

115TH CONGRESS
1ST SESSION

H. R. 658

To amend the Federal Election Campaign Act of 1971 to prohibit criminal corporations from making disbursements of funds in connection with a campaign for election for Federal, State, or local office.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2017

Mr. ELLISON (for himself and Mr. SWALWELL of California) 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 prohibit criminal corporations from making disbursements of funds in connection with a campaign for election for Federal, State, or local office.

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 “Protect Democracy
5 From Criminal Corporations Act”.

1 **SEC. 2. PROHIBITING POLITICAL SPENDING BY CRIMINAL**
2 **CORPORATIONS.**

3 (a) PROHIBITION.—Title III of the Federal Election
4 Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is
5 amended by adding at the end the following new section:

6 **“SEC. 325. PROHIBITING POLITICAL SPENDING BY CRIMI-**
7 **NAL CORPORATIONS.**

8 “(a) PROHIBITION.—

9 “(1) IN GENERAL.—To the extent that corpora-
10 tions are permitted under law to make a disburse-
11 ment of funds in connection with a campaign for
12 election for Federal, State, or local office, including
13 a disbursement consisting of a contribution or dona-
14 tion of money or other thing of value, an inde-
15 pendent expenditure, or a disbursement for an elec-
16 tioneering communication (as defined in section
17 304(f)(3)), it shall be unlawful for a corporation
18 which is a criminal corporation, or for any separate
19 segregated fund established under section
20 316(b)(2)(C) by a criminal corporation, to make
21 such a disbursement during the applicable period de-
22 scribed in paragraph (2).

23 “(2) APPLICABLE PERIOD DESCRIBED.—In
24 paragraph (1), the ‘applicable period’ with respect to
25 a criminal corporation is the 6-year period which be-
26 gins—

1 “(A) in the case of a criminal corporation
2 described in paragraph (1) of subsection (b), on
3 the date on which the corporation is finally con-
4 victed of the offense described in such para-
5 graph; or

6 “(B) in the case of a criminal corporation
7 described in paragraph (2) of subsection (b), on
8 the date on which the corporation enters into
9 an agreement described in such paragraph.

10 “(b) CRIMINAL CORPORATION DEFINED.—In this
11 section, the term ‘criminal corporation’ means a corpora-
12 tion—

13 “(1) which has been convicted of violating sec-
14 tion 371 of title 18, United States Code (relating to
15 conspiracy to commit offense or to defraud the
16 United States), or any other felony involving dishon-
17 esty or a breach of trust; or

18 “(2) which has been charged with violating sec-
19 tion 371 of such title or with another felony involv-
20 ing dishonesty or a breach of trust and has entered
21 into a nonprosecution agreement, a deferred pros-
22 ecution agreement, or any other agreement with the
23 Attorney General to resolve the charge, if the terms
24 and conditions of the agreement include a require-

1 ment that the corporation make a payment equal to
2 or greater than \$1,000,000.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall apply with respect to a corporation
5 which is convicted of the offense described in paragraph
6 (1) of section 325(b) of the Federal Election Campaign
7 Act of 1971 (as added by subsection (a)), or which enters
8 into an agreement described in paragraph (2) of such sec-
9 tion, on or after the date of the enactment of this Act.

○