

PROPOSED AMENDMENT  
SENATE AMENDMENTS TO H.B. 2415  
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 16-901, Arizona Revised Statutes, is amended to  
3 read:

4 16-901. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Agent" means, with respect to any person other than a candidate,  
7 any person who has oral or written authority, either express or implied, to  
8 make or authorize the making of expenditures as defined in this section on  
9 behalf of a candidate, any person who has been authorized by the treasurer of  
10 a political committee to make or authorize the making of expenditures or a  
11 political consultant for a candidate or political committee.

12 2. "Candidate" means an individual who receives or gives consent for  
13 receipt of a contribution for his nomination for or election to any office in  
14 this state other than a federal office.

15 3. "Candidate's campaign committee" means a political committee  
16 designated and authorized by a candidate.

17 4. "Clearly identified candidate" means that the name, a photograph or  
18 a drawing of the candidate appears or the identity of the candidate is  
19 otherwise apparent by unambiguous reference.

20 5. "Contribution" means any gift, subscription, loan, advance or  
21 deposit of money or anything of value made for the purpose of influencing an  
22 election including supporting or opposing the recall of a public officer or  
23 supporting or opposing the circulation of a petition for a ballot measure,  
24 question or proposition or the recall of a public officer and:

25 (a) Includes all of the following:

1 (i) A contribution made to retire campaign debt.

2 (ii) Money or the fair market value of anything directly or indirectly  
3 given or loaned to an elected official for the purpose of defraying the  
4 expense of communications with constituents, regardless of whether the  
5 elected official has declared his candidacy.

6 (iii) The entire amount paid to a political committee to attend a  
7 fund-raising or other political event and the entire amount paid to a  
8 political committee as the purchase price for a fund-raising meal or item,  
9 except that no contribution results if the actual cost of the meal or  
10 fund-raising item, based on the amount charged to the committee by the  
11 vendor, constitutes the entire amount paid by the purchaser for the meal or  
12 item, the meal or item is for the purchaser's personal use and not for resale  
13 and the actual cost is the entire amount paid by the purchaser in connection  
14 with the event. This exception does not apply to auction items.

15 (iv) Unless specifically exempted, the provision of goods or services  
16 without charge or at a charge that is less than the usual and normal charge  
17 for such goods and services. The acquisition or use of campaign assets by a  
18 committee that are paid for with the candidate's personal monies, including  
19 campaign signs and other similar promotional materials, is a contribution and  
20 is reportable by the candidate's campaign committee as a contribution to the  
21 campaign.

22 (b) Does not include any of the following:

23 (i) The value of services provided without compensation by any  
24 individual who volunteers on behalf of a candidate, a candidate's campaign  
25 committee or any other political committee.

26 (ii) Money or the value of anything directly or indirectly provided to  
27 defray the expense of an elected official meeting with constituents if the  
28 elected official is engaged in the performance of the duties of his office or  
29 provided by the state or a political subdivision to an elected official for  
30 communication with constituents if the elected official is engaged in the  
31 performance of the duties of his office.

32 (iii) The use of real or personal property, including a church or  
33 community room used on a regular basis by members of a community for

1 noncommercial purposes, that is obtained by an individual in the course of  
2 volunteering personal services to any candidate, candidate's committee or  
3 political party, and the cost of invitations, food and beverages voluntarily  
4 provided by an individual to any candidate, candidate's campaign committee or  
5 political party in rendering voluntary personal services on the individual's  
6 residential premises or in the church or community room for candidate-related  
7 or political party-related activities, to the extent that the cumulative  
8 value of the invitations, food and beverages provided by the individual on  
9 behalf of any single candidate does not exceed one hundred dollars with  
10 respect to any single election.

11 (iv) Any unreimbursed payment for personal travel expenses made by an  
12 individual who on his own behalf volunteers his personal services to a  
13 candidate.

14 (v) The payment by a political party for party operating expenses,  
15 party staff and personnel, party newsletters and reports, voter registration  
16 and efforts to increase voter turnout, party organization building and  
17 maintenance and printing and postage expenses for slate cards, sample  
18 ballots, other written materials that substantially promote three or more  
19 nominees of the party for public office and other election activities not  
20 related to a specific candidate, except that this item does not apply to  
21 costs incurred with respect to a display of the listing of candidates made on  
22 telecommunications systems or in newspapers, magazines or similar types of  
23 general circulation advertising.

24 (vi) Independent expenditures.

25 (vii) Monies loaned by a state bank, a federally chartered depository  
26 institution or a depository institution the deposits or accounts of which are  
27 insured by the federal deposit insurance corporation or the national credit  
28 union administration, other than an overdraft made with respect to a checking  
29 or savings account, that is made in accordance with applicable law and in the  
30 ordinary course of business. In order for this exemption to apply, this loan  
31 shall be deemed a loan by each endorser or guarantor, in that proportion of  
32 the unpaid balance that each endorser or guarantor bears to the total number  
33 of endorsers or guarantors, the loan shall be made on a basis that assures

1 repayment, evidenced by a written instrument, shall be subject to a due date  
2 or amortization schedule and shall bear the usual and customary interest rate  
3 of the lending institution.

