

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 3154

BY DELEGATE BARRETT

Introduced March 15, 2021; Referred to the

Committee on the Judiciary

1 A BILL to amend and reenact §3-8-10 of the Code of West Virginia, 1931, as amended, relating
 2 to prohibiting the contribution of excess political contributions to a charitable organization
 3 that is either owned by the candidate, or on which the candidate is an officer or board
 4 member.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS.

§3-8-10. Use of certain contributions.

1 (a) Notwithstanding any provision of this code to the contrary, amounts received by a
 2 candidate as contributions that are in excess of any amount necessary to defray his or her
 3 expenditures may be:

4 (1) Used by the candidate to defray any usual and customary expenses incurred in
 5 connection with his or her duties as a holder of public office; and

6 (2) Contributed by the candidate, after the general election, to:

7 (A) Any charitable organization or subsequent campaign by the same candidate, without
 8 limitation: Provided, That these funds may not be used for a charitable organization that is either
 9 owned by the candidate, or on which the candidate is an officer or board member;

10 (B) Any national committee in accordance with federal requirements;

11 (C) Any state party executive committee or state party legislative caucus committee, in an
 12 amount not to exceed \$15,000 in a calendar year; or

13 (D) Any local committee of any political party or any other candidate for public office, in
 14 accordance with the existing limitations on contributions.

15 (b) The State Election Commission shall promulgate emergency and legislative rules, in
 16 accordance with ~~the provisions of~~ chapter 29A of this code, to establish guidelines for the
 17 administration of this section.

NOTE: The purpose of this bill is to prohibit the contribution of excess political contributions to a charitable organization that is either owned by the candidate, or on which the candidate is an officer or board member.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.