

State of Arizona  
House of Representatives  
Fifty-second Legislature  
First Regular Session  
2015

# HOUSE BILL 2415

AN ACT

AMENDING SECTIONS 16-901, 16-902, 16-903, 16-905, 16-907 AND 41-1234.01,  
ARIZONA REVISED STATUTES; RELATING TO CAMPAIGN FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

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:

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

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

31 (iii) The entire amount paid to a political committee to attend a  
32 fund-raising or other political event and the entire amount paid to a  
33 political committee as the purchase price for a fund-raising meal or item,  
34 except that no contribution results if the actual cost of the meal or  
35 fund-raising item, based on the amount charged to the committee by the  
36 vendor, constitutes the entire amount paid by the purchaser for the meal or  
37 item, the meal or item is for the purchaser's personal use and not for resale  
38 and the actual cost is the entire amount paid by the purchaser in connection  
39 with the event. This exception does not apply to auction items.

40 (iv) Unless specifically exempted, the provision of goods or services  
41 without charge or at a charge that is less than the usual and normal charge  
42 for such goods and services. The acquisition or use of campaign assets by a  
43 committee that are paid for with the candidate's personal monies, including  
44 campaign signs and other similar promotional materials, is a contribution and

1 is reportable by the candidate's campaign committee as a contribution to the  
2 campaign.

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

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

7 (ii) Money or the value of anything directly or indirectly provided to  
8 defray the expense of an elected official meeting with constituents if the  
9 elected official is engaged in the performance of the duties of his office or  
10 provided by the state or a political subdivision to an elected official for  
11 communication with constituents if the elected official is engaged in the  
12 performance of the duties of his office.

13 (iii) The use of real or personal property, including a church or  
14 community room used on a regular basis by members of a community for  
15 noncommercial purposes, that is obtained by an individual in the course of  
16 volunteering personal services to any candidate, candidate's committee or  
17 political party, and the cost of invitations, food and beverages voluntarily  
18 provided by an individual to any candidate, candidate's campaign committee or  
19 political party in rendering voluntary personal services on the individual's  
20 residential premises or in the church or community room for candidate-related  
21 or political party-related activities, to the extent that the cumulative  
22 value of the invitations, food and beverages provided by the individual on  
23 behalf of any single candidate does not exceed one hundred dollars with  
24 respect to any single election.

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

28 (v) The payment by a political party for party operating expenses,  
29 party staff and personnel, party newsletters and reports, voter registration  
30 and efforts to increase voter turnout, party organization building and  
31 maintenance and printing and postage expenses for slate cards, sample  
32 ballots, other written materials that substantially promote three or more  
33 nominees of the party for public office and other election activities not  
34 related to a specific candidate, except that this item does not apply to  
35 costs incurred with respect to a display of the listing of candidates made on  
36 telecommunications systems or in newspapers, magazines or similar types of  
37 general circulation advertising.

38 (vi) Independent expenditures.

39 (vii) Monies loaned by a state bank, a federally chartered depository  
40 institution or a depository institution the deposits or accounts of which are  
41 insured by the federal deposit insurance corporation or the national credit  
42 union administration, other than an overdraft made with respect to a checking  
43 or savings account, that is made in accordance with applicable law and in the  
44 ordinary course of business. In order for this exemption to apply, this loan  
45 shall be deemed a loan by each endorser or guarantor, in that proportion of

1 the unpaid balance that each endorser or guarantor bears to the total number  
2 of endorsers or guarantors, the loan shall be made on a basis that assures  
3 repayment, evidenced by a written instrument, shall be subject to a due date  
4 or amortization schedule and shall bear the usual and customary interest rate  
5 of the lending institution.

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

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

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

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

30 (xii) An extension of credit for goods and services made in the  
31 ordinary course of the creditor's business if the terms are substantially  
32 similar to extensions of credit to nonpolitical debtors that are of similar  
33 risk and size of obligation and if the creditor makes a commercially  
34 reasonable attempt to collect the debt, except that any extension of credit  
35 under this item made for the purpose of influencing an election that remains  
36 unsatisfied by the candidate after six months, notwithstanding good faith  
37 collection efforts by the creditor, shall be deemed receipt of a contribution  
38 by the candidate but not a contribution by the creditor.

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

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

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

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

11           ~~8-~~ 9. "Expenditures" includes any purchase, payment, distribution,  
12 loan, advance, deposit or gift of money or anything of value made by a person  
13 for the purpose of influencing an election in this state including supporting  
14 or opposing the recall of a public officer or supporting or opposing the  
15 circulation of a petition for a ballot measure, question or proposition or  
16 the recall of a public officer and a contract, promise or agreement to make  
17 an expenditure resulting in an extension of credit and the value of any  
18 in-kind contribution received. Expenditure does not include any of the  
19 following:

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

24           (b) Nonpartisan activity designed to encourage individuals to vote or  
25 to register to vote.