4 (viii) A gift, subscription, loan, advance or deposit of money or  
5 anything of value to a national or a state committee of a political party  
6 specifically designated to defray any cost for the construction or purchase  
7 of an office facility not acquired for the purpose of influencing the  
8 election of a candidate in any particular election.

9 (ix) Legal or accounting services rendered to or on behalf of a  
10 political committee or a candidate, if the only person paying for the  
11 services is the regular employer of the individual rendering the services and  
12 if the services are solely for the purpose of compliance with this title.

13 (x) The payment by a political party of the costs of campaign  
14 materials, including pins, bumper stickers, handbills, brochures, posters,  
15 party tabloids and yard signs, used by the party in connection with volunteer  
16 activities on behalf of any nominee of the party or the payment by a state or  
17 local committee of a political party of the costs of voter registration and  
18 get-out-the-vote activities conducted by the committee if the payments are  
19 not for the costs of campaign materials or activities used in connection with  
20 any telecommunication, newspaper, magazine, billboard, direct mail or similar  
21 type of general public communication or political advertising.

22 (xi) Transfers between political committees to distribute monies  
23 raised through a joint fund-raising effort in the same proportion to each  
24 committee's share of the fund-raising expenses and payments from one  
25 political committee to another in reimbursement of a committee's  
26 proportionate share of its expenses in connection with a joint fund-raising  
27 effort.

28 (xii) An extension of credit for goods and services made in the  
29 ordinary course of the creditor's business if the terms are substantially  
30 similar to extensions of credit to nonpolitical debtors that are of similar  
31 risk and size of obligation and if the creditor makes a commercially  
32 reasonable attempt to collect the debt, except that any extension of credit  
33 under this item made for the purpose of influencing an election that remains

1           unsatisfied by the candidate after six months, notwithstanding good faith  
2           collection efforts by the creditor, shall be deemed receipt of a contribution  
3           by the candidate but not a contribution by the creditor.

4           (xiii) Interest or dividends earned by a political committee on any  
5           bank accounts, deposits or other investments of the political committee.

6           6. "Earmarked" means a designation, instruction or encumbrance that  
7           results in all or any part of a contribution or expenditure being made to, or  
8           expended on behalf of, a clearly identified candidate or a candidate's  
9           campaign committee.

10          7. "Election" means any election for any initiative, referendum or  
11          other measure or proposition or a primary, general, recall, special or runoff  
12          election for any office in this state other than the office of precinct  
13          committeeman and other than a federal office. ~~Unless otherwise provided by~~  
14          ~~law~~ FOR THE PURPOSES OF SECTIONS 16-903 AND 16-905, the general election ~~does~~  
15          ~~not include~~ INCLUDES the primary election.

16          8. "ELECTION CYCLE" MEANS THE PERIOD BEGINNING TWENTY-ONE DAYS AFTER A  
17          GENERAL ELECTION AND ENDING TWENTY DAYS AFTER THE NEXT SUCCESSIVE GENERAL  
18          ELECTION FOR A PARTICULAR ELECTED OFFICE FOR THE PURPOSES OF SECTIONS 16-903  
19          AND 16-905.

20          ~~8.~~ 9. "Expenditures" includes any purchase, payment, distribution,  
21          loan, advance, deposit or gift of money or anything of value made by a person  
22          for the purpose of influencing an election in this state including supporting  
23          or opposing the recall of a public officer or supporting or opposing the  
24          circulation of a petition for a ballot measure, question or proposition or  
25          the recall of a public officer and a contract, promise or agreement to make  
26          an expenditure resulting in an extension of credit and the value of any  
27          in-kind contribution received. Expenditure does not include any of the  
28          following:

29          (a) A news story, commentary or editorial distributed through the  
30          facilities of any telecommunications system, newspaper, magazine or other  
31          periodical publication, unless the facilities are owned or controlled by a  
32          political committee, political party or candidate.

1 (b) Nonpartisan activity designed to encourage individuals to vote or  
2 to register to vote.

3 (c) The payment by a political party of the costs of preparation,  
4 display, mailing or other distribution incurred by the party with respect to  
5 any printed slate card, sample ballot or other printed listing of three or  
6 more candidates for any public office for which an election is held, except  
7 that this subdivision does not apply to costs incurred by the party with  
8 respect to a display of any listing of candidates made on any  
9 telecommunications system or in newspapers, magazines or similar types of  
10 general public political advertising.

