, contributions received by an independent expenditure-only committee may be expended for any lawful purpose, including any lawful purpose related to any of the following:

(aa) Supporting, opposing, or otherwise influencing the nomination or election of any person to public office.

(bb) Contributions to any leadership committee.

(ii) Contributions received by an independent expenditure-only committee may not be used, loaned, or pledged by any person for any of the following:

(aa) The personal use of any candidate or elected official, or a member of his immediate family.

(bb) Contributions to any candidate or a candidate's principal campaign committee, or a subsidiary committee thereof.

(cc) Coordinated expenditures with any candidate or candidate's principal campaign committee.

~~(2) The provisions of this Subsection shall not apply to campaign funds received prior to July 15, 1988:~~(a) The following expenditures 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:

(i) Expenses related to the attendance at political or professional events by the candidate and any accompanying spouse and children, including:

(aa) Washington Mardi Gras.

(bb) Political party conventions, caucuses, and conferences.

(cc) Conventions and conferences of professional associations for officeholders or governmental officials.

(dd) Conventions and conferences of issue or social advocacy groups.

(ii) Reasonable costs of security measures for a candidate, elected official, member of their family, or campaign employees, including, but not limited to:

(aa) Non-structural security devices, such as security hardware, locks, alarm systems, motion detectors, and security camera systems.

(bb) Structural security devices, such as wiring, lighting, gates, doors, and fencing, so long as such devices are intended solely to provide security and not to improve property or increase its value.

(cc) Security personnel and services that are bona fide, legitimate, and professional.

(dd) Cybersecurity software, devices, and services.

(iii) If a candidate or committee is required by state or federal law to pay taxes on the interest earned by campaign funds of the candidate or the funds of any committee, the use of the interest by the candidate or committee on which such tax is paid to pay such taxes.

(iv) Any interest payments made to a candidate from campaign funds of such candidate or any principal campaign committee or leadership committee of such candidate on loans made by the candidate to his campaign, his principal campaign committee, or his leadership committee, to the extent that the interest charged on such loans does not exceed the judicial interest rate at the time the loan was made.

(v) Reasonable costs to replace articles lost, stolen, or damaged in connection with the campaign.

(vi) Reimbursement by the candidate or his principal or subsidiary committee paid to the candidate for expenses related to his political campaign or his holding of a public office or party position.

(b) The following expenditures shall be presumed to be made for the personal use of the candidate or his principal campaign committee or a subsidiary committee thereof or an elected official or his leadership committee:

(i) Expenditures for household food items or supplies.

(ii) Funeral, cremation, or burial expenses of the candidate or his immediate family, except those expenses incurred for a candidate or an employee or volunteer of an authorized committee whose death arises out of, or in the course of, campaign activity.

(iii) Clothing expenses, except for items of de minimis value that are used in the campaign, such as campaign shirts or hats, or specialized apparel necessary to attend a specific fundraising event or event related to the holding of office.

(iv) Tuition payments, other than those associated with training campaign staff.

(v) Mortgage, rent, or utility payments for any part of real or personal property, including a personal residence, that is owned by the candidate or elected official or a member of the candidate's or elected official's family and used for campaign purposes, to the extent the payments exceed the fair market value of the property usage.

(vi) Dues, fees, or gratuities at a country club, health club, social organization, recreational facility, or other nonpolitical organization, unless any of the following apply:

(aa) The dues, fees, and gratuities are part of the cost of a specific fundraising event that takes place on the facility's or organization's premises.

(bb) The dues, fees, and gratuities are part of the cost of meetings or activities of the campaign, principal campaign committee, or leadership committee.

(cc) The membership or attendance at the facility or organization facilitates interactions with constituents, colleagues or former colleagues in an elective or deliberative body, other elected officials, voters, electors, contributors, or potential contributors.

* * *

(4) No candidate, ~~political~~ committee, person required to file reports under this Chapter, nor any other person shall use a contribution, loan, or transfer of funds to pay a fine, fee, or penalty imposed pursuant to the provisions of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950.

(5)(a) No candidate nor the principal or any subsidiary political committee of a candidate, nor any elected official or the leadership committee of an elected official shall use a contribution, loan, or transfer of funds received by such candidate or committee to make any payment or expenditure to any immediate family member of the candidate or elected official.

(b) This Paragraph shall not prohibit a payment or expenditure to a business in which an immediate family member has any ownership interest, provided that all of the following apply:

* * *

(ii) The payment or expenditure is made solely for ~~campaign~~ purposes provided for in Subparagraphs (1)(a) through (c) of this Subsection.

* * *

(c) This Paragraph shall not prohibit a candidate nor the principal or any subsidiary political committee of a candidate, nor any elected official or the leadership committee of an elected official, from using a contribution, loan, or transfer of funds received by such candidate, elected official, or committee to make a contribution, loan, or transfer of funds to any immediate family member who is a candidate or elected official or to any principal or subsidiary political committee or leadership committee of such family member who is a candidate or elected official.

(d) For purposes of this Paragraph, "immediate family member" shall mean the candidate's or elected official's children, the spouses of his children, his brothers

and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

(e) Any candidate or elected official who violates the provisions of this Paragraph or whose principal campaign committee, ~~or~~ subsidiary committee, or leadership committee violates the provisions of this Paragraph shall be subject to the penalties provided in Subsection J of this Section, and the supervisory committee shall enforce the provisions of this Paragraph as provided in Subsection J of this Section and as otherwise provided in this Chapter.

