

1 HB283
2 105509-1
3 By Representatives Ball, Canfield, McCampbell, Bentley, Thomas
4 (E), Love, Hubbard, Mask, Hammon, Ward, DeMarco, Williams,
5 McCutcheon, Faust, Todd, Hinshaw, Sanderford, Oden, Hill,
6 Martin, Drake, Barton, Collier, Scott, Treadaway, Baker (A),
7 Shiver and Gipson
8 RFD: Constitution and Elections
9 First Read: 03-FEB-09

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8 SYNOPSIS: Under existing law, a principal campaign
9 committee or political action committee is required
10 to file with the Secretary of State or judge of
11 probate reports of contributions and expenditures
12 at certain times before an election.

13 This bill would provide that the reports
14 shall be filed regardless if the candidate has an
15 opponent in any primary, special, runoff, or
16 general election.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 To amend Section 17-5-8, Code of Alabama 1975,
23 relating to reports of contributions and expenditures by
24 candidates and committees, to provide that the reports shall
25 be filed regardless if the candidate has an opponent in any
26 primary, special, runoff, or general election.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 17-5-8, Code of Alabama 1975, is
2 amended to read as follows:

3 "§17-5-8.

4 "(a) Each principal campaign committee or political
5 action committee shall file with the Secretary of State or
6 judge of probate, as designated in Section 17-5-9, reports of
7 contributions and expenditures at the following times in any
8 year in which an election is held:

9 "(1) ~~Between~~ Regardless of whether the candidate has
10 opposition in any election, 50 and 45 days before and between
11 10 and five days before the date of any primary, special,
12 runoff, or general election for which a political action
13 committee or principal campaign committee receives
14 contributions or makes expenditures with a view toward
15 influencing such election's result.

16 "(2) Provided, however, that with regard to a runoff
17 election a report shall not be required except between five
18 and 10 days before the runoff election.

19 "(b) Each principal campaign committee, political
20 action committee, and elected state and local official covered
21 under the provisions of this chapter, shall annually file with
22 the Secretary of State or judge of probate, as designated in
23 Section 17-5-9, reports of contributions and expenditures made
24 during that year. The annual reports required under this
25 subsection shall be made on or before January 31 of the
26 succeeding year.

27 "(c) Each report under this section shall disclose:

1 "(1) The amount of cash or other assets on hand at
2 the beginning of the reporting period and forward until the
3 end of that reporting period and disbursements made from same.

4 "(2) The identification of each person who has made
5 contributions to such committee or candidate within the
6 calendar year in an aggregate amount greater than one hundred
7 dollars (\$100), together with the amount and date of all such
8 contributions; provided, however, in the case of a political
9 action committee identification shall mean the name and city
10 of residence of each person who has made contributions within
11 the calendar year in an aggregate amount greater than one
12 hundred dollars (\$100).

13 "(3) The total amount of other contributions
14 received during the calendar year but not reported under
15 subdivision (c) (2) of this section.

16 "(4) Each loan to or from any person within the
17 calendar year in an aggregate amount greater than one hundred
18 dollars (\$100), together with the identification of the
19 lender, the identification of the endorsers, or guarantors, if
20 any, and the date and amount of such loans.

21 "(5) The total amount of receipts from any other
22 source during such calendar year.

23 "(6) The grand total of all receipts by or for such
24 committee during the calendar year.

25 "(7) The identification of each person to whom
26 expenditures have been made by or on behalf of such committee
27 or elected official within the calendar year in an aggregate

1 amount greater than one hundred dollars (\$100), the amount,
2 date, and purpose of each such expenditure, and, if
3 applicable, the designation of each constitutional amendment
4 or other proposition with respect to which an expenditure was
5 made.

6 "(8) The identification of each person to whom an
7 expenditure for personal services, salaries, and reimbursed
8 expenses greater than one hundred dollars (\$100) has been
9 made, and which is not otherwise reported or exempted from the
10 provisions of this chapter, including the amount, date, and
11 purpose of such expenditure.

12 "(9) The grand total of all expenditures made by
13 such committee or elected official during the calendar year.

14 "(10) The amount and nature of debts and obligations
15 owed by or to the committee or elected official, together with
16 a statement as to the circumstances and conditions under which
17 any such debt or obligation was extinguished and the
18 consideration therefor.

19 "(d) Each report required by this section shall be
20 signed and filed by the elected official or on behalf of the
21 political action committee by its chair or treasurer and, if
22 filed on behalf of a principal campaign committee, by the
23 candidate represented by such committee. There shall be
24 attached to each such report an affidavit subscribed and sworn
25 to by the official or chair or treasurer and, if filed by a
26 principal campaign committee, the candidate represented by
27 such committee, setting forth in substance that such report is

1 to the best of his or her knowledge and belief in all respects
2 true and complete, and, if made by a candidate, that he or she
3 has not received any contributions or made any expenditures
4 which are not set forth and covered by such report."

5 Section 2. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.