11 (d) The payment by a political party of the costs of campaign  
12 materials, including pins, bumper stickers, handbills, brochures, posters,  
13 party tabloids and yard signs, used by the party in connection with volunteer  
14 activities on behalf of any nominee of the party or the payment by a state or  
15 local committee of a political party of the costs of voter registration and  
16 get-out-the-vote activities conducted by the committee if the payments are  
17 not for the costs of campaign materials or activities used in connection with  
18 any telecommunications system, newspaper, magazine, billboard, direct mail or  
19 similar type of general public communication or political advertising.

20 (e) Any deposit or other payment filed with the secretary of state or  
21 any other similar officer to pay any portion of the cost of printing an  
22 argument in a publicity pamphlet advocating or opposing a ballot measure.

23 ~~9.~~ 10. "Exploratory committee" means a political committee that is  
24 formed for the purpose of determining whether an individual will become a  
25 candidate and that receives contributions or makes expenditures of more than  
26 five hundred dollars in connection with that purpose.

27 ~~10.~~ 11. "Family contribution" means any contribution that is provided  
28 to a candidate's campaign committee by a parent, grandparent, spouse, child  
29 or sibling of the candidate or a parent or spouse of any of those persons.

30 ~~11.~~ 12. "Filing officer" means the office that is designated by  
31 section 16-916 to conduct the duties prescribed by this chapter.

32 ~~12.~~ 13. "Identification" means:

1 (a) For an individual, his name and mailing address, his occupation  
2 and the name of his employer.

3 (b) For any other person, including a political committee, the full  
4 name and mailing address of the person. For a political committee,  
5 identification includes the identification number issued on the filing of a  
6 statement of organization pursuant to section 16-902.01.

7 ~~13.~~ 14. "Incomplete contribution" means any contribution received by a  
8 political committee for which the contributor's mailing address, occupation,  
9 employer or identification number has not been obtained and is not in the  
10 possession of the political committee.

11 ~~14.~~ 15. "Independent expenditure" means an expenditure by a person or  
12 political committee, other than a candidate's campaign committee, that  
13 expressly advocates the election or defeat of a clearly identified candidate,  
14 that is made without cooperation or consultation with any candidate or  
15 committee or agent of the candidate and that is not made in concert with or  
16 at the request or suggestion of a candidate, or any committee or agent of the  
17 candidate. Independent expenditure includes an expenditure that is subject  
18 to the requirements of section 16-917, which requires a copy of campaign  
19 literature or advertisement to be sent to a candidate named or otherwise  
20 referred to in the literature or advertisement.

21 ~~15.~~ 16. "In-kind contribution" means a contribution of goods or  
22 services or anything of value and not a monetary contribution. The use by a  
23 candidate's campaign committee of a distinctive trade name, trademark or  
24 trade dress item, including a logo, that is owned by a business or other  
25 entity that is owned by that candidate or in which the candidate has a  
26 controlling interest is deemed to be an in-kind contribution to the  
27 candidate's campaign committee and shall be reported as otherwise prescribed  
28 by law.

29 ~~16.~~ 17. "Itemized" means that each contribution received or  
30 expenditure made is set forth separately.

31 ~~17.~~ 18. "Literature or advertisement" means information or materials  
32 that are mailed, distributed or placed in some medium of communication for  
33 the purpose of influencing the outcome of an election.

1           ~~18.~~ 19. "Personal monies" means any of the following:

2           (a) Except as prescribed in paragraph ~~15~~ 16 of this section, assets to  
3 which the candidate has a legal right of access or control at the time he  
4 becomes a candidate and with respect to which the candidate has either legal  
5 title or an equitable interest.

6           (b) Salary and other earned income from bona fide employment of the  
7 candidate, dividends and proceeds from the sale of the stocks or investments  
8 of the candidate, bequests to the candidate, income to the candidate from  
9 trusts established before candidacy, income to the candidate from trusts  
10 established by bequest after candidacy of which the candidate is a  
11 beneficiary, gifts to the candidate of a personal nature that have been  
12 customarily received before the candidacy and proceeds received by the  
13 candidate from lotteries and other legal games of chance.

14           (c) The proceeds of loans obtained by the candidate that are not  
15 contributions and for which the collateral or security is covered by  
16 subdivision (a) or (b) of this paragraph.

17           (d) Family contributions.

18           ~~19.~~ 20. "Political committee" means a candidate or any association or  
19 combination of persons that is organized, conducted or combined for the  
20 purpose of influencing the result of any election or to determine whether an  
21 individual will become a candidate for election in this state or in any  
22 county, city, town, district or precinct in this state, that engages in  
23 political activity in behalf of or against a candidate for election or  
24 retention or in support of or opposition to an initiative, referendum or  
25 recall or any other measure or proposition and that applies for a serial  
26 number and circulates petitions and, in the case of a candidate for public  
27 office except those exempt pursuant to section 16-903, that receives  
28 contributions or makes expenditures of more than two hundred fifty dollars in  
29 connection therewith, notwithstanding that the association or combination of  
30 persons may be part of a larger association, combination of persons or  
31 sponsoring organization not primarily organized, conducted or combined for  
32 the purpose of influencing the result of any election in this state or in any

1 county, city, town or precinct in this state. Political committee includes  
2 the following types of committees:

3 (a) A candidate's campaign committee.