(6) No candidate, political committee, principal campaign committee or subsidiary committee thereof, or leadership committee ~~or other person required to file reports pursuant to this Chapter~~, shall use a contribution, loan, or transfer of funds received by such candidate, or committee, or person to purchase immovable property or a motor vehicle. For purposes of this Paragraph, "motor vehicle" shall have the same meaning as provided in R.S. 32:781, except that "motor vehicle" shall not include a "trailer" as that term is defined in R.S. 32:1252.

(7) Contributions made in excess of the limits provided in this Section to a candidate, principal campaign committee, political committee, or leadership committee shall be returned by the candidate, ~~political committee, or other person required to file reports under this Chapter~~ or committee to the contributor by check drawn on the campaign account. If the check is not negotiated within ~~six~~ twelve months of the date of the check, the excess amount shall be presumed abandoned and shall be paid, transferred, or caused to be paid or transferred in accordance with the Uniform Unclaimed Property Act of 1997 by the candidate, ~~political committee, or other person required to file reports under this Chapter~~ or committee not later than February twenty-eighth of the calendar year after the calendar year in which the excess amount was presumed abandoned.

(8) The provisions of this Subsection shall not apply to campaign funds received prior to July 15, 1988.

J.(1) Any candidate, treasurer, or chairman of a ~~political~~ committee who violates any provision of Subsection H or I of this Section shall be assessed a penalty

of not more than five thousand dollars or the amount of the violation, whichever is greater, except that the penalty for a knowing and willful violation shall not be more than ten thousand dollars or two hundred percent of the violation, whichever is greater. "Knowing and willful", for purposes of this Subsection, means conduct which could have been avoided through the exercise of due diligence. The civil penalties provided for in R.S. 18:1505.5 shall be inapplicable to violations of Subsection H or I. Enforcement of Subsections H and I shall be in the same manner provided for in Part VI of this Chapter.

(2) The supervisory committee shall institute civil proceedings to collect the civil penalties provided for in this Subsection as soon as the supervisory committee determines, as a result of its review and investigation of any sworn complaint or other document or information received by the supervisory committee, that a violation of Subsection H or I of this Section has occurred. If the supervisory committee makes a determination of such violation at least ten days prior to the election in which the candidate, treasurer, or chairman of a ~~political~~ committee in apparent violation is participating, the supervisory committee shall institute such civil proceedings at least by the fourth calendar day prior to the election.

K.(1) No person shall contribute more than one hundred thousand dollars per calendar year to any leadership committee or any political committee or any subsidiary committee of such political committee, ~~other than the principal or any subsidiary committee of a candidate.~~ Such limitation on a contribution shall not apply to any contribution from a national political party committee to an affiliated regional or state political committee designated to received such contributions on behalf of the state central committee of a political party by joint fundraising agreement or otherwise. However, during any four-year calendar period commencing January 1, 2023, and every fourth year thereafter, no leadership committee or political committee or subsidiary of such political committee, ~~other than the principal or any subsidiary committee of a candidate,~~ shall accept more than two hundred fifty thousand dollars from any person.

(2) No person shall contribute more than two hundred fifty thousand dollars per calendar year to a recognized political party or any committee thereof designated to receive such contributions on behalf of the state central committee of the political party by joint fundraising agreement or otherwise. However, during any four-year calendar period commencing January 1, 2023, and every fourth year thereafter, no recognized political party or any committee thereof designated to receive such contributions on behalf of the state central committee of the political party by joint fundraising agreement or otherwise shall accept more than four hundred thousand dollars from any person.

(3) The provisions of this Subsection shall not apply to contributions made by a recognized political party or any committee thereof designated to make such contributions on behalf of the state central committee of the political party by joint fundraising agreement or otherwise.

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(2) No person to whom this Subsection is applicable as provided in Paragraph (3) of this Subsection shall make a contribution, loan, or transfer of funds, including but not limited to any in-kind contribution, as defined in this Chapter, to any candidate, any ~~political~~ principal campaign committee of any such candidate, or any subsidiary committee thereof, any leadership committee, or to any other political committee which supports or opposes any candidate. This Section shall not prohibit contributions made to any account of a political committee affiliated with a recognized political party organized under the laws of another jurisdiction, where the account is segregated and no funds from such segregated account are used to support or oppose any candidate in this state or any political committee of any candidate in this state, provided that any person to whom this Section applies shall expressly request, prior to making a contribution, that such political committee shall not use such funds to support or oppose any candidate or any political committee of any candidate in Louisiana.

* * *

(4) This Subsection shall not prohibit an expenditure by a candidate for his own campaign or a contribution, loan, or transfer of funds by a candidate to his own ~~political~~ principal campaign committee or by an elected official to his own leadership committee.

* * *

M.(1) No foreign national shall, directly or through any other person, make or promise to make, expressly or impliedly, any contribution of money or other thing of value, ~~or promise expressly or impliedly, any such contribution,~~ as follows:

(a) ~~in~~ In connection with an election to any political office or in connection with any ~~primary~~ election, convention, or caucus held to select candidates for any political office;

(b) In connection with a proposition or question submitted to the voters.

(c) In connection with the recall of a public officer.

(d) To any committee.

(e) To a gubernatorial transition or inauguration.

(2) ~~nor shall any~~ No person shall solicit, accept, or receive any such contribution provided for in Paragraph (1) of this Subsection from such foreign national.

~~(2)~~ (3) As used in this Subsection, "foreign national" means:

(a) A foreign principal such as a government of a foreign country or a foreign political party, except that "foreign national" shall not mean any individual except an individual described in Subparagraphs (c), (d), or (e) of this Paragraph.

(b) 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 Louisiana.

