

HB 4076 STAFF MEASURE SUMMARY

House Committee On Rules

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/8

WHAT THE MEASURE DOES:

Establishes the Small Donor Elections program (Program), enabling candidates for state Representative or state Senator to receive a 6-to-1 match on small donations. Requires candidates to file a statement of intent to participate in the Program. Requires candidates for state Senator receive \$10,000 in qualifying contributions of not more than \$250 each from at least 400 donors to participate in the Program. Requires candidates for state Representative receive \$6,000 in qualifying contributions of not more than \$250 each from at least 250 donors to participate in the Program. Limits matching funds if the candidate is running unopposed in either the primary or general election and if the candidate has received contributions of more than \$250 from a donor prior to signing a statement of intent to participate in the Program. Limits participants' in-kind contributions to \$250 when combined with any monetary contributions from a donor per cycle. Limits uses of Program funds. Provides maximum public match for the 2020 election cycle. Takes effect the 91st day after *sine die*.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Some states regulate campaign spending in elections by providing public funds to candidates who agree to certain limitations. Generally, if a candidate receives public financing for a campaign they agree to not raise private capital, and may only spend up to a set amount.

Currently, 13 states provide some form of public financing for campaigns. Each of these programs requires participating candidates to limit both how much they spend on the election and how much they receive in donations from any one group or individual. The two primary types of public financing programs are "clean elections" programs that offer full funding for campaigns, and programs that provide matching funds for each qualifying contribution received by participants.

House Bill 4076 establishes the Small Donor Funded Elections Fund program (Program) to enable candidates for state office to receive a 6-to-1 match on small-dollar donations. Candidates for state Senator or state Representative may receive 130 percent of the average amount spent by the elected candidates in races that were the most expensive for that office by 20 percent during the previous two election cycles.

A candidate may participate in the Program after: filing a statement of intent to participate with the Secretary of State at any time after the date of a general election and 150 days before the date of the next general election; collecting at least the minimum amount *and* number of in-state qualifying contributions; signing an affidavit; and agreeing to comply with Program requirements. Complying participants will receive an amount equal to six dollars for every one dollar in qualified small-dollar contributions received, up to the maximum amount allowed. The measure also establishes limits on how a candidate may use Program funds and on accepting contributions that exceed qualified contribution or nonmatching contribution amounts.