

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 628

(By Senators Unger, Snyder, Hall, Browning,
Kessler (Mr. President) and Klempa)

[Originating in the Committee on the Judiciary;
reported February 24, 2012.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-8-2c, relating to funding for state executive party headquarters; defining terms; allowing funds to be raised; providing for allowable uses of the funds and prohibitions; setting certain fundraising limits; requiring reports; and requiring legislative rules.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §3-8-2c, to read as follows:

ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS.

§3-8-2c. Party headquarters committee; detailed accounts and verified financial statements; funding for headquarters; limitations; reporting requirements.

1 (a) For purposes of this section:

2 (1) "Contribution" means monetary donations and in-
3 kind contributions of materials or supplies, but does not
4 include volunteer personal services.

5 (2) "Party headquarters" means a physical structure or
6 structures that is the physical location of the office of a state
7 executive committee of a political party.

8 (3) "Party headquarters committee" includes any person,
9 organization or group of persons soliciting or receiving
10 contributions for the purpose of funding the rental, purchase,
11 construction or financing of the rental, purchase or construc-
12 tion of a party headquarters, and for the utilities, mainte-
13 nance, furniture, fixtures and equipment for the party
14 headquarters.

15 (b) A political party may establish a party headquarters
16 committee to solicit or receive contributions consistent with
17 this section.

18 (c) Funds raised towards a party headquarters may only
19 be used for a state political party's party headquarters. The
20 funds may not be used for satellite offices, other facilities,
21 signage or any electioneering activities.

22 (d) Any party headquarters committee soliciting or
23 receiving contributions for the funding of all or any part of
24 a party headquarters that receives an individual or corporate
25 contribution in excess of \$250 shall file and retain detailed
26 records of the contribution.

27 (e) No person or corporation may contribute more than
28 \$10,000 for any party headquarters.

29 (f) No party headquarters committee may receive
30 contributions or expend contributions for the purpose of
31 funding the rental, purchase, construction or financing of a
32 state executive committee headquarters in excess of \$1
33 million.

34 (g) Any party headquarters committee, financial agent or
35 any person or officer acting on behalf of the committee
36 which is subject to the provisions of this section shall file a
37 verified financial statement with the Secretary of State on a
38 form prescribed by the State Election Commission within
39 ninety days of any contribution in excess of \$250 or expendi-

40 ture of funds. The Secretary of State shall file and retain the
41 statements as public records for not less than six years.

42 (h) The financial statement shall contain information
43 required by the provisions of this section relating to any
44 contribution in excess of \$250. In addition to any other
45 information required by the State Election Commission, the
46 report of contributions required by the provisions of this
47 section shall include the methodology of the fundraising, the
48 nature of any expenditures made and the names, addresses
49 and amounts paid to any person.

50 (i) Amounts received by a party headquarters committee
51 may be contributed to any educational, cultural or charitable
52 organization.

53 (j) The Secretary of State shall propose rules for legisla-
54 tive approval in accordance with the provisions of article
55 three, chapter twenty-nine-a of this code to effectuate the
56 provisions of this section.

(NOTE: The purpose of this bill is to allow a party headquarters committee to raise funds for a party headquarters for a state executive committee for a political party.

This section is new; therefore, strike-throughs and underscoring have been omitted.)