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Bullard
2/24/12

CS FOR HOUSE BILL NO. 333()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - SECOND SESSION**

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES HAWKER, Gruenberg

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to public office expense term accounts and public office expense term
2 account reserves."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 15.13.116(a) is amended to read:

5 (a) A candidate who, after the date of the general, special, municipal, or
6 municipal runoff election or after the date the candidate withdraws as a candidate,
7 whichever comes first, holds unused campaign contributions shall distribute the
8 amount held on February 1 for a general election or within 90 days after a special
9 election. The distribution may only be made to

10 (1) pay bills incurred for expenditures reasonably related to the
11 campaign and the winding up of the affairs of the campaign, including a victory or
12 thank you party, thank you advertisements, and thank you gifts to campaign
13 employees and volunteers, and to pay expenditures associated with post-election fund
14 raising that may be needed to raise funds to pay off campaign debts;

(2) make donations, without condition, to

- (A) a political party;
- (B) the state's general fund;
- (C) a municipality of the state; or
- (D) the federal government;

(3) make donations, without condition, to organizations qualified as charitable organizations under 26 U.S.C. 501(c)(3) if the organization is not controlled by the candidate or a member of the candidate's immediate family;

(4) repay loans from the candidate to the candidate's own campaign under AS 15.13.078(b);

(5) repay contributions to contributors, but only if repayment of the contribution is made pro rata in approximate proportion to the contributions made using one of the following, as the candidate determines:

- (A) to all contributors;
- (B) to contributors who have contributed most recently; or
- (C) to contributors who have made larger contributions;

(6) establish a fund for, and from that fund to pay, attorney fees or costs incurred in the prosecution or defense of an administrative or civil judicial action that directly concerns a challenge to the victory or defeat of the candidate in the election;

(7) transfer all or a portion of the unused campaign contributions to an account for a future election campaign; a transfer under this paragraph is limited to

(A) \$50,000, if the transfer is made by a candidate for governor or lieutenant governor;

(B) \$10,000, if the transfer is made by a candidate for the state senate;

(C) \$5,000, if the transfer is made by a candidate for the state house of representatives; and

(D) \$5,000, if the transfer is made by a candidate for an office not described in (A) - (C) of this paragraph;

(8) transfer all or a portion of the unused campaign contributions to a

1 public office expense term account [OR TO A PUBLIC OFFICE EXPENSE TERM
2 ACCOUNT RESERVE IN ACCORDANCE WITH (d) OF THIS SECTION]; a
3 transfer under this paragraph is subject to the following:

4 (A) the authority to transfer is limited to candidates who are
5 elected to the state legislature;

6 (B) the public office expense term account established under
7 this paragraph may be used only for expenses associated with the candidate's
8 serving as a member of the legislature;

9 (C) all amounts expended from the public office expense term
10 account shall be annually accounted for under AS 15.13.110(a)(4); [AND]

11 (D) a transfer under this paragraph is limited to \$5,000
12 multiplied by the number of years in the term to which the candidate is elected
13 plus any accumulated interest; and

14 **(E) unused campaign contributions transferred under this**
15 **paragraph must be disposed of as provided in (2), (3), or (5) of this**
16 **subsection at the end of the term of office immediately following the**
17 **campaign for which the contributions were received; and**

18 (9) transfer all or a portion of the unused campaign contributions to a
19 municipal office account; a transfer under this paragraph is subject to the following:

20 (A) the authority to transfer is limited to candidates who are
21 elected to municipal office, including a municipal school board;

22 (B) the municipal office account established under this
23 paragraph may be used only for expenses associated with the candidate's
24 serving as mayor or as a member of the assembly, city council, or school
25 board;

26 (C) all amounts expended from the municipal office account
27 shall be annually accounted for under AS 15.13.110(a)(4); and

28 (D) a transfer under this paragraph is limited to \$5,000.

29 * **Sec. 2.** AS 15.13.116(d) is repealed.

30 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
31 read:

1 TRANSITIONAL PROVISION. A candidate for the state legislature who was elected
2 to the state legislature before the effective date of this Act and who holds funds in a public
3 office expense term account reserve shall transfer those funds to a public office expense term
4 account before January 1, 2013.