4 (b) A separate, segregated fund established by a corporation or labor  
5 organization pursuant to section 16-920, subsection A, paragraph 3.

6 (c) A committee acting in support of or opposition to the  
7 qualification, passage or defeat of a ballot measure, question or  
8 proposition.

9 (d) A committee organized to circulate or oppose a recall petition or  
10 to influence the result of a recall election.

11 (e) A political party.

12 (f) A committee organized for the purpose of making independent  
13 expenditures.

14 (g) A committee organized in support of or opposition to one or more  
15 candidates.

16 (h) A political organization.

17 (i) An exploratory committee.

18 ~~20.~~ 21. "Political organization" means an organization that is  
19 formally affiliated with and recognized by a political party including a  
20 district committee organized pursuant to section 16-823.

21 ~~21.~~ 22. "Political party" means the state committee as prescribed by  
22 section 16-825 or the county committee as prescribed by section 16-821 of an  
23 organization that meets the requirements for recognition as a political party  
24 pursuant to section 16-801 or section 16-804, subsection A.

25 ~~22.~~ 23. "Sponsoring organization" means any organization that  
26 establishes, administers or contributes financial support to the  
27 administration of, or that has common or overlapping membership or officers  
28 with, a political committee other than a candidate's campaign committee.

29 ~~23.~~ 24. "Standing political committee" means a political committee  
30 that satisfies all of the following:

31 (a) Is active in more than one reporting jurisdiction in this state  
32 for more than one year.

1 (b) Files a statement of organization as prescribed by section  
2 16-902.01, subsection E.

3 (c) Is any of the following as defined by paragraph ~~19~~ 20 of this  
4 section:

5 (i) A separate, segregated fund.

6 (ii) A political party.

7 (iii) A committee organized for the purpose of making independent  
8 expenditures.

9 (iv) A political organization.

10 ~~24.~~ 25. "Statewide office" means the office of governor, secretary of  
11 state, state treasurer, attorney general, superintendent of public  
12 instruction, corporation commissioner or mine inspector.

13 ~~25.~~ 26. "Surplus monies" means those monies of a political committee  
14 remaining after all of the committee's expenditures have been made and its  
15 debts have been extinguished.

16 Sec. 2. Section 16-902, Arizona Revised Statutes, is amended to read:

17 16-902. Organization of political committees; accounting

18 A. Each political committee shall have a chairman and treasurer. The  
19 position of chairman and treasurer of a single political committee may not be  
20 held by the same individual, except that a candidate may be chairman and  
21 treasurer of ~~his~~ THE CANDIDATE'S own campaign committee.

22 B. The name of each political committee shall include the name of any  
23 sponsoring organization, and, in the case of a candidate's campaign  
24 committee, the committee's name shall include the name of the candidate, or,  
25 if for an exploratory committee, the individual, who designated the committee  
26 pursuant to section 16-903.

27 C. Before a political committee accepts a contribution or makes an  
28 expenditure it shall designate one or more state banks, federally chartered  
29 depository institutions or depository institutions the deposits or accounts  
30 of which are insured by the federal deposit insurance corporation or the  
31 national credit union administration as its campaign depository or  
32 depositories. The political committee shall notify the filing officer of the  
33 designation of the financial institution either at the time of filing the

1 statement of organization pursuant to section 16-902.01 or within five  
2 business days after opening an account. All withdrawals or disbursements  
3 from these accounts require the signature of the treasurer or a designated  
4 agent of the political committee.

5 ~~D. If a committee receives contributions designated for use in the~~  
6 ~~general election before the primary election, the committee must use an~~  
7 ~~acceptable accounting method to distinguish between contributions received~~  
8 ~~for the primary election and contributions received for the general election.~~  
9 ~~Acceptable accounting methods include designating separate accounts for each~~  
10 ~~election or establishing separate books and records for each election.~~

11 Sec. 3. Section 16-903, Arizona Revised Statutes, is amended to read:

12 16-903. Candidate's campaign committees; exploratory committees;  
13 designation; candidate as agent; civil penalty

14 A. Each candidate who intends to receive contributions or make  
15 expenditures of more than five hundred dollars in connection with a campaign  
16 for office shall designate in the format prescribed by the filing officer a  
17 political committee for each election **CYCLE** to serve as the candidate's  
18 campaign committee. ~~Subject to section 16-902, subsection D, a candidate~~  
19 ~~shall only designate a single candidate campaign committee that applies to~~  
20 ~~both the primary election and the general election for that designated~~  
21 ~~office.~~ The candidate shall make the designation pursuant to this subsection  
22 by filing a statement of organization before making any expenditures,  
23 accepting any contributions, distributing any campaign literature or  
24 circulating any petitions. Each candidate who intends to receive  
25 contributions or make expenditures of five hundred dollars or less shall file  
26 a signed exemption statement in the format prescribed by the filing officer  
27 that states that intention before making any expenditures, accepting any  
28 contributions, distributing any campaign literature or circulating  
29 petitions. If a candidate who has filed a five hundred dollar exemption  
30 statement receives contributions or makes expenditures of more than five  
31 hundred dollars, that candidate shall file a statement of organization with  
32 the filing officer within five business days after exceeding the five hundred  
33 dollar limit.

