

§1015-A. Campaign contributions and solicitations prohibited

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Contribution" has the same meaning as in Title 21-A, section 1012, subsection 2 and includes seed money contributions as defined in Title 21-A, section 1122, subsection 9, and, with respect to political action committees and ballot question committees, includes contributions as defined in Title 21-A, section 1052, subsection 3. "Contribution" does not include qualifying contributions as defined in Title 21-A, section 1122, subsection 7. [PL 2019, c. 534, §4 (NEW).]

B. "Employer" has the same meaning as in Title 3, section 312-A, subsection 5. "Employer" does not include a lobbying firm. [PL 2019, c. 534, §4 (NEW).]

C. "Legislative session" means the period of time after the convening of the Legislature and before final adjournment. [PL 2019, c. 534, §4 (NEW).]

D. "Lobbying firm" has the same meaning as in Title 3, section 312-A, subsection 9-A. [PL 2019, c. 587, §1 (RPR); PL 2019, c. 587, §18 (AFF).]

E. "Lobbyist" has the same meaning as in Title 3, section 312-A, subsection 10. [PL 2019, c. 534, §4 (NEW).]

F. "Lobbyist associate" has the same meaning as in Title 3, section 312-A, subsection 10-A. [PL 2019, c. 534, §4 (NEW).]

[PL 2019, c. 587, §1 (AMD); PL 2019, c. 587, §18 (AFF).]

2. Campaign contributions and solicitations prohibited during legislative session. The following provisions prohibit certain contributions and solicitations and offers of contributions during a legislative session.

A. The Governor, a member of the Legislature, a constitutional officer or the staff or agent of these officials may not intentionally solicit or accept a contribution from a lobbyist, lobbyist associate, employer of a lobbyist or lobbying firm during a legislative session. [PL 2019, c. 534, §4 (NEW).]

B. A lobbyist, lobbyist associate, employer of a lobbyist or lobbying firm may not intentionally give, offer or promise a contribution to the Governor, a member of the Legislature, a constitutional officer or the staff or agent of these officials during a legislative session. [PL 2019, c. 534, §4 (NEW).]

C. The prohibitions in paragraphs A and B apply to contributions directly and indirectly solicited or accepted by or given, offered and promised to a political action committee, ballot question committee or party committee of which the Governor, a member of the Legislature, a constitutional officer or the staff or agent of these officials is a treasurer, officer or primary fund-raiser or decision maker. [PL 2019, c. 534, §4 (NEW).]

D. The prohibitions in paragraphs A and B do not apply to the following:

- (1) The solicitation or acceptance of a contribution from or the offer or promise of a contribution by a lobbyist, lobbyist associate, employer of a lobbyist or lobbying firm that is not the property of that lobbyist, lobbyist associate, employer of a lobbyist or lobbying firm;
- (2) The solicitation or acceptance of a contribution from or the offer or promise of a contribution by an employer of a lobbyist or lobbying firm related to a special election to fill a vacancy from the time of announcement of the election until the election; or
- (3) The solicitation or acceptance of a contribution from or the offer or promise of a contribution by a lobbyist or lobbyist associate related to a special election to fill a vacancy

from the time of announcement of the election until the election if the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in the district where the special election will appear on the ballot. [PL 2019, c. 534, §4 (NEW).]
[PL 2019, c. 534, §4 (NEW).]

3. Campaign contributions and solicitations prohibited when Legislature not in legislative session. The following provisions prohibit certain contributions and solicitations and offers of contributions when the Legislature is not in legislative session.

A. When the Legislature is not in legislative session, the Governor, a member of the Legislature or the staff or agent of these officials may not intentionally solicit or accept a contribution from a lobbyist or lobbyist associate unless the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in a district where the Governor or member of the Legislature will appear on the ballot. [PL 2019, c. 534, §4 (NEW).]

B. When the Legislature is not in legislative session, a lobbyist or lobbyist associate may not intentionally give, offer or promise a contribution to the Governor, a member of the Legislature or the staff or agent of these officials unless the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in a district where the Governor or member of the Legislature will appear on the ballot. [PL 2019, c. 534, §4 (NEW).]

C. The prohibitions in paragraphs A and B do not apply to the solicitation or acceptance of a contribution from or the offer or promise of a contribution by a lobbyist or lobbyist associate that is not the property of that lobbyist or lobbyist associate. [PL 2019, c. 534, §4 (NEW).]

D. The prohibitions in paragraphs A and B do not apply to the solicitation or acceptance of a contribution from or the offer or promise of a contribution by an employer of a lobbyist or a lobbying firm. [PL 2019, c. 534, §4 (NEW).]

[PL 2019, c. 534, §4 (NEW).]

4. Campaign contributions and solicitations prohibited at all times. The following provisions prohibit certain contributions and solicitations and offers of contributions at all times, regardless of whether the Legislature is in legislative session.

A. A gubernatorial or legislative candidate who is not the Governor or a member of the Legislature, or the staff or agent of a gubernatorial or legislative candidate, may not intentionally solicit or accept a contribution from a lobbyist or lobbyist associate unless the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in a district where the gubernatorial or legislative candidate will appear on the ballot. [PL 2019, c. 534, §4 (NEW).]

B. A lobbyist or lobbyist associate may not intentionally give, offer or promise a contribution to a gubernatorial or legislative candidate who is not the Governor or a member of the Legislature, or the staff or agent of a gubernatorial or legislative candidate, unless the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in a district where the gubernatorial or legislative candidate will appear on the ballot. [PL 2019, c. 534, §4 (NEW).]

C. The prohibitions in paragraphs A and B do not apply to the solicitation or acceptance of a contribution from or the offer or promise of a contribution by a lobbyist or lobbyist associate that is not the property of that lobbyist or lobbyist associate. [PL 2019, c. 534, §4 (NEW).]

D. The prohibitions in paragraphs A and B do not apply to the solicitation or acceptance of a contribution from or the offer or promise of a contribution by an employer of a lobbyist or lobbying firm. [PL 2019, c. 534, §4 (NEW).]

[PL 2019, c. 534, §4 (NEW).]

5. Exceptions. This section does not prohibit any of the following.

A. The solicitation, acceptance, offer or gift of money or anything of value for bona fide social events hosted for nonpartisan, charitable purposes. [PL 2019, c. 534, §4 (NEW).]

B. The solicitation, acceptance, offer or promise of contributions to a member of the Legislature supporting that member's campaign for federal office. [PL 2019, c. 534, §4 (NEW).]

C. The attendance of the Governor, a member of the Legislature, a constitutional officer, a gubernatorial or legislative candidate or the staff or agent of these persons at fund-raising events held by a municipal, county, state or national political party organized pursuant to Title 21-A, chapter 5, nor the advertisement of the expected presence of any such person at any such event, as long as any such person has no involvement in soliciting attendance at the event and all proceeds are paid directly to the political party organization hosting the event or a nonprofit charitable organization. [PL 2019, c. 534, §4 (NEW).]

[PL 2019, c. 534, §4 (NEW).]

6. Violations. The commission may undertake investigations to determine whether any person has violated this section. A person who violates this section is subject to a civil penalty not to exceed \$1,000 for each violation, payable to the State and recoverable in a civil action. A contribution accepted in violation of this section must be returned to the contributor.

[PL 2019, c. 534, §4 (NEW).]

SECTION HISTORY

PL 2019, c. 534, §4 (NEW). PL 2019, c. 587, §1 (AMD). PL 2019, c. 587, §18 (AFF).

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