26           (c) The payment by a political party of the costs of preparation,  
27 display, mailing or other distribution incurred by the party with respect to  
28 any printed slate card, sample ballot or other printed listing of three or  
29 more candidates for any public office for which an election is held, except  
30 that this subdivision does not apply to costs incurred by the party with  
31 respect to a display of any listing of candidates made on any  
32 telecommunications system or in newspapers, magazines or similar types of  
33 general public political advertising.

34           (d) The payment by a political party of the costs of campaign  
35 materials, including pins, bumper stickers, handbills, brochures, posters,  
36 party tabloids and yard signs, used by the party in connection with volunteer  
37 activities on behalf of any nominee of the party or the payment by a state or  
38 local committee of a political party of the costs of voter registration and  
39 get-out-the-vote activities conducted by the committee if the payments are  
40 not for the costs of campaign materials or activities used in connection with  
41 any telecommunications system, newspaper, magazine, billboard, direct mail or  
42 similar type of general public communication or political advertising.

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

1           ~~9.~~ 10. "Exploratory committee" means a political committee that is  
2 formed for the purpose of determining whether an individual will become a  
3 candidate and that receives contributions or makes expenditures of more than  
4 five hundred dollars in connection with that purpose.

5           ~~10.~~ 11. "Family contribution" means any contribution that is provided  
6 to a candidate's campaign committee by a parent, grandparent, spouse, child  
7 or sibling of the candidate or a parent or spouse of any of those persons.

8           ~~11.~~ 12. "Filing officer" means the office that is designated by  
9 section 16-916 to conduct the duties prescribed by this chapter.

10          ~~12.~~ 13. "Identification" means:

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

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

17          ~~13.~~ 14. "Incomplete contribution" means any contribution received by a  
18 political committee for which the contributor's mailing address, occupation,  
19 employer or identification number has not been obtained and is not in the  
20 possession of the political committee.

21          ~~14.~~ 15. "Independent expenditure" means an expenditure by a person or  
22 political committee, other than a candidate's campaign committee, that  
23 expressly advocates the election or defeat of a clearly identified candidate,  
24 that is made without cooperation or consultation with any candidate or  
25 committee or agent of the candidate and that is not made in concert with or  
26 at the request or suggestion of a candidate, or any committee or agent of the  
27 candidate. Independent expenditure includes an expenditure that is subject  
28 to the requirements of section 16-917, which requires a copy of campaign  
29 literature or advertisement to be sent to a candidate named or otherwise  
30 referred to in the literature or advertisement.

31          ~~15.~~ 16. "In-kind contribution" means a contribution of goods or  
32 services or anything of value and not a monetary contribution. The use by a  
33 candidate's campaign committee of a distinctive trade name, trademark or  
34 trade dress item, including a logo, that is owned by a business or other  
35 entity that is owned by that candidate or in which the candidate has a  
36 controlling interest is deemed to be an in-kind contribution to the  
37 candidate's campaign committee and shall be reported as otherwise prescribed  
38 by law.

39          ~~16.~~ 17. "Itemized" means that each contribution received or  
40 expenditure made is set forth separately.

41          ~~17.~~ 18. "Literature or advertisement" means information or materials  
42 that are mailed, distributed or placed in some medium of communication for  
43 the purpose of influencing the outcome of an election.

44          ~~18.~~ 19. "Personal monies" means any of the following:

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

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

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

16 (d) Family contributions.

17 ~~19.~~ 20. "Political committee" means a candidate or any association or  
18 combination of persons that is organized, conducted or combined for the  
19 purpose of influencing the result of any election or to determine whether an  
20 individual will become a candidate for election in this state or in any  
21 county, city, town, district or precinct in this state, that engages in  
22 political activity in behalf of or against a candidate for election or  
23 retention or in support of or opposition to an initiative, referendum or  
24 recall or any other measure or proposition and that applies for a serial  
25 number and circulates petitions and, in the case of a candidate for public  
26 office except those exempt pursuant to section 16-903, that receives  
27 contributions or makes expenditures of more than two hundred fifty dollars in  
28 connection therewith, notwithstanding that the association or combination of  
29 persons may be part of a larger association, combination of persons or  
30 sponsoring organization not primarily organized, conducted or combined for  
31 the purpose of influencing the result of any election in this state or in any  
32 county, city, town or precinct in this state. Political committee includes  
33 the following types of committees:

34 (a) A candidate's campaign committee.