1           B. An individual who receives contributions or makes expenditures of  
2 more than five hundred dollars for the purpose of determining whether the  
3 individual will become a candidate for election to an office in this state  
4 shall designate in the format prescribed by the filing officer a political  
5 committee to serve as the individual's exploratory committee. The individual  
6 shall make the designation pursuant to this subsection before making any  
7 expenditures, accepting any contributions, circulating any petitions or  
8 distributing any campaign literature. ~~If an individual's exploratory  
9 committee receives contributions designated for use in the general election  
10 before the primary election, the committee must use an acceptable accounting  
11 method to distinguish between contributions received for the primary election  
12 and contributions received for the general election. Acceptable accounting  
13 methods include designating separate accounts for each election or  
14 establishing separate books and records for each election.~~

15           C. An individual may have only one exploratory committee in existence  
16 at one time. A candidate may have only one campaign committee designated for  
17 each election **CYCLE**, but a candidate may have more than one campaign  
18 committee simultaneously in existence.

19           D. A political committee that supports or has supported another  
20 candidate or more than one candidate may not be designated as a candidate's  
21 campaign committee.

22           E. Any candidate who receives a contribution or any loan for use in  
23 connection with the campaign of that candidate for election or who makes a  
24 disbursement in connection with that campaign shall be deemed as having  
25 received the contribution or loan or as having made the disbursement as an  
26 agent of the candidate's campaign committee for purposes of this article.

27           F. An elected official is not deemed to have offered himself for  
28 nomination or election to an office within the meaning of section 38-296  
29 solely by ~~his~~ **THE ELECTED OFFICIAL'S** designation of a candidate campaign  
30 committee.

31           G. After designating an exploratory committee, a candidate may  
32 lawfully collect signatures on nomination petitions and receive  
33 contributions.

1 H. A person who violates this section is subject to a civil penalty  
2 imposed as prescribed in section 16-924 of up to three times the amount of  
3 money that has been received, expended or promised in violation of this  
4 section or up to three times the value in money for an equivalent of money or  
5 other things of value that have been received, expended or promised in  
6 violation of this section.

7 Sec. 4. Section 16-905, Arizona Revised Statutes, is amended to read:

8 16-905. Contribution limitations; civil penalty; complaint;  
9 reductions

10 A. For an election other than for a statewide office, a contributor  
11 shall not give and an exploratory committee, a candidate or a candidate's  
12 campaign committee shall not accept contributions of more than:

13 1. For an election for a legislative office, ~~two~~ SIX thousand ~~five~~ TWO  
14 hundred FIFTY dollars PER ELECTION CYCLE from an individual.

15 2. For an election other than for a legislative office, ~~two~~ SIX  
16 thousand ~~five~~ TWO hundred FIFTY dollars PER ELECTION CYCLE from an  
17 individual.

18 3. For an election for a legislative office, ~~two~~ SIX thousand ~~five~~ TWO  
19 hundred FIFTY dollars PER ELECTION CYCLE from a single political committee,  
20 excluding a political party, not certified under subsection G of this section  
21 to make contributions at the higher limits prescribed by paragraph 5 of this  
22 subsection and subsection B, paragraph 3 of this section.

23 4. For an election other than for a legislative office, ~~two~~ SIX  
24 thousand ~~five~~ TWO hundred FIFTY dollars PER ELECTION CYCLE from a single  
25 political committee, excluding a political party, not certified under  
26 subsection G of this section to make contributions at the higher limits  
27 prescribed by subsection B, paragraph 3 of this section.

28 5. ~~five~~ TWELVE thousand FIVE HUNDRED dollars PER ELECTION CYCLE from a  
29 single political committee that is certified pursuant to subsection G of this  
30 section, excluding a political party.

31 6. SIX THOUSAND TWO HUNDRED FIFTY DOLLARS PER ELECTION CYCLE FROM A  
32 SINGLE PARTNERSHIP. CONTRIBUTIONS FROM A PARTNERSHIP SHALL BE ALLOCATED TO  
33 THE INDIVIDUAL PARTNERS WHO ARE CONTRIBUTING, AS DESIGNATED BY THE

1 PARTNERSHIP. PARTNERSHIP CONTRIBUTIONS FROM DESIGNATED PARTNERS SHALL BE  
2 COMBINED WITH OTHER CONTRIBUTIONS BY THAT INDIVIDUAL PARTNER TO THE SAME  
3 RECIPIENT AND ARE SUBJECT TO THE LIMITS ON AN INDIVIDUAL PRESCRIBED BY THIS  
4 SECTION. NONPARTNERSHIP MONIES THAT ARE CONTRIBUTED BY AN INDIVIDUAL SHALL  
5 NOT BE COUNTED AGAINST THE PARTNERSHIP CONTRIBUTION LIMIT FOR THAT SAME  
6 RECIPIENT.

