

1 HB200  
2 115088-1  
3 By Representatives Ball, McCutcheon, Canfield, Hill and Wood  
4 RFD: Constitution and Elections  
5 First Read: 12-JAN-10

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8 SYNOPSIS: Under existing law, campaign finance  
9 reports are required to disclose the name of any  
10 person making a contribution in excess of \$100.

11 This bill would require that the report also  
12 include the occupation and name of the employer of  
13 the contributor.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT  
18

19 To amend Section 17-5-8, Code of Alabama 1975, as  
20 amended by Act No. 2009-751, 2009 Regular Session, relating to  
21 reports of contributions and expenditures of candidates and  
22 political action committees, to require that the reports also  
23 include the occupation and name of the employer of the  
24 contributor.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Section 17-5-8, Code of Alabama 1975, as  
2 amended by Act No. 2009-751, 2009 Regular Session, is amended  
3 to read as follows:

4           "§17-5-8.

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

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

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

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

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

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

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

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

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

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

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

1           "(7) The identification of each person to whom  
2 expenditures have been made by or on behalf of such committee  
3 or elected official within the calendar year in an aggregate  
4 amount greater than one hundred dollars (\$100), the amount,  
5 date, and purpose of each such expenditure, and, if  
6 applicable, the designation of each constitutional amendment  
7 or other proposition with respect to which an expenditure was  
8 made.

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

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

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

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

1 to by the official or chair or treasurer and, if filed by a  
2 principal campaign committee, the candidate represented by  
3 such committee, setting forth in substance that such report is  
4 to the best of his or her knowledge and belief in all respects  
5 true and complete, and, if made by a candidate, that he or she  
6 has not received any contributions or made any expenditures  
7 which are not set forth and covered by such report."

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