

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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March 14, 2000

Senator Panzer:

Proposed s. 11.26 (8m), which prohibits political action committees and conduits from making certain contributions to other political action committees and conduits, and prohibits conduits from transferring certain contributions to political action committees is an innovative provision, and we do not yet have, to my knowledge, specific guidance from the federal courts concerning the enforceability of a provision of this type. Because of the concerns expressed by the U.S. Supreme Court in *Buckley v. Valeo, et al.*, 96 S. Ct. 612 (1976), and certain other cases that attempts to regulate campaign financing activities may, in some instances, impermissibly intrude upon freedom of speech or association, or equal protection guarantees, it is possible that enforceability problems with this provision may occur.

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