

Legislative Update: New Reporting Requirements!

The legislature passed HB 2389 last session. The bill makes the following changes to the reporting requirements for political committees.

Register First, Campaign Later

All committees must now register BEFORE making expenditures, accepting contributions, distributing campaign literature, or circulating petitions. Grace periods have been eliminated. Whether the aim is to create a candidate, a political, or a ballot measure committee, it is now unlawful for a group of individuals to start these activities before filing a Statement of Organization or a \$500 Threshold Exemption Statement with the appropriate elections office¹.

"Five Day Rule"

Any change to committee information, such as a new officer or a new e-mail address, must be reported to the elections office within five business days. The deadline is the same for reporting a switch in committee status. An amended Statement of Organization must be filed to report changes.

Campaign Literature - New Disclosure Requirements

- Out-of-state contributors must be disclosed as such as part of the disclosure requirement for ballot measure literature. The top four major funding sources must be disclosed on any committee literature or advertisement.
- The definition of "major funding source" has been amended. In jurisdictions larger than 100,000 persons, a cumulative donation of \$10,000 or more qualifies the contributor as a major funding source. In jurisdictions under 100,000, the distinction is made when a contributor gives \$5,000 or more.
- Political committees expressly advocating the election or defeat of a candidate must include the words "paid for by" followed by the name of the committee as it appears on the Statement of Organization or \$500 Threshold Exemption Statement. A candidate's personal campaign signs are exempted from this requirement.
- Literature or advertisements created by the independent expenditure of a political committee must disclose the names and telephone numbers of its top three political committee contributors.

\$10K Notices

Some of the guidelines for special reporting by committees acting on ballot measures have changed. Ballot measure committees are now required to file a notice the first time any of the following occurs:

- Receipt of contributions total \$10,000 or more
- Expenditures total \$10,000 or more
- Receipt of contributions total \$10,000 or more from a single source
- Receipt of contributions total \$10,000 or more from different additional single sources.

Notices must be filed within 24 hours excluding Saturdays, Sundays and other legal holidays. Notices are to be filed with the appropriate elections office.¹ They must identify the contributor, the date, and the amount of the contribution. In the case of an expenditure, reports must show the amount, recipient, and purpose of expenditures.

¹ Where do I file?

Secretary of State	Candidates and political committees involved with statewide and legislative elections
County Officer in Charge of Elections	Candidates and political committees involved with county or school elections
City or Town Clerk	Candidates and political committees involved with city or town elections