



M U L T I S T A T E

[Virginia panel again defeats ban on personal use of campaign cash](#) (Virginia)

Virginia lawmakers, outliers in the nation for their ability to spend money donated to their campaigns on virtually anything, have ended for another year efforts to put basic limits on how those funds can be used.

A Republican-controlled House subcommittee on Wednesday defeated a bill that would have prohibited spending on what its sponsor called “the low-hanging fruit, things that are most egregious.”

Democratic Sen. John Bell said he scaled his ambitions back after running into concerns from other lawmakers that spending campaign cash on things like pizza at campaign events or campaign T-shirts could lead to frivolous, politically motivated complaints.

His measure, which cleared the Senate 37-3, didn’t address food or clothing but banned the use of donations on items such as home mortgages, country club memberships, vacations, sporting event tickets or recreational club fees.

“Frankly, when a candidate or an elected official does one of these most egregious things and it hits the paper, it makes all of us look bad. And I think it hurts the trust that people have, because people should know we’re here to serve ... not to enrich ourselves,” Bell said.

After about 15 minutes of discussion, the panel voted 5-3 to defeat the bill.

The same subcommittee voted down similar personal-use ban bills by House sponsors earlier in this year’s legislative session. In contrast, a ban cleared the Democrat-controlled House unanimously last year only to die in the Democrat-controlled Senate. November’s elections have changed some of the House’s membership since then, flipping party control to the GOP.

After the defeat of last year's bill, a bipartisan panel was formed to study the issue. While that group did not finish its work, it issued a draft report that called for a personal-use ban, something federal candidates and candidates in most other states face.

Bell's measure was the only remaining personal-use bill, so its defeat almost certainly ends consideration of the issue during this year's regular legislative session, which ends this month.

Clean Virginia, a good governance and energy policy reform advocacy group, noted that in 2015 a personal-use ban was recommended by an ethics commission formed in response to former Republican Gov. Bob McDonnell's gift scandal and bribery conviction. The conviction was overturned by the U.S. Supreme Court.

"There is nothing currently stopping a political candidate in Virginia from using unlimited campaign funds, for which there is no cap in Virginia, to purchase a vacation house or a swanky country club membership," Clean Virginia Executive Director Brennan Gilmore said in a statement. "It's no wonder that public trust in our elected officials is at an all-time low. This legalization of gift is deeply embarrassing for Virginia."

An Associated Press review of the state's campaign finance system in 2016 found some lawmakers frequently using campaign accounts to pay for expensive meals and hotels as well as personal expenses such as gas and cellphone bills.

Nancy Morgan, the coordinator of a grassroots group advocating for campaign finance reform, said "the citizens of the Commonwealth are the losers" after Wednesday's action.

Lawmakers raised a range of concerns during discussion of the bill, as they did previously when the AP sought comment about the defeat of the previous measures.

GOP Del. Kim Taylor objected to a provision that would have allowed expenditures on certain child care expenses. Bell agreed to strip that provision if the committee agreed to advance the bill but noted under current law, basically any expense is already allowed.

"Again, we have nothing today. There's nothing stopping anybody from, frankly, doing anything they want with these funds," he said.

Bell's bill would have created a process for campaign donors or constituents to bring a complaint to the Department of Elections that could result in a civil penalty of up to \$10,000.

A handful of other campaign finance measures are still alive.

One from Democratic Del. David Bulova would tighten up record retention requirements and implement reviews of campaign committee financial records by the Department of Elections. Currently, disclosures are effectively done under an honor system with no state-sponsored review.

“I can’t believe we don’t already have this,” he said of the record retention requirements as he spoke before a Senate panel that advanced the measure Wednesday morning.

Another measure from Bulova would extend the work of the bipartisan panel studying campaign finance reform.

Decision Lifts Certain Contribution Limits in Alaska (Alaska)

Individuals will be allowed to make unlimited contributions to candidates following a decision by the commission that oversees [Alaska](#) campaign finance rules, officials said.

The Alaska Public Offices Commission on Thursday did not approve a staff proposal to set revised limits in place of caps that were struck down by an appeals court panel last year. A draft opinion, issued in November, suggested that the limits in place before those that were struck down “apply as adjusted for inflation,” which included proposed limits of \$1,500 per calendar year for individuals to candidates. Campaigns were to adhere to the draft opinion until the commission weighed in.

The commission, in its decision, said it declined to revive the old contribution limits and also declined to index those for inflation. There were legal questions about whether it had the power to do those things.

