

HB 2164 -- Public Financing of Certain Election Campaigns

Sponsor: Holsman

This bill establishes a public campaign financing system for state elections which allows candidates to voluntarily agree to campaign finance limitations in exchange for public funding. In its main provisions, the bill:

- (1) Establishes reporting and other requirements in order for a party or independent candidate to receive public funding for an election campaign;
- (2) Establishes limitations on private contributions to fund an election campaign for a participating candidate. Specified amounts of contributions will be allowed during the exploratory period before a candidate qualifies for public funding;
- (3) Requires the Missouri Ethics Commission to determine by July 1, 2011, and at least every two years thereafter, the amount of public funding available to participating candidates during primary or general elections based on the type of race and prior campaign expenditures. The procedures for granting a line of credit to a candidate are specified in the bill;
- (4) Requires nonparticipating candidates and those making independent campaign expenditures to file reports with the commission if their funding exceeds certain limits;
- (5) Requires political parties to file quarterly reports with the commission using the same schedule as candidates after January 1 of an election year. This provision applies to all candidates and is not limited to expenditures on participating candidates;
- (6) Limits the amount of contributions that participating candidates may receive from political parties;
- (7) Limits donations to political parties to \$5,000 per year from individuals, committees, and other organizations. This provision applies to all candidates and is not limited to expenditures on participating candidates;
- (8) Creates the Missouri Clean Election Fund to finance the election campaigns of certified candidates for Governor, state senator, and state representative and to pay the administrative and enforcement costs of the commission. The fund will receive moneys from excess contributions made during the qualifying period for public funding; revenue from tax checkoffs that are established by the bill; excess seed money contributions to

candidates; unspent funds distributed to a participating candidate; voluntary donations; and moneys collected from certain fines;

(9) Requires the State Treasurer to issue a debit card to an eligible candidate and requires a candidate to use the card to make campaign expenditures of public moneys;

(10) Imposes a civil penalty of up to 10 times the amount of an excess expenditure from public funds on a candidate who spends more than the allocated amount. A candidate receiving contributions in excess of the imposed limits will also be liable for up to 10 times the amount of the excess funds received. A candidate who knowingly violates these provisions or who knowingly conceals information from the commission will be guilty of a class D felony and fined up to \$20,000, imprisoned for up to five years, or both;

(11) Establishes rules for mass mailings by participating candidates;

(12) Allows judicial review of all commission actions and decisions; and

(13) Specifies that these provisions apply to all special and runoff elections with time periods and deadlines established by the commission.

The bill contains a referendum clause and will be submitted to qualified voters in November 2010.