

106TH CONGRESS
1ST SESSION

H. R. 715

To amend the Federal Election Campaign Act of 1971 to limit the amount of contributions which may be made to a candidate for election to the Senate or House of Representatives by an individual who is not eligible to vote in the State or Congressional district involved, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1999

Mr. CAMPBELL introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Federal Election Campaign Act of 1971 to limit the amount of contributions which may be made to a candidate for election to the Senate or House of Representatives by an individual who is not eligible to vote in the State or Congressional district involved, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Can’t Vote, Can’t Con-
5 tribute Campaign Reform Act of 1999”.

TITLE I—LIMITATIONS ON CONTRIBUTIONS

SEC. 101. LIMITATION ON AMOUNT OF CONTRIBUTIONS TO CANDIDATES BY INDIVIDUALS NOT ELIGIBLE TO VOTE IN STATE OR DISTRICT INVOLVED.

Section 315(a)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(A)) is amended by striking “in the aggregate, exceed \$1,000;” and inserting the following: “in the aggregate—

“(i) in the case of contributions made to a candidate for election for Senator or for Representative in or Delegate or Resident Commissioner to the Congress by an individual who is not eligible to vote in the State or Congressional district involved (as the case may be) at the time the contribution is made (other than an individual who would be eligible to vote at such time but for the failure of the individual to register to vote), exceed \$100; or

“(ii) in the case of any other contributions, exceed \$1,000;”.

1 **SEC. 102. BAN ON ACCEPTANCE OF CONTRIBUTIONS MADE**
2 **BY NONPARTY POLITICAL ACTION COMMIT-**
3 **TEES.**

4 Section 315 of the Federal Election Campaign Act
5 of 1971 (2 U.S.C. 441a) is amended by adding at the end
6 the following new subsection:

7 “(i)(1) Notwithstanding any other provision of this
8 Act, no candidate for election for Federal office may ac-
9 cept any contribution from a political action committee.

10 “(2) In this subsection, the term ‘political action com-
11 mittee’ means any political committee which is not—

12 “(A) the principal campaign committee of a
13 candidate; or

14 “(B) a national, State, local, or district commit-
15 tee of a political party, including any subordinate
16 committee thereof.”.

1 **TITLE II—ENSURING VOLUN-**
 2 **TARINESS OF CONTRIBU-**
 3 **TIONS OF CORPORATIONS,**
 4 **UNIONS, AND OTHER MEM-**
 5 **BERSHIP ORGANIZATIONS**

6 **SEC. 201. PROHIBITING INVOLUNTARY USE OF FUNDS OF**
 7 **EMPLOYEES OF CORPORATIONS AND OTHER**
 8 **EMPLOYERS AND MEMBERS OF UNIONS AND**
 9 **ORGANIZATIONS FOR POLITICAL ACTIVITIES.**

10 (a) IN GENERAL.—Section 316 of the Federal Elec-
 11 tion Campaign Act of 1971 (2 U.S.C. 441b) is amended
 12 by adding at the end the following new subsection:

13 “(c)(1)(A) Except with the separate, prior, written,
 14 voluntary authorization of the individual involved, it shall
 15 be unlawful—

16 “(i) for any national bank or corporation de-
 17 scribed in this section (other than a corporation ex-
 18 empt from Federal taxation under section 501(c) of
 19 the Internal Revenue Code of 1986) to collect from
 20 or assess a stockholder or employee any portion of
 21 any dues, initiation fee, or other payment made as
 22 a condition of employment which will be used for po-
 23 litical activity in which the national bank or corpora-
 24 tion is engaged; and

1 “(ii) for any labor organization described in this
2 section to collect from or assess a member or non-
3 member any portion of any dues, initiation fee, or
4 other payment which will be used for political activ-
5 ity in which the labor organization is engaged.

6 “(B) An authorization described in subparagraph (A)
7 shall remain in effect until revoked and may be revoked
8 at any time. Each entity collecting from or assessing
9 amounts from an individual with an authorization in effect
10 under such subparagraph shall provide the individual with
11 a statement that the individual may at any time revoke
12 the authorization.

13 “(2)(A) Prior to the beginning of any 12-month pe-
14 riod (as determined by the corporation), each corporation
15 to which paragraph (1) applies shall provide each of its
16 shareholders with a notice containing the following:

17 “(i) The proposed aggregate amount for dis-
18 bursements for political activities by the corporation
19 for the period.

20 “(ii) The individual’s applicable percentage and
21 applicable pro rata amount for the period.

22 “(iii) A form that the individual may complete
23 and return to the corporation to indicate the individ-
24 ual’s objection to or approval of the disbursement of
25 amounts for political activities during the period.

1 “(B) It shall be unlawful for a corporation to which
2 subparagraph (A) applies to make disbursements for polit-
3 ical activities during the 12-month period described in
4 such subparagraph in an amount greater than the sum
5 of the applicable pro rata amounts for such period of all
6 shareholders who return the form described in subpara-
7 graph (A)(iii) to the corporation prior to the beginning
8 of the period and indicate their approval of such disburse-
9 ments.

10 “(C) In this paragraph, the following definitions shall
11 apply:

12 “(i) The term ‘applicable percentage’ means,
13 with respect to a shareholder of a corporation, the
14 amount (expressed as a percentage) equal to the
15 number of shares of the corporation (within a par-
16 ticular class or type of stock) owned by the share-
17 holder at the time the notice described in subpara-
18 graph (A) is provided, divided by the aggregate
19 number of such shares owned by all shareholders of
20 the corporation at such time.