(c) An individual who meets any of the following:

(i) Who resides in the United States and ~~who~~ is not a citizen of the United States and who is not lawfully admitted for permanent residence and accorded the privilege of residing permanently in the United States as an immigrant.

(ii) Who is a citizen of a foreign government identified as a foreign adversary in 15 CFR §7.4.

(iii) Who is a citizen of a foreign government designated a state sponsor of terrorism under Section 6(j) of the Export Administration Act.

(d) Any foreign non-government person, including an individual, identified as a foreign adversary in 15 CFR §7.4.

(e) Any foreign terrorist organization as designated by the United States secretary of state in accordance with Section 219 of the United States Immigration and Nationality Act, Section 40 of the United States Arms Export Control Act, or Section 620(A) of the United States Foreign Assistance Act of 1961.

(f) A partnership, association, corporation, organization, or other entity organized under the laws of a foreign government identified as a foreign adversary in 15 CFR §7.4 or Section 6(j) of the Export Administration Act, or organized under the laws of or having its principal place of business in a foreign country designated pursuant to Section 620(A) of the United States Foreign Assistance Act of 1961.

~~(3)~~(4)(a) Any person who makes a contribution, loan, or transfer of funds in violation of this Subsection shall be subject to the penalties provided in R.S. 18:1505.5 and R.S. 18:1505.6.

(b) If a candidate, committee, or person required to file reports is notified by the supervisory committee that a contribution, loan, or transfer of funds to such candidate, committee, or person was made in violation of this Subsection, such contribution, loan, or transfer of funds shall escheat to the state. Any such contribution, loan, or transfer of funds, or an amount equal thereto, shall be paid over to the state by the recipient candidate, committee, or other person required to file reports within ten business days after the recipient candidate, committee, or person required to file reports is notified by the supervisory committee that the contribution, loan, or transfer of funds was made by a person prohibited by this Subsection from making such contribution, loan, or transfer of funds.

O.(1) A fine, fee, or penalty assessed for a violation of this Chapter shall be paid only by the person against whom the fine, fee, or penalty was assessed. All

such fines, fees, or penalties may be paid only with the personal funds of such person or with contributions made to the candidate, the candidate's principal campaign committee, or an elected official's leadership committee in accordance with Subsection I of this Section; however, the supervisory committee may prohibit a candidate or elected official from using contributions received by, or other campaign funds of, such candidate or elected official or the principal or a subsidiary campaign committee or leadership committee of such candidate or elected official to pay a fine, fee, or penalty, assessed for a violation of this Chapter upon a finding that the violation was intentional or egregious.

* * *

P. No funds contributed which are subject to the Federal Election Campaign Act of 1971, as amended, to or for a person who seeks election to an office subject to the provisions of said Act shall be transferred, loaned, or contributed by a candidate, his agent, or his federal campaign committee to the candidate, any ~~political~~ principal campaign committee of such candidate, or to any other political committee which supports the election of the candidate; nor shall the candidate, his federal campaign committee, or his agent use such funds to otherwise support his candidacy.

Q.(1) No legislator or ~~any~~ his principal campaign committee or subsidiary committee ~~of a legislator~~ thereof shall accept or deposit a contribution, loan, or transfer of funds or accept and use any in-kind contribution, as defined in this Chapter, for his own campaign during a regular legislative session.

(2) If a legislator or ~~any~~ his principal campaign committee or subsidiary committee ~~of a legislator receives~~ thereof accepts or deposits a contribution, loan, or transfer of funds during a regular legislative session in violation of this Subsection, the legislator shall return such contribution, loan, or transfer of funds to the contributor within ten days after the ~~receipt~~ acceptance or deposit of such contribution, loan, or transfer of funds. Any contribution, loan, or transfer of funds so returned shall not be deemed to be accepted or deposited.

(3)(a)(i) The provisions of this Subsection shall not prohibit an expenditure by a legislator for his own campaign or a contribution, loan, or transfer of funds by a legislator to his own ~~political~~ principal campaign committee or subsidiary committee thereof or leadership committee.

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(2) If the governor or ~~any~~ his principal campaign committee or subsidiary committee ~~of the governor receives~~ thereof accepts or deposits a contribution, loan, or transfer of funds in violation of this Subsection, the governor shall return such contribution, loan, or transfer of funds to the contributor within ten days after the ~~receipt~~ acceptance or deposit of such contribution, loan, or transfer of funds. Any contribution, loan, or transfer of funds so returned shall not be deemed to be accepted or deposited.

(3)(a)(i) The provisions of this Subsection shall not prohibit an expenditure by the governor for his own campaign or a contribution, loan, or transfer of funds by the governor to his own ~~political~~ principal campaign committee or subsidiary committee thereof.

* * *

§1505.3. Subterfuge to avoid compliance with Chapter

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B. As more specifically provided in R.S. 18:1491.2(B) no ~~political~~ committee shall dissolve and reorganize under a modified name, charter, or organizational structure as a subterfuge to avoid the reporting and other requirements of this Chapter. The chairman of any committee(s) which violates the provisions of said Subsection B shall be subject to the penalties provided in R.S. 18:1505.4, ~~R.S. 18:1505.5, and R.S. 18:1505.6~~ 1505.5, and 1505.6.

* * *

D.(1)(a) No public relations firm, advertising agency, media buyer, or other person who purchases media advertising time or space shall accept payment for

placing any advertisement which purports to be paid for by a particular candidate or ~~political~~ committee from any source other than such candidate or ~~political~~ committee.

* * *

(2)(a)(i) No person shall pay for an advertisement which purports to be paid for by a particular candidate or ~~political~~ committee without the consent of such candidate or ~~political~~ committee.

