

2015 -- S 0681

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO ELECTIONS -- CAMPAIGN FINANCE

Introduced By: Senators McCaffrey, Paiva Weed, Ruggerio, Goodwin, and Sheehan

Date Introduced: March 12, 2015

Referred To: Senate 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. Separate campaign accounts required.** – (a) Whenever any candidate
5 receives more than one thousand dollars (\$1,000) in any one calendar year, he or she must
6 maintain a separate campaign account which shall not contain any non-campaign funds at a
7 financial institution which has a physical branch within this state. As used herein, the term
8 "financial institution" includes a bank or a credit union.

9 (b) Applicability to political action committees. - The provisions of this section shall
10 apply to political action committees as well as to individual candidates and office holders.

11 SECTION 2. Sections 17-25-7 and 17-25-27 of the General Laws in Chapter 17-25
12 entitled "Rhode Island Campaign Contributions and Expenditures Reporting" are hereby amended
13 to read as follows:

14 **17-25-7. Contents of reports to be filed by treasurers of candidates and committees.**

15 – (a) Each campaign treasurer of a candidate, each state and municipal committee of a political
16 party, and each political action committee shall keep accurate records and make a full report,
17 upon a form prescribed by the board of elections, of all contributions received and expenditures
18 made by it in excess of a total of one hundred dollars (\$100) from any one source within a
19 calendar year, in furtherance of the nomination, election, or defeat of any candidate or the

1 approval or rejection of any question submitted to the voters, or at any financial town meeting,
2 financial town referendum, or other election at which amendments to a city or town charter are
3 proposed, during the period from the date of the last report, or in the case of the initial report,
4 beginning on the date of the appointment of the campaign treasurer for state and municipal
5 committees and political action committees and on the date a person becomes a "candidate" as
6 defined in § 17-25-3(2) for individual candidates. The report shall contain the name, address and
7 place of employment of each person or source from whom the contributions and expenditures in
8 excess of one hundred dollars (\$100) were received or made and the amount contributed or
9 expended by each person or source. The report shall be filed with the board of elections on the
10 dates designated in § 17-25-11. The campaign treasurer of the candidate, or committee reporting,
11 shall certify to the correctness of each report. This subsection shall apply to any entity advocating
12 the approval or rejection of any question presented to voters at any financial town meeting, which
13 shall file reports of contributions or expenditures every seven (7) days if the total of the money so
14 expended exceeds one hundred dollars (\$100) in a calendar year notwithstanding any other
15 provisions contained in this title.

16 (b) Each state and municipal committee of a political party shall also file with the board
17 of elections, not later than March 1 of each year, an annual report setting forth in the aggregate all
18 contributions received and all expenditures made during the previous calendar year, whether or
19 not these expenditures were made, incurred, or authorized in furtherance of the election or defeat
20 of any candidate. The treasurer of the committee or organization reporting shall certify to the
21 correctness of each report.

22 (c) Any report filed pursuant to the provisions of this section shall include contributions
23 received from any "testimonial affair", as defined in § 17-25-3, held since the date of the most
24 recent report filed.

25 (d) No candidate may also serve as his or her own campaign treasurer.

26 ~~17-25-27. Post-audit of accounts—Publication Report audits. -- The board may~~
27 ~~conduct a post-audit of all accounts and transactions for any election cycle and may conduct any~~
28 ~~other special audits and post-audits that it may deem necessary. (a) The board shall conduct~~
29 ~~random audits of campaign finance reports filed with them. The board may conduct any other~~
30 ~~special audits that it deems necessary. It shall promulgate rules and regulations as necessary to~~
31 ~~administer the audits in a manner that promotes the accuracy and integrity of the campaign~~
32 ~~finance reporting requirements.~~

33 (b) The board shall publish a summary of the reports filed by candidates for general
34 office pursuant to the public financing provision of this chapter on or before April 1 of the year

1 following any year in which elections are held for statewide elective office.

2 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would require any political candidate that receives over one thousand dollars
2 (\$1,000) in campaign contributions in one calendar year to maintain a separate financial account
3 for campaign funds, and shall not contain any non-campaign funds. It would also prohibit the
4 candidate from serving as his or her campaign treasurer. Finally, it would require the board to
5 conduct random audits of campaign finance reports.

6 This act would take effect upon passage.

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