21 “(ii) The term ‘applicable pro rata amount’
22 means, with respect to a shareholder for a 12-month
23 period, the product of the shareholder’s applicable
24 percentage for the period and the proposed aggre-
25 gate amount for disbursements for political activities

1 by the corporation for the period, as specified in the
 2 notice provided under subparagraph (A).

3 “(3) For purposes of this subsection, the term ‘politi-
 4 cal activity’ means any activity carried out for the purpose
 5 of influencing (in whole or in part) any election for Fed-
 6 eral office, influencing the consideration or outcome of any
 7 Federal legislation or the issuance or outcome of any Fed-
 8 eral regulations, or educating individuals about candidates
 9 for election for Federal office or any Federal legislation,
 10 law, or regulations.”.

11 (b) EFFECTIVE DATE.—The amendment made by
 12 subsection (a) shall apply to amounts collected or assessed
 13 on or after the date of the enactment of this Act.

14 **TITLE III—RESTRICTIONS ON** 15 **SOFT MONEY**

16 **SEC. 301. BAN ON SOFT MONEY OF NATIONAL POLITICAL**
 17 **PARTIES AND CANDIDATES; BAN ON USE OF**
 18 **SOFT MONEY BY STATE POLITICAL PARTIES**
 19 **FOR FEDERAL ELECTION ACTIVITY.**

20 Title III of the Federal Election Campaign Act of
 21 1971 (2 U.S.C. 431 et seq.) is amended by adding at the
 22 end the following new section:

23 “RESTRICTIONS ON USE OF SOFT MONEY BY POLITICAL
 24 PARTIES AND CANDIDATES

25 “SEC. 323. (a) BAN ON USE BY NATIONAL PAR-
 26 TIES.—

1 “(1) IN GENERAL.—No political committee of a
2 national political party may solicit, receive, or direct
3 any contributions, donations, or transfers of funds,
4 or spend any funds, which are not subject to the
5 limitations, prohibitions, and reporting requirements
6 of this Act.

7 “(2) APPLICABILITY.—Paragraph (1) shall
8 apply to any entity which is established, financed,
9 maintained, or controlled (directly or indirectly) by,
10 or which acts on behalf of, a political committee of
11 a national political party, including any national
12 congressional campaign committee of such a party
13 and any officer or agent of such an entity or com-
14 mittee.

15 “(b) CANDIDATES.—

16 “(1) IN GENERAL.—No candidate for Federal
17 office, individual holding Federal office, or any agent
18 of such a candidate or officeholder may solicit, re-
19 ceive, or direct—

20 “(A) any funds in connection with any
21 Federal election unless the funds are subject to
22 the limitations, prohibitions and reporting re-
23 quirements of this Act;

24 “(B) any funds that are to be expended in
25 connection with any election for other than a

1 Federal office unless the funds are not in excess
2 of the applicable amounts permitted with re-
3 spect to contributions to candidates and politi-
4 cal committees under paragraphs (1) and (2) of
5 section 315(a), and are not from sources pro-
6 hibited from making contributions by this Act
7 with respect to elections for Federal office; or

8 “(C) any funds on behalf of any person
9 which are not subject to the limitations, prohi-
10 bitions, and reporting requirements of this Act
11 if such funds are for the purpose of financing
12 any activity on behalf of a candidate for elec-
13 tion for Federal office or any communication
14 which refers to a clearly identified candidate for
15 election for Federal office.

16 “(2) EXCEPTION FOR CERTAIN ACTIVITIES.—

17 Paragraph (1) shall not apply to—

18 “(A) the solicitation, receipt, or direction
19 of funds by an individual who is a candidate for
20 a non-Federal office if such activity is per-
21 mitted under State law for such individual’s
22 non-Federal campaign committee; or

23 “(B) the attendance by an individual who
24 holds Federal office at a fundraising event for
25 a State or local committee of a political party

1 of the State which the individual represents as
2 a Federal officeholder, if the event is held in
3 such State.

4 “(c) STATE PARTIES.—

5 “(1) IN GENERAL.—Any payment by a State
6 committee of a political party for a mixed political
7 activity—

8 “(A) shall be subject to limitation and re-
9 porting under this Act as if such payment were
10 an expenditure; and

11 “(B) may be paid only from an account
12 that is subject to the requirements of this Act.

13 “(2) MIXED POLITICAL ACTIVITY DEFINED.—

14 As used in this section, the term ‘mixed political ac-
15 tivity’ means, with respect to a payment by a State
16 committee of a political party, an activity (such as
17 a voter registration program, a get-out-the-vote
18 drive, or general political advertising) that is both
19 for the purpose of influencing an election for Fed-
20 eral office and for any purpose unrelated to influenc-
21 ing an election for Federal office.

22 “(d) PROHIBITING TRANSFERS OF NON-FEDERAL
23 FUNDS BETWEEN STATE PARTIES.—A State committee
24 of a political party may not transfer any funds to a State
25 committee of a political party of another State unless the

1 funds are subject to the limitations, prohibitions, and re-
2 porting requirements of this Act.

3 “(e) APPLICABILITY TO FUNDS FROM ALL
4 SOURCES.—This section shall apply with respect to funds
5 of any individual, corporation, labor organization, or other
6 person.”.

7 **TITLE IV—EFFECTIVE DATE**

8 **SEC. 401. EFFECTIVE DATE.**

9 Except as otherwise provided, the amendments made
10 by this Act shall apply with respect to elections occurring
11 after January 2001.