* * *

(b) If a publisher or broadcaster of an advertisement which purports to be paid for by a particular candidate or ~~political~~ committee accepts payment for such an advertisement from any source other than such candidate or ~~political~~ committee, the publisher or broadcaster shall require, prior to publishing or broadcasting the advertisement, that the person making the payment provide a written statement containing the following:

* * *

(ii) A statement that the advertisement is being run with the knowledge and consent of the candidate or ~~political~~ committee which the advertisement purports has paid for the advertisement.

* * *

§1505.4. Civil penalties; failure to file; timely and accurate filing; forfeiture

A.(1) Any candidate, the treasurer or chairman of a ~~political~~ committee, or any other person required to file any reports under this Chapter, who knowingly fails to file or who knowingly fails to timely file any such reports as are required by this Chapter may be assessed a civil penalty as provided in R.S. 18:1511.4.1 for each day until such report is filed.

(2)(a) The amount of such penalty may be:

(i) One hundred dollars per day, not to exceed two thousand five hundred dollars, for each candidate for major office and any treasurer or chairman of any ~~political~~ committee designated as a principal campaign committee or subsidiary committee of such a candidate.

(ii) Sixty dollars per day, not to exceed one thousand dollars, for any candidate for district office and any treasurer or chairman of any ~~political~~ committee designated as a principal campaign committee or subsidiary committee of such a candidate.

(iii) Forty dollars per day, not to exceed five hundred dollars, for any candidate for all other offices and any treasurer or chairman of any ~~political~~ committee designated as a principal campaign committee or subsidiary committee of such a candidate.

(iv) Forty dollars per day, not to exceed one thousand dollars, for any person or the treasurer or chairman of any political committee or independent expenditure-only committee, not supporting or opposing a candidate, but only supporting or opposing any proposition or question submitted to the voters or any the recall of a public officer.

(v) Two hundred dollars per day, not to exceed three thousand dollars, for the treasurer or chairman of any political committee or independent expenditure-only committee supporting or opposing a candidate, other than a candidate's principal or subsidiary campaign committee.

* * *

(3)(a) If a person, other than a political committee or independent expenditure-only committee, required to file is supporting or opposing a candidate or candidates, the penalty applicable to such candidate or candidates as provided in Item (i), (ii), or (iii) of Subparagraph (2)(a) of this Subsection shall apply.

(b) If a person, other than a political committee or independent expenditure-only committee, required to file is supporting or opposing candidates with different penalty levels, the penalty shall be the highest penalty for any such candidate.

* * *

B. Any candidate, the treasurer or chairman of any ~~political~~ committee, or any other person required to file reports under this Chapter who knowingly and willfully fails to disclose, or knowingly and willfully fails to accurately disclose, any information required by this Chapter to be disclosed in the reports required ~~herein~~

by this Chapter, may be assessed a civil penalty for each day until such information is disclosed by amendment to the appropriate report of such candidate, ~~political~~ committee, or other person. "Knowingly and willfully", for purposes of this Subsection, means conduct which could have been avoided through the exercise of due diligence. Such penalties shall be as provided in Subsection A above.

* * *

§1505.5. Civil penalties; violations of Chapter

* * *

B. The amount of such penalty shall be:

(1) Not in excess of five hundred dollars for each candidate for a major office and any treasurer or chairman of any ~~political~~ committee designated as a principal campaign committee or subsidiary committee of such a candidate.

(2) Not in excess of three hundred dollars for any candidate for district office and any treasurer or chairman of any ~~political~~ committee designated as a principal campaign committee or subsidiary committee of such a candidate.

(3) Not in excess of one hundred dollars for any candidate for all other offices and any treasurer or chairman of any ~~political~~ committee designated as a principal campaign committee or subsidiary committee of such a candidate.

(4) Not in excess of one hundred dollars for any person or any treasurer or chairman of any ~~political~~ committee, not supporting or opposing a candidate, but only supporting or opposing any proposition or question submitted to the voters or ~~any~~ the recall of a public officer.

(5) Not in excess of one thousand dollars for the treasurer or chairman of any ~~political~~ committee supporting or opposing a candidate, other than a candidate's principal or subsidiary campaign committee.

C.(1)(a) If a person, other than a political committee or independent expenditure-only committee, required to file is supporting or opposing a candidate or candidates, the penalty applicable to such candidate or candidates as provided in Paragraph (1), (2), or (3) of Subsection B of this Section shall apply.

(b) If a person, other than a ~~political~~ committee, required to file is supporting or opposing candidates with different penalty levels, the penalty shall be the highest penalty for any such candidates.

* * *

§1505.6. Criminal penalties

A.(1) It shall be unlawful for any candidate, treasurer, or chairman of a ~~political~~ committee, or any other person required to file reports under this Part to knowingly, ~~wilfully~~ willfully, and fraudulently fail to file or knowingly, ~~wilfully~~ willfully, and fraudulently fail to timely file any such report.

(2) Any candidate, treasurer, or chairman of a ~~political~~ committee, or any other person required to file reports under this Chapter who knowingly, ~~wilfully~~ willfully, and fraudulently fails to file such report or knowingly, ~~wilfully~~ willfully, and fraudulently fails to file such report timely shall, upon conviction, be sentenced to not more than six months in a parish jail or to pay a fine of not more than five hundred dollars, or both.

B.(1) It shall be unlawful for any candidate, treasurer, or chairman of a ~~political~~ committee, or any other person required to file reports under the Chapter knowingly, ~~wilfully~~ willfully, and fraudulently to fail to disclose, or knowingly, ~~wilfully~~ willfully, and fraudulently to disclose inaccurately, any information required to be disclosed in the reports required by this Chapter.

