

1 HB431
2 216086-2
3 By Representative Simpson
4 RFD: Constitution, Campaigns and Elections
5 First Read: 01-MAR-22

SYNOPSIS: Under existing law, it is unlawful for one political action committee (PAC) to transfer funds to another PAC, with limited exceptions.

This bill would authorize a county executive committee PAC to accept contributions from or transfer to another county executive committee PAC or the state executive committee PAC.

A BILL
TO BE ENTITLED
AN ACT

Relating to campaign finance; to amend Section 17-5-15, Code of Alabama 1975, to allow PAC to PAC transfers among official county political party PACs and the state political party PAC.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-5-15, Code of Alabama 1975, is amended to read as follows:

"§17-5-15.

1 "(a) It shall be unlawful for any person, acting for
2 himself or herself or on behalf of any entity, to make a
3 contribution in the name of another person or entity, or
4 knowingly permit his or her name, or the entity's name, to be
5 used to effect such a contribution made by one person or
6 entity in the name of another person or entity, or for any
7 candidate, principal campaign committee, or political action
8 committee to knowingly accept a contribution made by one
9 person or entity in the name of another person or entity;
10 provided, however, that nothing in this chapter prohibits any
11 person from soliciting and receiving contributions from other
12 persons for the purpose of making expenditures to a candidate,
13 political campaign committee, political action committee, or
14 elected state or local official required to file reports
15 pursuant to Section 17-5-8.

16 "(b) It shall be unlawful for any political action
17 committee or tax exempt political organization under 26 U.S.C.
18 § 527, including a principal campaign committee, or any person
19 authorized to make an expenditure on behalf of ~~such~~ the
20 political action committee or 527 organization, to make a
21 contribution, expenditure, or any other transfer of funds to
22 any other political action committee or 527 organization. It
23 shall be unlawful for any principal campaign committee or any
24 person authorized to make an expenditure on behalf of ~~such~~ the
25 principal campaign committee to make a contribution,
26 expenditure, or other transfer of funds to any other principal
27 campaign committee, except where the contribution,

1 expenditure, or any other transfer of funds is made from a
2 principal campaign committee to another principal campaign
3 committee on behalf of the same person. Notwithstanding the
4 foregoing, a political action committee that is not a
5 principal campaign committee may make contributions,
6 expenditures, or other transfers of funds to a principal
7 campaign committee; and a separate segregated fund established
8 by a corporation under federal law, if the fund does not
9 receive any contributions from within this state other than
10 contributions from its employees and directors, is not
11 restricted by this subsection in the amount it may transfer to
12 a political action committee established under the provisions
13 of Section 17-5-14.1 by the same or an affiliated corporation.

14 "(c) Notwithstanding subsections (a) and (b), a
15 county executive committee that is a registered political
16 action committee and is recognized by a state executive
17 committee as being the official executive committee of that
18 county may accept contributions from or transfer expenditures
19 to the state executive committee's registered political action
20 committee or to another county executive committee's
21 registered political action committee."

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