

1 published, issued or circulated, ~~any~~ an anonymous letter, circular,
2 placard, radio or television advertisement or other publication
3 supporting or aiding the election or defeat of a clearly identified
4 candidate.

5 (b) No owner, publisher, editor or employee of a newspaper or
6 other periodical may insert ~~either in its advertising or reading~~
7 ~~columns, any matter,~~ any matter in its advertising or reading
8 columns, paid for or to be paid for, ~~which tends~~ tending to
9 influence the voting at ~~any~~ an election unless:

10 (1) Directly designating it as a paid advertisement; ~~and~~

11 (2) Stating the name of the person authorizing its
12 publication; and

13 (3) Stating the name of the candidate in whose behalf it is
14 published.

15 (c) No person may, in ~~any~~ a room or building occupied for the
16 discharge of official duties by ~~any~~ an officer or employee of the
17 state or a political subdivision of the state, solicit orally or by
18 written communication delivered within the room or building, or in
19 any other manner, ~~any~~ a contribution of money or other thing of
20 value for ~~any~~ a party or political purpose from ~~any~~ a postmaster or
21 ~~any~~ other officer or employee of the federal government or officer
22 or employee of the state or a political subdivision of the state.
23 No officer, agent, clerk or employee of the federal government or
24 of this state or any political subdivision of the state, ~~who may~~

1 ~~have~~ who has charge or control of any building, office or room,
2 occupied for ~~any~~ an official purpose, may knowingly permit ~~any~~ a
3 person to enter ~~any~~ a building, office or room occupied for ~~any~~ an
4 official purpose, ~~for the purpose of soliciting or receiving any~~
5 ~~political assessments from, or delivering or giving~~ in order to
6 solicit or receive political assessments from or to deliver or
7 give written solicitations for, or any notice of, ~~any~~ political
8 assessments to ~~any~~ an officer or employee of the state or a
9 political subdivision of the state.

10 (d) Except as provided in section eight of this article, no
11 person or firm entering into ~~any~~ a contract with the state or its
12 subdivisions, ~~or any department or agency of the state, either~~
13 departments or agencies for rendition of personal services or for
14 furnishing ~~any~~ material, supplies or equipment or selling any land
15 or building ~~to the state or its subdivisions, or any department or~~
16 ~~agency of the state, if payment for the performance of the contract~~
17 ~~or payment for the material, supplies, equipment, land or building~~
18 ~~is to be made, in whole or in part, from public funds may, during~~
19 ~~the period of negotiation, for or performance under the contract or~~
20 ~~furnishing of materials, supplies, equipment, land or buildings,~~
21 may, during the period of negotiations, directly or indirectly,
22 make ~~any~~ a contribution to ~~any~~ a political party, committee or
23 candidate for public office or to ~~any~~ a person for political
24 ~~purposes or use nor may any person or firm~~ purpose or solicit any

1 contributions for any purpose during any period if payment for the
2 performance of the contract or for the material, supplies,
3 equipment, land or buildings is made or is to be made, in whole or
4 part, from public funds.

5 (e) No person may, directly or indirectly, promise ~~any~~
6 employment, position, work, compensation or other benefit provided
7 for or made possible, in whole or in part, by act of the
8 Legislature, ~~to any person~~ as consideration, favor or reward for
9 ~~any~~ political activity ~~for the~~ in support of or opposition to ~~any~~
10 a candidate or ~~any~~ a political party in ~~any~~ an election.

11 (f) No person may, directly or indirectly, make ~~any~~ a
12 contribution in excess of the value of \$1,000 in connection with
13 ~~any~~ a campaign for nomination or election to or on behalf of any
14 statewide office, in connection with ~~any other~~ a campaign for
15 nomination or election to or on behalf of any other elective office
16 in the state or ~~any of~~ its subdivisions or in connection with or on
17 behalf of ~~any~~ a person engaged in furthering, advancing, supporting
18 or aiding the nomination or election of ~~any~~ a candidate for any of
19 the offices.

20 (g) No political organization, (as defined in Section
21 527(e)(1) of the Internal Revenue Code of 1986) may solicit or
22 accept contributions until it has notified the Secretary of State
23 of its existence and of the purposes for which it was formed.
24 During the two-year election cycle, a political organization, (as

1 defined in Section 527(e) (1) of the Internal Revenue Code of 1986)
2 may not accept contributions totaling more than \$1,000 from any one
3 person prior to the primary election and contributions totaling
4 more than \$1,000 from any one person after the primary and before
5 the general election.