7 B. For an election for a statewide office, a contributor shall not  
8 give and an exploratory committee, a candidate or a candidate's committee  
9 shall not accept contributions of more than:

10 1. ~~Two~~ SIX thousand ~~five~~ TWO hundred FIFTY dollars PER ELECTION CYCLE  
11 from an individual.

12 2. ~~Two~~ SIX thousand ~~five~~ TWO hundred FIFTY dollars PER ELECTION CYCLE  
13 from a single political committee, excluding a political party, not certified  
14 under subsection G of this section to make contributions at the higher limits  
15 prescribed by subsection A, paragraph 5 of this section and paragraph 3 of  
16 this subsection.

17 3. ~~Five~~ TWELVE thousand ~~ten~~ FIVE HUNDRED dollars PER ELECTION CYCLE  
18 from a single political committee that is certified pursuant to subsection G  
19 of this section, excluding a political party.

20 4. SIX THOUSAND TWO HUNDRED FIFTY DOLLARS PER ELECTION CYCLE FROM A  
21 SINGLE PARTNERSHIP. CONTRIBUTIONS FROM A PARTNERSHIP SHALL BE ALLOCATED TO  
22 THE INDIVIDUAL PARTNERS WHO ARE CONTRIBUTING, AS DESIGNATED BY THE  
23 PARTNERSHIP. PARTNERSHIP CONTRIBUTIONS FROM DESIGNATED PARTNERS SHALL BE  
24 COMBINED WITH OTHER CONTRIBUTIONS BY THAT INDIVIDUAL PARTNER TO THE SAME  
25 RECIPIENT AND ARE SUBJECT TO THE LIMITS ON AN INDIVIDUAL PRESCRIBED BY THIS  
26 SECTION. NONPARTNERSHIP MONIES THAT ARE CONTRIBUTED BY AN INDIVIDUAL SHALL  
27 NOT BE COUNTED AGAINST THE PARTNERSHIP CONTRIBUTION LIMIT FOR THAT SAME  
28 RECIPIENT.

29 C. A candidate may accept contributions from political committees,  
30 excluding political parties, as otherwise prescribed in this section and a  
31 candidate is not restricted as to the aggregate total that a candidate may  
32 lawfully receive from all political committees, excluding political parties.

1           D. A nominee of a political party shall not accept contributions from  
2 all political parties or political organizations combined totaling more than  
3 ten thousand ~~twenty~~ dollars for an election for an office other than a  
4 statewide office, and one hundred thousand ~~one hundred ten~~ dollars for an  
5 election for a statewide office.

6           E. An individual may make contributions as otherwise prescribed by  
7 this section, and an individual is not restricted as to the aggregate total  
8 that an individual may give. AN INDIVIDUAL MAY MAKE AN OTHERWISE LAWFUL  
9 CONTRIBUTION USING PERSONAL MONIES CONTAINED IN A REVOCABLE TRUST, WHICH  
10 SHALL BE REPORTED AS AN INDIVIDUAL CONTRIBUTION AND WHICH IS SUBJECT TO THE  
11 LIMITS ON AN INDIVIDUAL CONTRIBUTION.

12           F. A candidate's campaign committee or an individual's exploratory  
13 committee shall not make a loan and shall not transfer or contribute money to  
14 any other campaign or exploratory committee that is designated pursuant to  
15 this chapter or ~~2- 52~~ United States Code section ~~431~~ 30101 except as follows:

16           1. An exploratory committee may transfer monies to a subsequent  
17 candidate's campaign committee of the individual designating the exploratory  
18 committee, subject to the limits of subsection B of this section.

19           2. A candidate's campaign committee may transfer or contribute monies  
20 to another campaign committee designated by the same candidate as follows:

21           (a) Subject to the contribution limits of this section per  
22 contributor, transfer or contribute monies in the aggregate from one  
23 committee to another if both committees have been designated for an election  
24 in the same year including to a committee for another office or in another  
25 jurisdiction.

26           (b) Without application of the contribution limits of this section,  
27 transfer or contribute monies from one committee to another designated for an  
28 election in a subsequent year.

29           G. Only political committees that received monies from five hundred or  
30 more individuals in amounts of ten dollars or more in the two year period  
31 immediately before application to the secretary of state for qualification as  
32 a political committee pursuant to this section may make contributions to  
33 candidates under subsection A, paragraph 5 of this section and subsection B,

1 paragraph 3 of this section. The secretary of state shall obtain information  
2 necessary to make the determination that a committee meets the requirements  
3 of this subsection and shall provide written certification of the fact to the  
4 committee. A political committee certification is valid for four years. A  
5 candidate's campaign committee shall not accept a contribution pursuant to  
6 this subsection unless it is accompanied by a copy of the certification. All  
7 political committees that do not meet the requirements of this subsection are  
8 subject to the individual campaign contribution limits of subsection A,  
9 paragraphs 1 and 2 of this section and subsection B, paragraph 1 of this  
10 section.