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

37 (c) A committee acting in support of or opposition to the  
38 qualification, passage or defeat of a ballot measure, question or  
39 proposition.

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

42 (e) A political party.

43 (f) A committee organized for the purpose of making independent  
44 expenditures.

1 (g) A committee organized in support of or opposition to one or more  
2 candidates.  
3 (h) A political organization.  
4 (i) An exploratory committee.  
5 ~~20-~~ 21. "Political organization" means an organization that is  
6 formally affiliated with and recognized by a political party including a  
7 district committee organized pursuant to section 16-823.  
8 ~~21-~~ 22. "Political party" means the state committee as prescribed by  
9 section 16-825 or the county committee as prescribed by section 16-821 of an  
10 organization that meets the requirements for recognition as a political party  
11 pursuant to section 16-801 or section 16-804, subsection A.  
12 ~~22-~~ 23. "Sponsoring organization" means any organization that  
13 establishes, administers or contributes financial support to the  
14 administration of, or that has common or overlapping membership or officers  
15 with, a political committee other than a candidate's campaign committee.  
16 ~~23-~~ 24. "Standing political committee" means a political committee  
17 that satisfies all of the following:  
18 (a) Is active in more than one reporting jurisdiction in this state  
19 for more than one year.  
20 (b) Files a statement of organization as prescribed by section  
21 16-902.01, subsection E.  
22 (c) Is any of the following as defined by paragraph ~~19~~ 20 of this  
23 section:  
24 (i) A separate, segregated fund.  
25 (ii) A political party.  
26 (iii) A committee organized for the purpose of making independent  
27 expenditures.  
28 (iv) A political organization.  
29 ~~24-~~ 25. "Statewide office" means the office of governor, secretary of  
30 state, state treasurer, attorney general, superintendent of public  
31 instruction, corporation commissioner or mine inspector.  
32 ~~25-~~ 26. "Surplus monies" means those monies of a political committee  
33 remaining after all of the committee's expenditures have been made and its  
34 debts have been extinguished.  
35 Sec. 2. Section 16-902, Arizona Revised Statutes, is amended to read:  
36 16-902. Organization of political committees; accounting  
37 A. Each political committee shall have a chairman and treasurer. The  
38 position of chairman and treasurer of a single political committee may not be  
39 held by the same individual, except that a candidate may be chairman and  
40 treasurer of ~~his~~ THE CANDIDATE'S own campaign committee.  
41 B. The name of each political committee shall include the name of any  
42 sponsoring organization, and, in the case of a candidate's campaign  
43 committee, the committee's name shall include the name of the candidate, or,  
44 if for an exploratory committee, the individual, who designated the committee  
45 pursuant to section 16-903.



1 C. Before a political committee accepts a contribution or makes an  
2 expenditure it shall designate one or more state banks, federally chartered  
3 depository institutions or depository institutions the deposits or accounts  
4 of which are insured by the federal deposit insurance corporation or the  
5 national credit union administration as its campaign depository or  
6 depositories. The political committee shall notify the filing officer of the  
7 designation of the financial institution either at the time of filing the  
8 statement of organization pursuant to section 16-902.01 or within five  
9 business days after opening an account. All withdrawals or disbursements  
10 from these accounts require the signature of the treasurer or a designated  
11 agent of the political committee.

12 ~~D. If a committee receives contributions designated for use in the~~  
13 ~~general election before the primary election, the committee must use an~~  
14 ~~acceptable accounting method to distinguish between contributions received~~  
15 ~~for the primary election and contributions received for the general election.~~  
16 ~~Acceptable accounting methods include designating separate accounts for each~~  
17 ~~election or establishing separate books and records for each election.~~

18 Sec. 3. Section 16-903, Arizona Revised Statutes, is amended to read:  
19 16-903. Candidate's campaign committees; exploratory  
20 committees; designation; candidate as agent; civil  
21 penalty

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

42 B. An individual who receives contributions or makes expenditures of  
43 more than five hundred dollars for the purpose of determining whether the  
44 individual will become a candidate for election to an office in this state  
45 shall designate in the format prescribed by the filing officer a political

1 committee to serve as the individual's exploratory committee. The individual  
2 shall make the designation pursuant to this subsection before making any  
3 expenditures, accepting any contributions, circulating any petitions or  
4 distributing any campaign literature. ~~If an individual's exploratory  
5 committee receives contributions designated for use in the general election  
6 before the primary election, the committee must use an acceptable accounting  
7 method to distinguish between contributions received for the primary election  
8 and contributions received for the general election. Acceptable accounting  
9 methods include designating separate accounts for each election or  
10 establishing separate books and records for each election.~~

11 C. An individual may have only one exploratory committee in existence  
12 at one time. A candidate may have only one campaign committee designated for  
13 each election CYCLE, but a candidate may have more than one campaign  
14 committee simultaneously in existence.

