

Senate Bill No. 628

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

[Introduced February 17, 2012; referred to the Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-8-2c, relating to funding for state executive party headquarters; defining terms; allowing funds to be raised; providing for allowable uses of the funds and prohibitions; requiring reports; and requiring legislative rules.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS.

§3-8-2c. Party headquarters committee; detailed accounts and verified financial statements; funding for

1 **headquarters; limitations; reporting requirements.**

2 (a) For purposes of this section:

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

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

13 (3) "Party headquarters" means a physical structure or
14 structures that is the physical location of the office of a state
15 executive committee of a political party as set out in section one,
16 article nine of this chapter.

17 (b) Funds raised towards a party headquarters may only be used
18 for a state political party's main office. The funds may not be
19 used for satellite offices, other facilities or signage.

20 (c) No funds raised under this section may be used for any
21 electioneering activities, as defined in this chapter.

22 (d) Any party headquarters committee soliciting or receiving
23 contributions for the funding of all or any part of a party
24 headquarters that receives an individual or corporate contribution

1 in excess of \$250 shall file and retain detailed records of the
2 contribution.

3 (e) No person or corporation may contribute more than \$10,000
4 for any party headquarters as defined in this section.

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

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

19 (h) In addition to any other information required by the State
20 Election Commission, the report of contributions required by the
21 provisions of this section shall include the methodology of the
22 fundraising, the nature of the expenditures made and the names,
23 addresses and amounts paid to any person.

24 (i) Amounts received by a party headquarters committee may be

1 contributed to any educational, cultural or charitable
2 organization.

3 (j) The Secretary of State shall propose a legislative rule,
4 for approval by the Legislature, in accordance with the provisions
5 of article three, chapter twenty-nine-a of this code to effectuate
6 the provisions of 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.