

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3407

By Delegates Cannon, Linville, Hardy, Clark, Riley,
and Barnhart

[Introduced February 13, 2023; Referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §3-8-5c of the Code of West Virginia, 1931, as amended, relating to
2 elections; and increasing the maximum contribution limitation in an election cycle.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS.

§3-8-5c. Contribution limitations.

1 (a)(1) A person, political party, or political action committee may not, in an election cycle:

2 (A) Contribute more than ~~\$2,800~~ \$3,300, directly or indirectly, to a candidate's committee
3 for a candidate seeking nomination, including by making contributions to the candidate's
4 committee; or

5 (B) Contribute more than ~~\$2,800~~ \$3,300, directly or indirectly, to a candidate's committee
6 for a candidate seeking election, including by making contributions to the candidate's committee:
7 Provided, That a candidate may receive contributions for the general election prior to nomination,
8 however, such funds may not be expended until after the date of the nomination is declared.

9 (2) The contribution limits of this section apply only to elections to be held after the effective
10 date of this section and do not apply to candidate committees that were created for elections held
11 prior to the effective date of this section.

12 (b) A person, except candidate committees and caucus campaign committees, may not,
13 directly or indirectly, make contributions to a state party executive committee, or any subsidiary,
14 branch, or local unit thereof, or a caucus campaign committee which, in the aggregate, exceed
15 \$10,000 in any calendar year: *Provided*, That a person may not earmark or otherwise designate
16 any portion of a contribution made pursuant to this subsection to be used to support or oppose the
17 election of a particular candidate: *Provided, however*, That any such designation or earmark that
18 accompanies a contribution made pursuant to this subsection may not be binding on the entity that
19 receives the contribution.

20 (c) A person may not, directly or indirectly, make contributions to a political action
21 committee, related to a particular election, which, in the aggregate, exceed \$5,000.

22 (d) Candidate committees and caucus campaign committees may make contributions to
23 their affiliated state party executive committees, or any subsidiary, branch, or local unit thereof, or
24 a caucus campaign committee up to \$75,000.

25 (e) The amendments to this section enacted during the regular session of the Legislature,
26 2022, shall not be effective until November 9, 2022.

27 (f) The amendments to this section enacted during the regular session of the Legislature,
28 2023, may not be effective until November 9, 2023.

NOTE: The purpose of this bill is to increasing the maximum contribution limitation in an election cycle from \$2,800 to \$3,300.

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