11 H. The secretary of state biennially shall adjust to the nearest ten  
12 dollars the amounts in subsections A through E of this section by the  
13 percentage change in the consumer price index and publish the new amounts for  
14 distribution to election officials, candidates and campaign committees. For  
15 the purposes of this subsection, "consumer price index" means the consumer  
16 price index for all urban consumers, United States city average, that is  
17 published by the United States department of labor, bureau of labor  
18 statistics.

19 I. The following specific limitations and procedures apply:

20 1. The limits of subsections A through E of this section apply to each  
21 election **CYCLE** for any office or offices that the candidate seeks.

22 2. The limits of subsections A and B of this section apply to the  
23 total contributions from all separate segregated funds established, as  
24 provided in section 16-920, by a corporation, labor organization, trade  
25 association, cooperative or corporation without capital stock.

26 3. A contribution by an unemancipated minor child shall be treated as  
27 a contribution by the child's custodial parent or parents for determining  
28 compliance with subsection A, paragraphs 1 and 2, subsection B, paragraph 1  
29 and subsection E of this section.

30 4. A contribution by an individual or a single political committee to  
31 two or more candidates in connection with a joint fund-raising effort shall  
32 be divided among the candidates in direct proportion to each candidate  
33 campaign committee's share of the expenses for the fund-raising effort.

1           5. A candidate shall sign and file with the candidate's nomination  
2 paper a statement that the candidate has read all applicable laws relating to  
3 campaign financing and reporting.

4           ~~6. A contribution to a candidate's exploratory or campaign committee~~  
5 ~~shall be applied to the primary election unless:~~

6           ~~(a) The contributor has designated otherwise.~~

7           ~~(b) That application would result in exceeding a contribution limit.~~

8           ~~In that event, the committee may:~~

9           ~~(i) Apply that portion of the contribution that exceeds the limit to~~  
10 ~~the general election. Any portion applied to the general election is subject~~  
11 ~~to the contribution limits for that election and for that contributor.~~

12           ~~(ii) Refund the excess amount.~~

13           ~~(c) The contribution was received after the primary election and the~~  
14 ~~contribution was not being used to retire primary election debt. In that~~  
15 ~~event, the contribution shall be applied to the general election subject to~~  
16 ~~the contribution limits for that election and for that contributor.~~

17           ~~7. Contributions made to the candidate for the general election are~~  
18 ~~solely for influencing the general election. If the candidate prevailed in~~  
19 ~~the primary election or if the candidate filed pursuant to section 16-341,~~  
20 ~~unexpended or unencumbered primary election contributions may be combined~~  
21 ~~after the primary election with all of the general election contributions~~  
22 ~~that were received for use in the general election.~~

23           6. After the general election, all contributions may be combined for  
24 use in a subsequent election **CYCLE**.

25           ~~8.~~ 7. An individual or political committee shall not use economic  
26 influence to induce members of an organization to make contributions to a  
27 candidate, collect contributions from members of an organization for  
28 transmittal to a candidate, make payments to candidates for public  
29 appearances or services that are ordinarily uncompensated or use any similar  
30 device to circumvent any of the limitations of this section.

31           J. A person who violates this section is subject to a civil penalty  
32 imposed as prescribed in section 16-924 of three times the amount of money  
33 that has been received, expended or promised in violation of this section or

1 three times the value in money for an equivalent of money or other things of  
2 value that have been received, expended or promised in violation of this  
3 section.

4 K. Any qualified elector may file a sworn complaint with the attorney  
5 general or the county attorney of the county in which a violation of this  
6 section is believed to have occurred, and the attorney general or the county  
7 attorney shall investigate the complaint for possible action.

8 L. If the filing officer, attorney general or county attorney fails to  
9 institute an action within forty-five working days after receiving a  
10 complaint under subsection K of this section, the individual filing the  
11 complaint may bring a civil action in the individual's own name and at the  
12 individual's own expense, with the same effect as if brought by the filing  
13 officer, attorney general or county attorney. The individual shall execute a  
14 bond payable to the defendant if the individual fails to prosecute the action  
15 successfully. The court shall award to the prevailing party costs and  
16 reasonable attorney fees.

17 M. If a provision of this section or its application to any person or  
18 circumstance is held invalid, the invalidity does not affect other provisions  
19 or applications of the section that can be given effect without the invalid  
20 provision or application, and to this end the provisions of this section are  
21 severable.

22 N. The use of a candidate's personal monies, or the use of personal  
23 monies by an individual who designates an exploratory committee, is not  
24 subject to the limitations of this section.

