

First Extraordinary Session, 2008

SENATE BILL NO. 31

BY SENATORS KOSTELKA, AMEDEE, BROOME, CHAISSON, DONAHUE,  
DUPLESSIS, JACKSON, SMITH AND WALSWORTH

CAMPAIGN FINANCE. Requires a candidate to request employer identification from a contributor who contributes more than \$250 and requires the response to be included in his reports. (1/1/10)

1 AN ACT

2 To enact R.S. 18:1491.7(B)(4)(d), 1495.5(B)(4)(d) and 1501.1(C)(1)(d), relative to  
3 campaign finance; to require that the name of the employer of certain contributors  
4 be included on campaign finance reports when reporting such contributions if  
5 obtained; to provide the standard for good faith compliance; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1491.7(B)(4)(d), 1495.5(B)(4)(d) and 1501.1(C)(1)(d) are hereby  
9 enacted to read as follows:

10 §1491.7. Reports; contents

11 \* \* \*

12 B. Each report required to be in conformity with this Section shall contain the  
13 following information:

14 \* \* \*

15 (4) Contribution(s) received during the reporting period for which the report  
16 is being completed shall be reported, and the same shall be reported irrespective of  
17 the amount thereof as follows:

\* \* \*

**(d) For individual and aggregate contributions from a single person in excess of two-hundred and fifty dollars, the political committee shall request from the contributor the identity of his or her employer and shall include the contributor's response, if any, on the report. The certification of the report shall establish a presumption of the committee's good faith compliance with this obligation.**

\* \* \*

§1495.5. Reports; contents

\* \* \*

B. Each report required to be in conformity with this Section shall contain the following information:

\* \* \*

(4) Contribution(s) received during the reporting period for which the report is being completed shall be reported, and the same shall be reported irrespective of the amount thereof as follows:

\* \* \*

**(d) For individual and aggregate contributions from a single person in excess of two-hundred and fifty dollars, the candidate shall request from the contributor the identity of his or her employer and shall include the contributor's response, if any, on the report. The certification of the report shall establish a presumption of the committee's good faith compliance with this obligation.**

\* \* \*

§1501.1. Reports by persons not candidates or committees

\* \* \*

C. In addition to the reports filed in Subsection B of this Section, during the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day, and during the period beginning

1 at midnight of the twentieth day prior to a general election and extending through  
 2 midnight of general election day, any person, other than a candidate or a political  
 3 committee, who makes any expenditure or who accepts a contribution, other than to  
 4 or from a candidate or to or from a political committee, shall file a report with the  
 5 supervisory committee of:

6 (1) The full name and address of each person from whom such person has  
 7 received and accepted a contribution or to whom such person has made an  
 8 expenditure during such period in excess of the following amounts:

9 \* \* \*

10 **(d) For individual and aggregate contributions from a single person in**  
 11 **excess of two-hundred and fifty dollars, the person shall request from the**  
 12 **contributor the identity of his or her employer and shall include the**  
 13 **contributor's response, if any, on the report. The certification of the report**  
 14 **shall establish a presumption of the committee's good faith compliance with this**  
 15 **obligation.**

16 \* \* \*

17 Section 2. This Act shall become effective on January 1, 2010.

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The original instrument was prepared by Thomas L. Tyler. The following digest, which does not constitute a part of the legislative instrument, was prepared by Diane Burkhart.

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#### DIGEST

Kostelka (SB 31)

Present law requires that certain contributions made to a candidate or a political committee appear on certain campaign finance reports required to be filed. Requires that the name and address of each contributor be included in such reports.

Present law requires that a campaign finance report be filed for certain contributions made to a person, other than a candidate or political committee, who makes any campaign expenditure or who accepts a contribution, other than to or from a candidate or to or from a political committee. Requires that such person also file campaign finance reports as to certain expenditures and contributions made or accepted during the period beginning at midnight of the 20<sup>th</sup> day prior to a primary election and extending through midnight of primary election day, and during the period beginning at midnight of the 20<sup>th</sup> day prior to a general election and extending through midnight of general election day. Requires that the name and address of each contributor be included on these reports.

Proposed law retains these provisions in the present law, and requires that the committee, candidate, or person accepting a contribution which in the aggregate for the reporting period

exceeds \$250 requests from the contributor the identification of his employer. Further requires the inclusion of the response of any of the contributor on the reports. Specifies that the certification of the report when it is filed establishes a presumption of good faith compliance.

Becomes effective January 1, 2010.

(Adds R.S. 18:1491.7(B)(4)(d), 1495.5(B)(4)(d), and 1501.1(C)(1)(d))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill.

1. Eliminates the requirement that the campaign finance reports include the name of the contributor's employer.
2. Requires the candidate, person, or committee accepting the contribution to request the identity of the contributor's employer and to include the response, if any, on the campaign finance reports.
3. Specifies that the certification of the report establishes a presumption of good faith compliance with the requirement.