

(2) Exception for certain communications

Paragraph (1) shall not apply to an individual described in such paragraph if the communication involved is in connection with an election for such State or local office and refers only to such individual or to any other candidate for the State or local office held or sought by such individual, or both.

(Pub. L. 92-225, title III, §323, as added Pub. L. 107-155, title I, §101(a), Mar. 27, 2002, 116 Stat. 82.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, means the Federal Election Campaign Act of 1971, as defined by section 30101 of this title.

CODIFICATION

Section was formerly classified to section 441i of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 323 of Pub. L. 92-225 was classified to section 441i of Title 2, The Congress, and related to acceptance of excessive honorariums, prior to repeal by Pub. L. 102-90, title I, §6(d), Aug. 14, 1991, 105 Stat. 451.

Another prior section 323 of Pub. L. 92-225 was renumbered section 318, and is classified to section 30120 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Nov. 6, 2002, except that subsec. (b) of this section not applicable with respect to runoff elections, recounts, or election contests resulting from elections held prior to Nov. 6, 2002, with transitional rules for the spending of soft money of national political parties, see section 402 of Pub. L. 107-155, set out as an Effective Date of 2002 Amendment; Regulations note under section 30101 of this title.

§ 30126. Prohibition of contributions by minors

An individual who is 17 years old or younger shall not make a contribution to a candidate or a contribution or donation to a committee of a political party.

(Pub. L. 92-225, title III, §324, as added Pub. L. 107-155, title III, §318, Mar. 27, 2002, 116 Stat. 109.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 441k of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

CONSTITUTIONALITY

For information regarding constitutionality of statute prohibiting persons “17 years old or younger” from contributing to candidates or political parties, see Congressional Research Service, *The Constitution of the United States of America: Analysis and Interpretation*, Table of Laws Held Unconstitutional in Whole or in Part by the Supreme Court.

PRIOR PROVISIONS

A prior section 324 of Pub. L. 92-225 was renumbered section 319, and is classified to section 30121 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Nov. 6, 2002, but not applicable with respect to runoff elections, recounts, or election contests resulting from elections held prior to Nov. 6, 2002, see section 402 of Pub. L. 107-155, set out as an Effective Date of 2002 Amendment; Regulations note under section 30101 of this title.

SUBCHAPTER II—GENERAL PROVISIONS

§ 30141. Extension of credit by regulated industries; regulations

The Secretary of Transportation, the Federal Communications Commission, and the Surface Transportation Board shall each maintain,¹ its own regulations with respect to the extension of credit, without security, by any person regulated by the Secretary under subpart II of part A of subtitle VII of title 49, or such Commission or Board, to any candidate for Federal office, or to any person on behalf of such a candidate, for goods furnished or services rendered in connection with the campaign of such candidate for nomination for election, or election, to such office.

(Pub. L. 92-225, title IV, §401, Feb. 7, 1972, 86 Stat. 19; Pub. L. 93-443, title II, §201(b)(1), Oct. 15, 1974, 88 Stat. 1275; Pub. L. 103-272, §4(a), July 5, 1994, 108 Stat. 1360; Pub. L. 104-88, title III, §313, Dec. 29, 1995, 109 Stat. 948; Pub. L. 104-287, §6(g), Oct. 11, 1996, 110 Stat. 3399.)

Editorial Notes

REFERENCES IN TEXT

Subpart II of part A of subtitle VII of title 49, referred to in text, is set out in section 41101 et seq. of Title 49, Transportation.

CODIFICATION

Section was formerly classified to section 451 of Title 2, The Congress, prior to editorial reclassification and renumbering as this section. Some section numbers referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification to this title.

AMENDMENTS

1996—Pub. L. 104-287 substituted “the Secretary” for “such Secretary”.

1995—Pub. L. 104-88 inserted “or Board” after “or such Commission” and substituted “Surface Transportation Board shall each maintain” for “Interstate Commerce Commission shall each promulgate, within ninety days after February 7, 1972”.

1994—Pub. L. 103-272 substituted “Secretary of Transportation” for “Civil Aeronautics Board” and “Secretary under subpart II of part A of subtitle VII of title 49, or such Commission,” for “Board or Commission”.

1974—Pub. L. 93-443 struck out “(as such term is defined in section 431(c) of this title)” after “Federal office”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of Title 49, Transportation.

¹ So in original. The comma probably should not appear.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 30101 of this title.