25 O. For any statewide or legislative candidate who is not participating  
26 in the citizens clean elections act funding system established pursuant to  
27 article 2 of this chapter:

28 1. Complaints and investigations relating to an alleged violation of  
29 this article are subject only to the jurisdiction, penalties and procedures  
30 established pursuant to this article and the enforcement and investigative  
31 authority of the secretary of state and attorney general.



1 lobbyists and the solicitation of campaign contributions by principals or  
2 lobbyists during any time that the legislature is in regular session but does  
3 not prohibit principals or lobbyists from raising monies for any other  
4 purpose during the regular session of the legislature.

5 C. A MEMBER OF THE LEGISLATURE OR THE GOVERNOR MAY ACCEPT A CAMPAIGN  
6 CONTRIBUTION THAT IS RECEIVED BY A MEMBER OF THE LEGISLATURE OR THE GOVERNOR  
7 WITHIN THREE CALENDAR DAYS AFTER THE FIRST DAY OF THE REGULAR SESSION OF THE  
8 LEGISLATURE IF THE CAMPAIGN CONTRIBUTION WAS MAILED AND POSTMARKED BEFORE THE  
9 FIRST DAY OF THE REGULAR LEGISLATIVE SESSION.

10 Sec. 7. Retroactivity

11 A. Sections 16-901, 16-902, 16-903 and 16-905, Arizona Revised  
12 Statutes, as amended by this act, apply retroactively to from and after  
13 November 4, 2014.

14 B. Section 16-905, Arizona Revised Statutes, as amended by this act,  
15 applies retroactively to all contributions made for an election in the 2016  
16 election cycle or later.

17 Sec. 8. Applicability to candidates with existing political  
18 committees; transfers; debt retirement

19 Notwithstanding any other law, for candidates who have existing  
20 candidate campaign committees and who intend to seek elected office in the  
21 2016 or 2018 election cycle, as applicable:

22 1. For candidates who have surplus monies remaining in the primary or  
23 general election accounts, or both, from the 2014 election cycle but who do  
24 not intend to dispose of those surplus monies pursuant to section 16-915.01,  
25 subsection A, paragraphs 2 through 8, Arizona Revised Statutes, the following  
26 apply:

27 (a) The candidate shall transfer those monies to a new candidate  
28 campaign committee established for the 2016 or 2018 election cycle, as  
29 applicable, and shall use the new candidate campaign committee instead of  
30 amending the statement of organization for an existing candidate campaign  
31 committee from the 2014 election cycle.

32 (b) For candidates who amended their statements of organization for  
33 their candidate campaign committees before the effective date of this act,

1 the filing officer for that candidate shall take reasonable measures to  
2 assist those candidates and committees to come into conformance with this  
3 act.

4 2. Candidates who have a zero balance in both the primary and the  
5 general election accounts of their candidate campaign committees from the  
6 2014 election cycle shall file a termination statement for that committee  
7 with the filing officer.

8 3. For candidates who have debt remaining in a primary or general  
9 election account, or both, from the 2014 election cycle and who do not  
10 transfer the account debt to a new political committee established for the  
11 2016 or 2018 election cycle, as applicable, the following apply:

12 (a) The candidate may accept contributions to retire the account debt  
13 in accordance with the contribution limits that were in effect on November 4,  
14 2014 for the 2014 election cycle.

15 (b) A candidate's acceptance of contributions to retire debt pursuant  
16 to this paragraph does not affect a candidate's contribution limits for a new  
17 candidate campaign committee established pursuant to this act for the 2016 or  
18 2018 election cycle, as applicable.

19 4. For candidates who have debt remaining in a primary or general  
20 election account, or both, from the 2014 election cycle and who transfer that  
21 account debt to a new political committee established for the 2016 or 2018  
22 election cycle, as applicable, contributions to retire the transferred debt  
23 are counted against the contribution limits for the new political committee  
24 for that contributor and for that candidate.

25 Sec. 9. Secretary of state; campaign finance reporting system

26 As soon as is practicable, the office of the secretary of state shall  
27 modify the electronic campaign finance reporting system operated by that  
28 office to incorporate the amendments made to this state's campaign finance  
29 laws by this act and shall facilitate the consolidation of separate accounts  
30 created for the 2014 primary and general elections into one account for the  
31 2016 or 2018 election cycle, as applicable.

1           Sec. 10. Severability

2           If a provision of this act or its application to any person or  
3           circumstance is held invalid, the invalidity does not affect other provisions  
4           or applications of the act that can be given effect without the invalid  
5           provision or application, and to this end the provisions of this act are  
6           severable.

7           Sec. 11. Emergency

8           This act is an emergency measure that is necessary to preserve the  
9           public peace, health or safety and is operative immediately as provided by  
10          law."

11 Amend title to conform

ADAM DRIGGS

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03/17/2015  
12:36 PM  
C: myr