(2) Any candidate, treasurer, or chairman of a ~~political~~ committee, or any other person required to file such reports who knowingly, ~~wilfully~~ willfully, and fraudulently fails to disclose any such information or who knowingly, ~~wilfully~~ willfully, and fraudulently fails to accurately disclose such information shall, upon conviction, be sentenced to not in excess of six months in the parish jail or to pay a fine of not more than five hundred dollars, or both.

C. Any candidate, chairman of a ~~political~~ committee, treasurer, person required to file reports under this Chapter, or any other person who knowingly, ~~wilfully~~ willfully, and fraudulently violates any provision of R.S. 18:1505.2 or R.S. 18:1505.3, or any other provision of this Chapter shall, upon conviction, be

sentenced to not in excess of six months in the parish jail or to pay a fine of not more than five hundred dollars, or both.

* * *

§1511.2. Supervisory Committee; rule-making authority; advisory opinions; inquiries; duties

* * *

B. The supervisory committee may render an advisory opinion concerning the application of a general provision of this Chapter, or a general provision prescribed as a rule or regulation by the committee. The supervisory committee shall publish its advisory opinions on the Board of Ethics website in an easily searchable format. The supervisory committee may render an opinion in response to a request by any public official, any candidate for public office, any ~~political~~ committee, or the supervisory committee may render an advisory opinion on its own initiative. Such an opinion shall not constitute a rule under the provisions of the Administrative Procedure Act and the supervisory committee shall not be subject to that Act in carrying out the provisions of this Subsection.

* * *

D. The supervisory committee shall periodically review the following towards considering and drafting rulemakings:

(1) Aggregated data regarding investigations, including:

(a) Aggregated data regarding the number of complaints received.

(b) Aggregated data regarding the number and length of investigations.

(c) Aggregated data regarding the number and amount of fines and fine waivers.

(d) Aggregated data regarding the number and nature of court and supervisory committee proceedings regarding investigations.

(e) Aggregated data regarding categories of alleged violations yielding investigations.

(2) Aggregated data regarding charges issued, including:

(a) Aggregated data regarding the number of charges.

(b) Aggregated data regarding the length of proceedings resulting from charges issued.

(c) Aggregated data regarding categories of alleged violations yielding charges.

(3) Judgments and opinions issued by the supervisory committee and state and federal courts interpreting this Chapter.

(4) Federal Election Commission rulemakings regarding provisions of the Federal Election Campaign Act of 1971.

(5) Federal appellate court and state supreme court constitutional jurisprudence regarding the regulation of campaign finances.

E. The supervisory committee shall submit an annual report to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs with the findings of the periodic review, a detailed statement regarding the activities of the supervisory committee in carrying out its duties, and recommendations for such legislative or other action as the supervisory committee considers appropriate.

F. The supervisory committee shall prepare and distribute to the general public through the offices of the clerks of court and in Orleans Parish the office of the clerk of the criminal district court and on its website, booklets of explanation and instruction concerning the provisions of this Chapter in such a manner as to inform the public of the procedures and requirements of this Chapter. The supervisory committee may publish and distribute additional material to assist persons in complying with the provisions of this Chapter.

* * *

§1511.4. Supervisory committee; investigations

A.

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(2)

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(h)(i) Following either the expiration of the fifteen-day period or the receipt of a response, whichever occurs first, the supervisory committee shall, by a two-thirds vote of its membership, determine whether there is reason to believe that a respondent has committed a violation of this Chapter warranting an investigation in consideration of the following:

(aa) Whether the respondent has cured any potential violation of this Chapter and whether the respondent committed the violation intentionally or recklessly.

(bb) Whether, based on the information available the board, the board will more likely than not find a significant violation of this Chapter.

(cc) Whether investigating the potential violation of this Chapter would support the purposes of this Chapter.

(dd) Whether the information available to the supervisory committee is sufficient to support any further investigation.

(ee) The expense likely to be incurred by both the respondent and the supervisory committee as a result of the investigation, weighed against the severity of the potential violation

(ii) If the supervisory committee finds no reason to believe that ~~a violation of this Chapter has occurred~~ the respondent has committed a violation of this Chapter warranting an investigation, or otherwise terminates its proceedings, it shall so advise the complainant and any respondent named in the complaint by letter.

(i) If the supervisory committee determines by an affirmative vote of two-thirds of its membership that it has reason to believe that ~~a respondent has violated this Chapter~~ the respondent has committed a violation of this Chapter warranting an investigation, the supervisory committee shall notify the respondent of its finding by letter, identifying the provision of law alleged to have been violated and the alleged factual basis supporting the finding, including reference to any specific transactions identified as a violation. The letter shall be prefaced by advising the respondent that he may exercise his constitutional right to counsel and may exercise his constitutional right not to incriminate himself.

* * *

C.(1) Pursuant to its authority under this Chapter the supervisory committee shall have the power and authority to hold hearings, to subpoena witnesses, administer oaths, compel the production of books, records, and papers, ~~public and private~~; require the submission under oath of written reports or written answers to written questions, and to do all that is necessary to effect the provisions of this Chapter. The supervisory committee shall issue subpoenas in accordance with R.S. 18:1511.4.2.

(2) Upon motion by an affected party including, but not limited to, a candidate, committee, any member of a committee, a prospective witness or any person whose books, records, papers, or other documents are the subject of any subpoena, and for good cause shown, any district court within the jurisdiction of which any inquiry is being conducted may make any order which justice requires to protect such person from ~~annoyance, embarrassment, oppression, or undue burden~~ or expense, including one or more of the following:

* * *

(f) That the supervisory committee pay the costs and attorneys' fees of the affected party.

