

2015 -- H 5840 SUBSTITUTE A

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LC002058/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND
EXPENDITURES REPORTING

Introduced By: Representatives Craven, Marshall, Morin, Keable, and Tobon

Date Introduced: March 11, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 17-25 of the General Laws entitled "Rhode Island Campaign
2 Contributions and Expenditures Reporting" is hereby amended by adding thereto the following
3 section:

4 **17-25-5.2. Segregation of campaign funds.** – [\(a\) All campaign funds received and](#)
5 [expended by a candidate, office holder, treasurer, or deputy treasurer, subject to the provisions of](#)
6 [this chapter, shall be segregated from all other accounts. The candidate or office holder must](#)
7 [maintain a separate campaign account, which shall not contain any non-campaign funds, at a](#)
8 [financial institution which has a physical branch within this state. The comingling of a candidate's](#)
9 [personal or business funds with campaign funds is expressly prohibited. As used herein, the term](#)
10 ["financial institution" includes a bank or a credit union.](#)

11 **(b) Applicability to political action committees.** - [The provisions of this section shall](#)
12 [apply to political action committees, as well as to individual candidates and office holders.](#)

13 SECTION 2. Section 17-25-10 of the General Laws in Chapter 17-25 entitled "Rhode
14 Island Campaign Contributions and Expenditures Reporting" is hereby amended to read as
15 follows:

16 **17-25-10. Lawful methods of contributing to support of candidates -- Reporting --**
17 **Disposition of anonymous contributions.** -- (a) No contribution shall be made or received, and
18 no expenditures shall be directly made or incurred, to support or defeat a candidate except

1 through:

2 (1) The candidate, duly appointed campaign treasurer, or deputy campaign treasurers, of
3 the candidates;

4 (2) The duly appointed campaign treasurer or deputy campaign treasurers of a political
5 party committee;

6 (3) The duly appointed campaign treasurer or deputy campaign treasurer of a political
7 action committee.

8 (b) It shall be lawful for any person, not otherwise prohibited by law and not acting in
9 concert with any other person or group, to expend personally from that person's own funds a sum
10 which is not to be repaid to him or her for any purpose not prohibited by law to support or defeat
11 a candidate; provided, that any person making the expenditure shall be required to report all of his
12 or her expenditures and expenses, if the total of the money so expended exceeds one hundred
13 dollars (\$100) within a calendar year, to the board of elections within seven (7) days of making
14 the expenditure and to the campaign treasurer of the candidate or political party committee on
15 whose behalf the expenditure or contribution was made, or to his or her deputy, within seven (7)
16 days of making the expenditure, who shall cause the expenditures and expenses to be included in
17 his or her reports to the board of elections. Whether a person is "acting in concert with any other
18 person or group" for the purposes of this subsection shall be determined by application of the
19 standards set forth in § 17-25-23.

20 (c) Any anonymous contribution received by a candidate, campaign treasurer or deputy
21 campaign treasurer shall not be used or expended, but shall be returned to the donor, if the donor's
22 identity can be ascertained; if not, the contribution shall escheat to the state.

23 SECTION 3. This act shall take effect on January 1, 2016.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND
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1 This act would require candidates for public office and office holders to maintain
2 separate campaign accounts exclusively for campaign funds. This act would also apply to
3 political action committees.

4 This act would take effect on January 1, 2016.

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