



2005 ASSEMBLY BILL 1005

February 10, 2006 – Introduced by Representatives TRAVIS, TOWNSEND, TURNER, ALBERS, HEBL, MUSSER, LEHMAN, BOYLE, CULLEN, POPE-ROBERTS and BERCEAU, cosponsored by Senators ELLIS and RISSER. Referred to Committee on Campaigns and Elections.

- 1 **AN ACT to create** 11.01 (14m) and 11.382 of the statutes; **relating to:** prohibition
2 of certain solicitations by state or local elective officials.

Analysis by the Legislative Reference Bureau

This bill prohibits any elective state or local official from soliciting any money or other thing of value or acting in concert with any other person to solicit any money or other thing of value for or on behalf of 1) any committee that makes disbursements (expenditures) to advocate the election or defeat of a candidate for state or local office independently of any candidate for that office; 2) any organization that makes an expenditure for the purpose of making a communication containing a reference to a candidate for state or local office at an election in proximity to that election independently of any candidate for that office (commonly referred to as an “issue advocacy” expenditure); or 3) any organization that is subject to a reporting requirement under section 527 of the Internal Revenue Code (an organization that makes certain election-related expenditures that are not subject to a reporting requirement under the Federal Election Campaign Act).

Currently, there is no similar restriction.

Violators are subject to a forfeiture (civil penalty) not exceeding \$500 for each violation. Intentional violators are guilty of a misdemeanor and may be fined not more than \$1,000 or imprisoned for not more than six months or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