(3) For purposes of this Subsection, "undue burden or expense" includes subjecting a candidate to inquiry, over objection, when the supervisory committee has not exhausted inquiry upon sources other than the candidate, or the supervisory committee cannot establish that the candidate has personal knowledge of relevant information, or the supervisory committee cannot demonstrate that the candidate is uniquely able to provide relevant information that cannot be obtained from other sources.

~~D. Upon petition by the supervisory committee or an adjudicatory panel of the Ethics Adjudicatory Board any district court within the jurisdiction of which any inquiry is being carried on may, in case of refusal to obey a subpoena or order of the supervisory committee or an adjudicatory panel of the Ethics Adjudicatory Board issued pursuant to this Chapter, issue an order requiring compliance. Any failure to obey the order of the court may be punished by the court as a contempt thereof. The~~

supervisory committee shall waive, upon request by the petitioning affected party, any right to be served by any means other than email transmission, and shall provide an email address at which the supervisory committee shall accept service.

§1511.4.1. Enforcement; failure to file; failure to timely file

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C.

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(3) The Ethics Adjudicatory Board, or a panel thereof, shall have the power and authority to subpoena witnesses, administer oaths, compel the production of books, records, and papers, ~~public and private~~, require the submission under oath of written reports or written answers to written questions, and to do all that is necessary to effect the provisions of this Chapter.

* * *

§1511.4.2. Subpoenas

A. The supervisory committee or the ethics administrator may subpoena witnesses, compel the production of books, records, and papers, or require the submission under oath of written reports or answers to questions, which the supervisory committee or the ethics administrator deems relevant or material to the investigation or hearing. The supervisory committee or ethics administrator shall require the submission under oath of written reports or answers to questions, or subpoena or compel the production of any books, records, and papers only upon a finding that the importance of the information sought outweighs the burden of producing the information.

(ii) The ethics administrator shall provide to the supervisory committee a monthly report of the number of subpoenas issued by the supervisory committee and the ethics administrator in the prior month.

B. The respondent or any witness upon whom written questions have been propounded shall serve a copy of the written answers and objections, if any, within thirty days after the service of the questions.

C.(1) The respondent or any witness upon whom a subpoena has been served to compel the production of books, records, or papers shall serve a copy of the responses and objections, if any, within thirty days after the service of the subpoena.

(2) The respondent or any witness upon whom a subpoena has been served requiring the submission under oath of written reports shall produce the written reports within thirty days after the service of the subpoena.

(3) The supervisory committee shall promptly provide the respondent with a copy of questions propounded or subpoenas served upon any witness, as well as any answers, objections, books, records, or papers, or written reports produced, or transcripts or recordings of answers to questions produced under oath.

(4) Any demand, request, or subpoena propounded upon a respondent or witness, orally or in writing, shall be prefaced with advising the respondent or witness that he may exercise his constitutional right to counsel and may exercise his constitutional right not to incriminate himself.

(5) An oral examination under oath shall be conducted under conditions agreed upon by the respondent or witness, including that the examination occur in a certain place, at a certain time, or by phone or videoconference, or with counsel present, that the examination be transcribed or audio recorded, and that the respondent or witness promptly receive a copy of the transcript or audio recording.

D.(1) Upon petition by the supervisory committee or the Ethics Adjudicatory Board any district court within the jurisdiction of which any inquiry is being carried on may, in case of refusal to obey a subpoena or order of the supervisory committee or the Ethics Adjudicatory Board issued pursuant to this Chapter, issue an order requiring compliance. Any failure to obey the order of the court may be punished by the court as a contempt thereof.

(2) Before filing any petition to order compliance with a subpoena or order, counsel for the supervisory committee shall confer in person, by telephone, or by videoconference with the respondent or witness for the purpose of amicably resolving the dispute over the alleged failure of the respondent or witness to obey the subpoena or order. The counsel for the supervisory committee shall attempt to

arrange a suitable conference date with the respondent or witness and confirm the date by written notice sent at least five days before the conference date, unless an earlier date is agreed upon by the respondent or witness. If by telephone or videoconference, the conference shall be initiated by the counsel for the supervisory committee.

§1511.5. Procedure for enforcement; civil

A.(1)(a) When the results of the investigation by the supervisory committee indicate that a violation of this Chapter has occurred which is subject to civil penalties, the supervisory committee is authorized to file administrative proceedings to collect the civil penalties provided in R.S. 18:1505.4 or 1505.5.

(b) Before the supervisory committee files administrative proceedings, the supervisory committee shall:

(i) Provide the respondent with the final report of the staff of the supervisory committee regarding the investigation of the alleged violation by the respondent.

(ii) Provide the respondent with an opportunity to submit a brief response to the final report of the staff.

(iii) Provide the respondent with an opportunity to make a brief statement before the supervisory committee to address the final report of the staff and any factual or legal issues relevant to the alleged violation by the respondent. Such statement may be made in person, by telephone, or by videoconference during executive session of the supervisory committee, unless the respondent requests that his comments be made in open session. Statements made by the respondent in executive session shall not be recorded.