6 (h) It ~~shall be~~ is unlawful for any person to create,
7 establish or organize more than one political organization (as
8 defined in Section 527(e) (1) of the Internal Revenue Code of 1986)
9 with the intent to avoid or evade the contribution limitations
10 contained in subsection (g) of this section.

11 (I) Notwithstanding the provisions of subsection (f) of this
12 section to the contrary, no person may, directly or indirectly,
13 make contributions to a state party executive committee or state
14 party legislative caucus committee which, in the aggregate, exceed
15 the value of \$1,000 in any calendar year.

16 (j) The limitations on contributions contained in this section
17 do not apply to transfers between and among a state party executive
18 committee or a state party's legislative caucus political committee
19 from national committees of the same political party. ~~Provided,~~
20 ~~That~~ Transfers permitted by this subsection may not exceed \$50,000
21 in the aggregate in any calendar year to ~~any~~ a state party
22 executive committee or state party legislative caucus political
23 committee ~~Provided, however, That the moneys transferred~~ and may
24 only be used for voter registration and get-out-the-vote activities

1 of the state committees.

2 (k) No person may solicit ~~any contribution,~~ contributions,
3 other than contributions to a campaign for or against a county or
4 local government ballot issue, from ~~any a~~ nonelective salaried
5 employee of the state government or ~~of any of~~ its subdivisions:
6 *Provided,* That in no event ~~shall~~ may any person acting in a
7 supervisory role solicit a person who is a subordinate employee for
8 ~~any a~~ contribution. No person may coerce or intimidate ~~any a~~
9 nonelective salaried employee into making a contribution. No
10 person may coerce or intimidate ~~any a~~ nonsalaried employee of the
11 state government or ~~any of~~ its subdivisions into engaging in ~~any a~~
12 form of political activity. The provisions of this subsection ~~may~~
13 ~~not be construed to~~ do not prevent ~~any an~~ employee from making a
14 contribution or from engaging in political activity voluntarily
15 without coercion, intimidation or solicitation.

16 (l) No person may solicit a contribution from ~~any other a~~
17 person without informing the other person at the time of the
18 solicitation of the amount of ~~any~~ commission, remuneration or other
19 compensation that the solicitor or ~~any~~ other person will receive or
20 expect to receive as a direct result of the contribution being
21 successfully collected. Nothing in this subsection ~~may be~~
22 ~~construed to apply~~ applies to solicitations of contributions made
23 by ~~any a~~ person serving as an unpaid volunteer.

24 (m) No person may place ~~any a~~ letter, circular, flyer,

1 advertisement, election paraphernalia, solicitation material or
2 other printed or published item tending to influence voting at ~~any~~
3 an election in a roadside receptacle unless it is: (1) Approved
4 for placement into a roadside receptacle by the business or entity
5 owning the receptacle; and (2) contains a written acknowledgment of
6 the approval. This subdivision does not apply to ~~any~~ printed
7 material ~~contained~~ in a newspaper or periodical published or
8 distributed by the owner of the receptacle. The term "roadside
9 receptacle" means ~~any~~ a container placed by a newspaper or
10 periodical business or entity to facilitate home or personal
11 delivery of a designated newspaper or periodical to its customers.

12 (n) No elected official or individual acting on behalf of an
13 elected official may personally distribute, handout or otherwise
14 dispense publicly any state or federal public moneys and
15 appropriation grants, including state grants and economic
16 development funds, to an individual, corporation, organization or
17 entity within ninety days of an election in which the elected
18 official is a candidate.

19 ~~(n) (o)~~ Any A person violating any provision of this section
20 is guilty of a misdemeanor and, upon conviction thereof, shall be
21 fined not more than \$1,000 or confined in ~~a regional or county jail~~
22 ~~for not more than one year or, in the discretion of the court, be~~
23 ~~subject to both fine and confinement~~ jail for not more than one
24 year or both fined and confined.

1 ~~(o)~~ (p) The provisions of subsection (k) of this section,
2 permitting contributions to a campaign for or against a county or
3 local government ballot issue, ~~shall become~~ are operable on and
4 after January 1, 2005.

5 ~~(p)~~ (q) The limitations on contributions established by
6 subsection (g) of this section do not apply to contributions made
7 for the purpose of supporting or opposing a ballot issue, including
8 a constitutional amendment.

NOTE: The purpose of this bill is to prohibit distribution,
handing out or otherwise dispensing of public moneys by elected
officials within ninety days of elections.

Strike-throughs indicate language that would be stricken from
the present law and underscoring indicates new language that would
be added.