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

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

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

27 G. After designating an exploratory committee, a candidate may  
28 lawfully collect signatures on nomination petitions and receive  
29 contributions.

30 H. A person who violates this section is subject to a civil penalty  
31 imposed as prescribed in section 16-924 of up to three times the amount of  
32 money that has been received, expended or promised in violation of this  
33 section or up to three times the value in money for an equivalent of money or  
34 other things of value that have been received, expended or promised in  
35 violation of this section.

36 Sec. 4. Section 16-905, Arizona Revised Statutes, is amended to read:  
37 16-905. Contribution limitations; civil penalty; complaint;  
38 reductions

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

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

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

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

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

14           5. ~~Five~~ TWELVE thousand FIVE HUNDRED dollars PER ELECTION CYCLE from a  
15 single political committee that is certified pursuant to subsection G of this  
16 section, excluding a political party.

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

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

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

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

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

39           4. SIX THOUSAND TWO HUNDRED FIFTY DOLLARS PER ELECTION CYCLE FROM A  
40 SINGLE PARTNERSHIP. CONTRIBUTIONS FROM A PARTNERSHIP SHALL BE ALLOCATED TO  
41 THE INDIVIDUAL PARTNERS WHO ARE CONTRIBUTING, AS DESIGNATED BY THE  
42 PARTNERSHIP. PARTNERSHIP CONTRIBUTIONS FROM DESIGNATED PARTNERS SHALL BE  
43 COMBINED WITH OTHER CONTRIBUTIONS BY THAT INDIVIDUAL PARTNER TO THE SAME  
44 RECIPIENT AND ARE SUBJECT TO THE LIMITS ON AN INDIVIDUAL PRESCRIBED BY THIS  
45 SECTION. NONPARTNERSHIP MONIES THAT ARE CONTRIBUTED BY AN INDIVIDUAL SHALL

1 NOT BE COUNTED AGAINST THE PARTNERSHIP CONTRIBUTION LIMIT FOR THAT SAME  
2 RECIPIENT.

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

7 D. A nominee of a political party shall not accept contributions from  
8 all political parties or political organizations combined totaling more than  
9 ten thousand ~~twenty~~ dollars for an election for an office other than a  
10 statewide office, and one hundred thousand ~~one hundred ten~~ dollars for an  
11 election for a statewide office.

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

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

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

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

27 (a) Subject to the contribution limits of this section per  
28 contributor, transfer or contribute monies in the aggregate from one  
29 committee to another if both committees have been designated for an election  
30 in the same year including to a committee for another office or in another  
31 jurisdiction.

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

35 G. Only political committees that received monies from five hundred or  
36 more individuals in amounts of ten dollars or more in the two year period  
37 immediately before application to the secretary of state for qualification as  
38 a political committee pursuant to this section may make contributions to  
39 candidates under subsection A, paragraph 5 of this section and subsection B,  
40 paragraph 3 of this section. The secretary of state shall obtain information  
41 necessary to make the determination that a committee meets the requirements  
42 of this subsection and shall provide written certification of the fact to the  
43 committee. A political committee certification is valid for four years. A  
44 candidate's campaign committee shall not accept a contribution pursuant to  
45 this subsection unless it is accompanied by a copy of the certification. All

1 political committees that do not meet the requirements of this subsection are  
2 subject to the individual campaign contribution limits of subsection A,  
3 paragraphs 1 and 2 of this section and subsection B, paragraph 1 of this  
4 section.

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

13 I. The following specific limitations and procedures apply:

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

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

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

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

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

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

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

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

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

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

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

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

44 ~~7. Contributions made to the candidate for the general election are~~  
45 ~~solely for influencing the general election. If the candidate prevailed in~~

1 ~~the primary election or if the candidate filed pursuant to section 16-341,~~  
2 ~~unexpended or unencumbered primary election contributions may be combined~~  
3 ~~after the primary election with all of the general election contributions~~  
4 ~~that were received for use in the general election.~~

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

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

13 J. A person who violates this section is subject to a civil penalty  
14 imposed as prescribed in section 16-924 of three times the amount of money  
15 that has been received, expended or promised in violation of this section or  
16 three times the value in money for an equivalent of money or other things of  
17 value that have been received, expended or promised in violation of this  
18 section.