§ 30142. Prohibition against use of certain Federal funds for election activities

No part of any funds appropriated to carry out the Economic Opportunity Act of 1964 [42 U.S.C. 2701 et seq.] shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity who, in his official capacity as such an officer or employee, engages in any such activity.

(Pub. L. 92-225, title IV, §402, Feb. 7, 1972, 86 Stat. 19; Pub. L. 93-443, title II, §201(b)(2), Oct. 15, 1974, 88 Stat. 1275.)

Editorial Notes

REFERENCES IN TEXT

The Economic Opportunity Act of 1964, referred to in text, is Pub. L. 88-452, Aug. 20, 1964, 78 Stat. 508, which was classified generally to chapter 34 (§2701 et seq.) of Title 42, The Public Health and Welfare, prior to repeal, except for titles VIII and X, by Pub. L. 97-35, title VI, §683(a), Aug. 13, 1981, 95 Stat. 519. Titles VIII and X of the Act are classified generally to subchapters VIII (§2991 et seq.) and X (§2996 et seq.) of chapter 34 of Title 42. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 452 of Title 2, The Congress, prior to editorial reclassification and renumbering as this section. Some section numbers referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification to this title.

AMENDMENTS

1974—Pub. L. 93-443 struck out reference to section 431(a) and (c) of this title for definition of “election” and “Federal office”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 30101 of this title.

OFFICE OF ECONOMIC OPPORTUNITY

Pub. L. 93-644, §9(a), Jan. 4, 1975, 88 Stat. 2310 [42 U.S.C. 2941], amended the Economic Opportunity Act of 1964 [42 U.S.C. 2701 et seq.] to create the Community Services Administration, an independent agency in the executive branch, as the successor authority to the Office of Economic Opportunity, and provided that references to the Office of Economic Opportunity or to its Director were deemed to refer to the Community Services Administration or to its Director. The Community Services Administration was terminated when the Economic Opportunity Act of 1964, except for titles VIII and X, was repealed, effective Oct. 1, 1981, by section 683(a) of Pub. L. 97-35, title VI, Aug. 13, 1981, 95 Stat. 519, which is classified to 42 U.S.C. 9912(a). An Office of Community Services, headed by a Director, was established in the Department of Health and Human Services by section 676 of Pub. L. 97-35, which is classified to 42 U.S.C. 9905.

§ 30143. State laws affected**(a) In general**

Subject to subsection (b), the provisions of this Act, and of rules prescribed under this Act, supersede and preempt any provision of State law with respect to election to Federal office.

(b) State and local committees of political parties

Notwithstanding any other provision of this Act, a State or local committee of a political party may, subject to State law, use exclusively funds that are not subject to the prohibitions, limitations, and reporting requirements of the Act for the purchase or construction of an office building for such State or local committee.

(Pub. L. 92-225, title IV, §403, Feb. 7, 1972, 86 Stat. 20; Pub. L. 93-443, title III, §301, Oct. 15, 1974, 88 Stat. 1289; Pub. L. 107-155, title I, §103(b)(2), Mar. 27, 2002, 116 Stat. 87.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, means the Federal Election Campaign Act of 1971, as defined by section 30101 of this title.

CODIFICATION

Section was formerly classified to section 453 of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2002—Pub. L. 107-155 designated existing provisions as subsec. (a), inserted heading, substituted “Subject to subsection (b), the provisions of this Act” for “The provisions of this Act”, and added subsec. (b).

1974—Pub. L. 93-443 substituted provision for Pub. L. 92-225 and rules thereunder to supersede and preempt any provision of State law with respect to election to Federal office for prior provisions which in former subsec. (a) stated that nothing in Pub. L. 92-225 shall be deemed to invalidate or make inapplicable any provision of State law, except where compliance with such provision would result in a violation of Pub. L. 92-225 and in former subsec. (b) stated that no provision of State law shall be construed to prohibit any person from taking any action authorized by Pub. L. 92-225 or from making any expenditure which he could lawfully make under Pub. L. 92-225.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-155 effective Nov. 6, 2002, see section 402 of Pub. L. 107-155, set out as an Effective Date of 2002 Amendment; Regulations note under section 30101 of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Oct. 15, 1974, see section 410(b) of Pub. L. 93-443, set out as a note under section 30101 of this title.

§ 30144. Partial invalidity

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

(Pub. L. 92-225, title IV, §404, Feb. 7, 1972, 86 Stat. 20.)