Heather Hebdon, the commission's executive director, on Friday said given the court ruling and commission decision, individuals may contribute unlimited amounts to candidates and to non-party groups. She also had said non-party groups can contribute unlimited amounts to candidates and other non-party groups. The commission office had released a similar statement Thursday.

But Hebdon later Friday said existing limits of \$1,000 a year remain in place for non-party group contributions to candidates or to other non-party groups. That's because the court case did not strike down those limits, the commission office said in a statement.

The commission, in its decision Thursday, said it “implores” lawmakers to revisit contribution limits to balance the appeals court panel ruling “with the desire of Alaska voters.”

A divided federal appeals court panel last year struck down a \$500-a-year limit on what an individual can give a candidate. It also struck down a \$500-a-year limit on individual contributions to non-party groups and a cap on total nonresident donations a candidate can raise.

The state Department of Law decided not to seek further review of the panel’s decision. A spokesperson for the department at the time said the ruling indicated Alaska’s \$500 campaign contribution limit “would not be upheld by the U.S. Supreme Court for multiple reasons, including reasons beyond dispute, such as the lack of an inflation adjustment” in state law.

The department’s decision was criticized by Sen. Bill Wielechowski, an Anchorage Democrat, who had called the dissent in the case strong.

“We need some limits,” he said earlier this week, adding later, “Hopefully we can get to a point where we can all agree on some kind of compromise on what they should be.”

Gov. Mike Dunleavy believes setting a new limit on contributions should be a priority in the current legislative session, Dunleavy spokesperson Jeff Turner said Friday.

Several bills on the issue have been introduced by lawmakers. He said the administration is “ready to work with the Legislature on passing legislation this session.”

Regular sessions can run up to 121 days, a period that extends into May.

A number of states allow for unlimited individual contributions to candidates, including Oregon, according to the National Conference of State Legislatures.

The Alaska Public Interest Research Group, which criticized the commission decision, said it was “considering possible avenues of action.”

The commission “has created unnecessary chaos while punting any responsibility to the Alaska State Legislature,” the group’s executive director, Veri di Suvero, said in a statement.

[**Florida campaign finance reform allows unlimited spending to fight constitutional amendments**](#) (Florida)

If a bill proposed in the Florida Legislature becomes law, those making political donations to fight constitutional amendments would have limits on donations erased, as long as they live in Florida. Residents are still barred from giving more than \$3,000 for political candidates, if making the contribution as an individual.

House Bill 921 is focused entirely on removing campaign limitations when pushing back against constitutional amendments in Florida. It is a committee substitute and House companion bill to [Senate Bill 1352](#), which also sought to ban foreign political contributions in Florida.

The Florida Legislature reported the Senate bill was laid on the table and substituted for the House version on March 3.

While the bill removes the limit on spending for campaigning against amendments, it requires that the contributions be channeled through a political committee based in Florida. Otherwise, spending limits still remain in effect for candidates and other campaign items.

According to [HB 921's text](#), "Except for political parties or affiliated party committees, no person or political committee may, in any election, make contributions" more than \$3,000. The limit applies to candidates for statewide office and to individual making contributions to "a political committee that is the sponsor of a constitutional amendment proposed by initiative."

The bill goes further though, to amend the current statutes by applying the limit "only to persons who are not residents of the state and to political committees that have not registered an office" with a Florida street address. HB 921 also bans foreign nationals from providing campaign contributions.

It defines foreign nationals as "foreign governments, foreign political parties, foreign corporations, partnerships, associations, organizations" or some combination of the other entities, with a "principal place of business in a foreign country." This includes those with foreign citizenship, someone who is not a citizen or national of the United States, is not legally in the U.S. or a permanent U.S. resident.

Similar to its companion bill proposed to ban foreign campaign contributions more generally, HB 921 also includes a provision that domestic subsidiaries of foreign companies can make donations if their contributions are "derived entirely from funds generated by the subsidiary's operations in the United States" and the decision to make those donations were made by U.S. citizens or permanent residents.

Both SB 1352, the Senate version, and HB 921 do not define an explicit method or mechanism of checking the source of a decision to donate campaign contributions from foreign companies and their U.S.-based subsidiaries.

HB 921 has been substituted by committee twice. Now, it's on its third reading in the Florida Senate and has already pass the Florida House of Representatives. If it makes it through its final reading and a floor vote, the bill will head to the desk of Gov. Ron DeSantis to sign into law, or veto. If it becomes law, the bill takes effect on July 1.