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

23 L. If the filing officer, attorney general or county attorney fails to  
24 institute an action within forty-five working days after receiving a  
25 complaint under subsection K of this section, the individual filing the  
26 complaint may bring a civil action in the individual's own name and at the  
27 individual's own expense, with the same effect as if brought by the filing  
28 officer, attorney general or county attorney. The individual shall execute a  
29 bond payable to the defendant if the individual fails to prosecute the action  
30 successfully. The court shall award to the prevailing party costs and  
31 reasonable attorney fees.

32 M. If a provision of this section or its application to any person or  
33 circumstance is held invalid, the invalidity does not affect other provisions  
34 or applications of the section that can be given effect without the invalid  
35 provision or application, and to this end the provisions of this section are  
36 severable.

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

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

43 1. Complaints and investigations relating to an alleged violation of  
44 this article are subject only to the jurisdiction, penalties and procedures

1 established pursuant to this article and the enforcement and investigative  
2 authority of the secretary of state and attorney general.

3 2. The citizens clean elections commission has no authority to accept,  
4 investigate or otherwise act on any complaint involving an alleged violation  
5 of this article.

6 Sec. 5. Section 16-907, Arizona Revised Statutes, is amended to read:  
7 16-907. Prohibited contributions: standing political  
8 committees; classification

9 A. Any person who makes a contribution in the name of another person  
10 or who knowingly permits his name to be used to effect such a contribution  
11 and any person who knowingly accepts a contribution made by one person in the  
12 name of another person is guilty of a class 6 felony.

13 B. Except for a contribution to a candidate's campaign committee, an  
14 individual or political committee shall not give and a political party or  
15 other political committee shall not accept an earmarked contribution.

16 ~~C. For purposes of this article, a contribution from partnership funds~~  
17 ~~shall only be made in the name of the individual partners who make the~~  
18 ~~contribution.~~

19 ~~D.~~ C. A standing political committee shall not act as a campaign  
20 committee or a sponsoring organization for any candidate, initiative,  
21 referendum or recall but may contribute to other political committees as  
22 provided by law.

23 Sec. 6. Section 41-1234.01, Arizona Revised Statutes, is amended to  
24 read:

25 41-1234.01. Contributions prohibited during session: exceptions

26 A. While registered under this article, a principal, public body,  
27 lobbyist, designated public lobbyist or authorized public lobbyist shall not  
28 make or promise to make a campaign contribution to or solicit or promise to  
29 solicit campaign contributions for:

30 1. A member of the legislature when the legislature is in regular  
31 session.

32 2. The governor when the legislature is in regular session or when  
33 regular session legislation is pending executive approval or veto.

34 B. Subsection A **OF THIS SECTION** only prohibits campaign contributions  
35 by principals, lobbyists, designated public lobbyists or authorized public  
36 lobbyists and the solicitation of campaign contributions by principals or  
37 lobbyists during any time that the legislature is in regular session but does  
38 not prohibit principals or lobbyists from raising monies for any other  
39 purpose during the regular session of the legislature.

40 C. **A MEMBER OF THE LEGISLATURE OR THE GOVERNOR MAY ACCEPT A CAMPAIGN**  
41 **CONTRIBUTION THAT IS RECEIVED BY A MEMBER OF THE LEGISLATURE OR THE GOVERNOR**  
42 **WITHIN THREE CALENDAR DAYS AFTER THE FIRST DAY OF THE REGULAR SESSION OF THE**  
43 **LEGISLATURE IF THE CAMPAIGN CONTRIBUTION WAS MAILED AND POSTMARKED BEFORE THE**  
44 **FIRST DAY OF THE REGULAR LEGISLATIVE SESSION.**





1 election cycle, as applicable, contributions to retire the transferred debt  
2 are counted against the contribution limits for the new political committee  
3 for that contributor and for that candidate.

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

5 As soon as is practicable, the office of the secretary of state shall  
6 modify the electronic campaign finance reporting system operated by that  
7 office to incorporate the amendments made to this state's campaign finance  
8 laws by this act and shall facilitate the consolidation of separate accounts  
9 created for the 2014 primary and general elections into one account for the  
10 2016 or 2018 election cycle, as applicable.

11 Sec. 10. Severability

12 If a provision of this act or its application to any person or  
13 circumstance is held invalid, the invalidity does not affect other provisions  
14 or applications of the act that can be given effect without the invalid  
15 provision or application, and to this end the provisions of this act are  
16 severable.

17 (EMERGENCY NOT ENACTED BY THE HOUSE)

18 Sec. 11. Emergency

19 This act is an emergency measure that is necessary to preserve the  
20 public peace, health or safety and is operative immediately as provided by  
21 law.