* * *

B. In determining the amount of the civil penalty to be assessed, the Ethics Adjudicatory Board or district court shall take into consideration the reason for the failure to file timely, the reason for failing to disclose required information, the reason for inaccurately disclosing required information, the nature of the office sought by the candidate, the nature of the office or offices supported or opposed by a political committee or other person, the significance of the information undisclosed

or inaccurately disclosed to the voting public, ~~and~~ whether or not the candidate, the chairman or treasurer of the ~~political~~ committee, or other person actually has filed a report or disclosed such information prior to the election or prior to the institution of the administrative proceeding or rule to show cause, the number and frequency of past violations, the amount, the amount that was not disclosed or disclosed untimely in relation to the total contributions received, and the impact of the violation upon any election and the electoral process.

* * *

Section 2. R.S. 18:1483(15)(a), (b)(ii) and (iii), and (c), 1491.6(C)(introductory paragraph), 1501.1(C)(introductory paragraph), 1505.2(H)(1)(c) and (2)(e) and (f), (3)(a)(iii) through (vii), and 1505.2.1(A), (D), and (E), are hereby amended and reenacted and R.S. 18:1483(15)(b)(iv) is hereby enacted to read as follows:

§1483. Definitions

As used in this Chapter, the following terms shall have the meanings given to each in this Section unless the context clearly indicates otherwise:

* * *

(15) "Participation" or "participating" in an election means the following:

(a) With regard to a candidate, that the candidate was opposed by another candidate in the election; however, any person who is a candidate as defined in this Chapter shall be deemed to participate in the primary election whether or not the candidate has failed to qualify for office after becoming a candidate, has withdrawn from the election, or is unopposed therefor. ~~Additionally, any~~ Any candidate who withdraws from a general election subsequent to a party primary election or the primary election and prior to the general election who would have been qualified to appear on the general election ballot shall be deemed to participate in the general election, as shall the person who would have been opposed by the one withdrawing. Any candidate who withdraws after a party primary election and prior to the second party primary election who would have been qualified to appear on the second party primary election ballot shall be deemed to participate in the second party primary

election, as shall the person who would have been opposed by the candidate withdrawing.

(b) With regard to a political committee, that the committee:

* * *

(ii) With regard to the party primary election, gave or received a contribution prior to the party primary election from, to, or for a candidate participating in the party primary election, made an expenditure in support of or in opposition to a candidate participating in the party primary election, made a loan to or received a loan from a candidate or committee participating in the party primary election, or made a transfer of funds to or from another committee participating in the party primary election.

(iii) With regard to the second party primary election, gave or received a contribution subsequent to the first party primary election and prior to the second party primary election from, to, or for a candidate participating in the second party primary election, made an expenditure in support of or in opposition to a candidate participating in the second party primary election, made a loan to or received a loan from a candidate or committee participating in the second party primary election, or made a transfer of funds to or from another committee participating in the second party primary election.

~~(ii)~~ (iv) With regard to the general election, that the committee gave or received a contribution subsequent to the primary election from, to, or for a candidate participating in the general election, made an expenditure in support of or in opposition to a candidate participating in the general election, made a loan to or received a loan from a candidate or committee participating in that general election, or made a transfer of funds to or from another committee participating in the general election.

(c) A candidate or committee which participates in a party primary election, primary election, or the general election shall be deemed to participate in the election.

(d) With regard to a person who solicits or receives any contribution or makes any expenditure in support of or in opposition to a proposition or question submitted to the voters, that said person solicited or received a contribution or made an expenditure of ~~two hundred fifty~~ five hundred dollars or more.

* * *

§1491.6. Reports required; reporting times and periods

* * *

C. During the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day; during the period beginning at midnight of the twentieth day prior to a second party primary election and extending through midnight of a second party primary election day, if applicable; and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, each political committee, principal campaign committee, or independent expenditure-only committee which is participating in the election shall file a report with the supervisory committee of:

* * *

§1501.1. Reports by persons not candidates or committees

* * *

C. In addition to the reports filed in accordance with Subsection B of this Section, during the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day; during the period beginning at midnight of the twentieth day prior to a second party primary election and extending through midnight of the second party primary election day, if applicable; and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, any person, other than a candidate or a ~~political~~ 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 a report with the supervisory committee of:

* * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

§1505.2. Contributions; expenditures; certain prohibitions and limitations

* * *

H.(1)

* * *

(c) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, the contribution limit for contributions made to an unsuccessful major office candidate, or the principal campaign committee and any subsidiary committee of such unsuccessful candidate, who does not participate in the general election, or a party primary candidate who does not participate in either the second party primary, primary, or general election and for the time period for which such candidate has a deficit for expenditures made through the day of the primary election or closed party primary, shall be twenty thousand dollars.

* * *

(2)

* * *

(e) Notwithstanding the provisions of Paragraph (1) and Subparagraph (2)(a) of this Subsection, the contributions limit for contributions by political committees to an unsuccessful major office candidate, or the principal campaign committee and subsidiary committee of such unsuccessful candidate, who does not participate in the general election, or a party primary candidate who does not participate in either the second party primary, primary, or general election and for the time period for which such candidate has a deficit for expenditures made through the day of the primary election or closed party primary, shall be ~~ten~~ twenty thousand dollars.

(f) Notwithstanding the provisions of Paragraph (1) and Subparagraphs (2)(a) and (b) of this Subsection, the contributions limit for contributions by political committees certified according to the provisions of Subparagraph (2)(b) to an unsuccessful major office candidate, or the principal campaign committee and subsidiary committee of such unsuccessful candidate, who does not participate in a second party primary or the general election and for the time period for which such candidate has a deficit for expenditures made through ~~the day of~~ the later of the day

of the party primary or the second party primary election, shall be twenty four
thousand dollars.

