

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 628**

4 (By Senators Unger, Snyder, Hall, Browning, Kessler (Mr.
5 President) and Klempa)

6 _____
7 [Originating in the Committee on the Judiciary;
8 reported February 24, 2012.]
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11 A BILL to amend the Code of West Virginia, 1931, as amended, by
12 adding thereto a new section, designated §3-8-2c, relating to
13 funding for state executive party headquarters; defining
14 terms; allowing funds to be raised; providing for allowable
15 uses of the funds and prohibitions; setting certain
16 fundraising limits; requiring reports; and requiring
17 legislative rules.

18 *Be it enacted by the Legislature of West Virginia:*

19 That the Code of West Virginia, 1931, as amended, be amended
20 by adding thereto a new section, designated §3-8-2c, to read as
21 follows:

22 **ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS.**

23 **§3-8-2c. Party headquarters committee; detailed accounts and**
24 **verified financial statements; funding for**
25 **headquarters; limitations; reporting requirements.**

1 (a) For purposes of this section:

2 (1) "Contribution" means monetary donations and in-kind
3 contributions of materials or supplies, but does not include
4 volunteer personal services.

5 (2) "Party headquarters" means a physical structure or
6 structures that is the physical location of the office of a state
7 executive committee of a political party.

8 (3) "Party headquarters committee" includes any person,
9 organization or group of persons soliciting or receiving
10 contributions for the purpose of funding the rental, purchase,
11 construction or financing of the rental, purchase or construction
12 of a party headquarters, and for the utilities, maintenance,
13 furniture, fixtures and equipment for the party headquarters.

14 (b) A political party may establish a party headquarters
15 committee to solicit or receive contributions consistent with this
16 section.

17 (c) Funds raised towards a party headquarters may only be used
18 for a state political party's party headquarters. The funds may
19 not be used for satellite offices, other facilities, signage or any
20 electioneering activities.

21 (d) Any party headquarters committee soliciting or receiving
22 contributions for the funding of all or any part of a party
23 headquarters that receives an individual or corporate contribution
24 in excess of \$250 shall file and retain detailed records of the
25 contribution.

26 (e) No person or corporation may contribute more than \$10,000

1 for any party headquarters.

2 (f) No party headquarters committee may receive contributions
3 or expend contributions for the purpose of funding the rental,
4 purchase, construction or financing of a state executive committee
5 headquarters in excess of \$1 million.

6 (g) Any party headquarters committee, financial agent or any
7 person or officer acting on behalf of the committee which is
8 subject to the provisions of this section shall file a verified
9 financial statement with the Secretary of State on a form
10 prescribed by the State Election Commission within ninety days of
11 any contribution in excess of \$250 or expenditure of funds. The
12 Secretary of State shall file and retain the statements as public
13 records for not less than six years.

14 (h) The financial statement shall contain information required
15 by the provisions of this section relating to any contribution in
16 excess of \$250. In addition to any other information required by
17 the State Election Commission, the report of contributions required
18 by the provisions of this section shall include the methodology of
19 the fundraising, the nature of any expenditures made and the names,
20 addresses and amounts paid to any person.

21 (i) Amounts received by a party headquarters committee may be
22 contributed to any educational, cultural or charitable
23 organization.

24 (j) The Secretary of State shall propose rules for legislative
25 approval in accordance with the provisions of article three,
26 chapter twenty-nine-a of this code to effectuate the provisions of

1 this section.

(NOTE: The purpose of this bill is to allow a party headquarters committee to raise funds for a party headquarters for a state executive committee for a political party.

This section is new; therefore, strike-throughs and underscoring have been omitted.)