* * *

(3)(a)

* * *

(iii) For purposes of this Subsection, for candidates for a primary party ~~office~~
~~and office, principal campaign committees, political committees, and independent~~
~~expenditure-only~~ committees that participate in a second party primary, the reporting
period for the second party primary election shall be deemed to begin the day
following the primary election.

(iv) For purposes of this Subsection, for ~~candidates and~~ candidates, principal
campaign committees, political committees, and independent expenditure-only
committees that participate in a general election, the reporting period for the general
election shall be deemed to begin the day following the primary election at which the
candidate qualified for the general election, except that for a nonparty primary
candidate, the reporting period for the general election shall be deemed to begin the
day that the candidate became a candidate for a party primary office.

(v) For purposes of this Subsection, if a judgment orders only a new general
election, for ~~candidates and~~ candidates, principal campaign committees, political
committees, and independent expenditure-only committees that participate in the
court-ordered general election, the reporting period shall be deemed to begin the day
following the rendering of the judgment.

(vi) For purposes of this Subsection, for ~~candidates and~~ candidates, principal
campaign committees, political committees, and independent expenditure-only
committees that participate in an election held pursuant to R.S. 18:512, the reporting
period for that election shall be deemed to begin the day following the general
election.

(vii) A candidate or his principal campaign committee or subsidiary
~~campaign~~ committee thereof may receive contributions that are designated in
writing; or made in accordance with a properly noticed joint fundraising agreement

for use in connection with either the general election or primary election in a single election cycle or, for a party primary office, with either a party primary, the primary, or the general election, as provided in R.S. 18:1505.2.1.

* * *

§1505.2.1. Designation and attribution of contributions

A.(1) A candidate may receive contributions designated in writing for use in connection with ~~either the primary election or the general~~ any election in a single election cycle, whether a party primary election, primary election, or general election. The candidate shall use an acceptable accounting method to distinguish between contributions attributed to ~~the primary election and contributions attributed to the general~~ each particular election.

(2)(~~a~~) Acceptable accounting methods include but are not limited to the creation and designation of separate accounts for each election or the establishment of separate books and records for each election.

(~~b~~) ~~A candidate's records shall demonstrate that prior to the primary election, recorded cash on hand was at all times equal to or in excess of the sum of general election contributions received less the sum of general election disbursements made.~~

* * *

D. The candidate may accept contributions that are designated in writing for use in ~~the general~~ a particular election prior to the date of ~~the primary election~~ a prior election in the same election cycle.

E. If the candidate does not participate in ~~the general election~~ one or more elections within an election cycle after participating in the first election in the election cycle, any contributions designated for ~~the general~~ an election in which the candidate did not participate shall be treated as excess campaign funds and may be redesignated as provided in Subsection G of this Section or expended as provided in R.S. 18:1505.2(I), except that such funds may not be expended in support of or in opposition to a proposition, political party; or the candidacy of a person; or maintained in a segregated fund for use in future political campaigns or activity related to preparing for future candidacy to elective office.

* * *

Section 3. R.S. 9:154(A)(18) is hereby amended and reenacted to read as follows:

§154. Presumptions of abandonment

A. Property is presumed abandoned if it is unclaimed by the apparent owner during the time set forth below for the particular property for the following:

* * *

(18) Checks drawn on a campaign account pursuant to R.S. 18:1505.2 for the return of campaign contributions made in excess of contribution limits, ~~six~~ twelve months from the date of the check if not negotiated.

* * *

Section 4. R.S. 18:1486(C)(1) and (2)(d), 1505.2(N), and 1511.3(B) are hereby repealed in their entirety.

Section 5. The Louisiana State Law Institute is authorized and directed to arrange in alphabetical order and renumber the definitions contained in R.S. 18:1481 and to correct any cross-references to the renumbered paragraphs if necessary, consistent with the provisions of this Act.

Section 6. The provisions of Section 2 of this Act shall supercede those same provisions of Section 1 of this Act and those same provisions of Act No. 1 of the 2024 First Extraordinary Session of the Legislature of Louisiana and Act No. 640 of the 2024 Regular Session of the Legislature of Louisiana upon the effective date of Act 640 of the 2024 Regular Session of the Legislature of Louisiana.

Section 7.(A) Section 2 of this Act shall become effective upon the effective date of Act No. 640 of the 2024 Regular Session of the Legislature of Louisiana.

(B) This Section and Sections 1, 3, 4, 5, and 6 of this Act shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, this Section and Sections 1, 3, 4, 5, and 6 of this Act shall become effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB Draft

2025 Regular Session

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 DCFDA, 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 and 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) and (iii), and (c), (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), 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), (D)(1)(a), (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), 1511.3(B), 1511.4(A)(2)(h)

and (i), (C)(1) and (2)(intro. para.), and (D), 1511.4.1(C)(3), 1511.5(A)(1) and (B); Adds R.S. 18:1483(6)(a)(intro. para.), (i)-(iv), and (b)(v), (9)(a)(intro. para.), (i)-(v), (d)(v), (12)(intro. para.) and (a)-(c), 15(b)(iii) and (iv), (17)(b)(i) and (ii), and (25)-(31), 1491.6(F), 1491.6.1, 1491.9, 1505.2(D)(1)(a)-(i), (M)(1)(intro. para.) and (a)-(e), (3)(intro. para.), (d)-(f), and (4), 1511.2(D) and (E), 1511.4(A)(2)(h)(i)(aa)-(dd), 1511.4(C)(2)(f) and (3), 1511.4.1(E), 1511.4.2, 1511.5(A)(1)(a) and (b)(i)-(iii); Repeals R.S. 18:1486(C)(1) and (2)(d), 1505.2(N), and 1511.3(B))