



SPONSOR: Rep. Morrison & Sen. Huxtable
Reps. Baumbach, Hilovsky, Osienski, Michael Smith,
Wilson-Anton; Sens. Buckson, Gay, Hansen, S. McBride,
Paradee

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 291

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 80 of Title 15 of the Delaware Code by making deletions as shown by strike through
2 and insertions as shown by underline as follows:

3 § 8030. Reports of political committees.

4 (d) Each report under this section shall disclose all of the following information, for the entire reporting period:

5 (1) Amount of cash and other intangible and tangible assets on hand at the beginning of the reporting period;

6 (2) Full ~~name and mailing address~~ name, mailing address, primary employer name, and job title of each
7 person who has made contributions to such political committee (including the purchase of tickets for events such as
8 dinners, luncheons, rallies and similar fund-raising events, whether or not the tickets were used by the person who paid
9 for them) during the election period in an aggregate amount or value in excess of \$100, the total of all contributions
10 from such person during the election period, and the amount and date of all contributions from such person during the
11 reporting period. If the person who made the contribution is not an individual, then the report shall also include the
12 name and address of 1 responsible party for such person;

13 § 8033. Reporting campaign violations.

14 (a) The Department shall establish a telephone number and online form for the reporting of any suspected
15 violations under this chapter.

16 (b) A person reporting a suspected violation under subsection (a) of this section must provide their name, address,
17 telephone number and email address to the Department. The information provided under this subsection is not a public
18 record as defined under Chapter 100 of Title 29.

19 § 8043. Violations; penalties; jurisdiction in Superior Court.

20 ~~(h) A reporting party who receives a prohibited contribution or makes a prohibited expenditure without any~~
21 ~~intention to violate this chapter, but who returns the contribution or reimburses the political committee or other person~~

22 ~~making expenditure within 7 days after learning that the contribution or expenditure was prohibited, shall not be liable for~~
23 ~~any violation of this chapter. A reporting party may also donate a prohibited or suspected prohibited contribution to any~~
24 ~~charitable organization listed in subchapter IX, Chapter 11 of Title 30.~~

25 (h) A reporting party who receives a prohibited contribution or makes a prohibited expenditure without intent to
26 violate this chapter will not be held liable for a violation of this chapter if the reporting party does either of the following
27 within 30 days after being informed by the Department that the contribution or expenditure was prohibited:

28 (1) Returns the contribution or reimburses the political committee or other person making the expenditure.

29 (2) Pays the contribution to the State Treasurer for deposit in the General Fund.

30 (i) Any person who accepts an unlawful contribution from a person or entity with knowledge that it is a prohibited
31 contribution under this title must pay the full amount of the unlawful contribution to the State Treasurer for deposit in the
32 General Fund.

33 (j) A reporting party who violates § 8021 of this title shall be assessed a fine by the Commissioner of \$500 or
34 25% of the cost of the campaign advertisement subject thereto, whichever is greater.

SYNOPSIS

This Act requires that a candidate's political committee's contribution and expense report, provided to the Department of Elections, include the primary employer and job title of each person contributing to the committee. This Act also requires the Department of Elections to provide a telephone number and online form for reporting alleged campaign financing violations. The informant must provide their name and contact information to the Department. The information provided to the Department is not to be considered a public record under FOIA. This Act also allows reporting parties who unintentionally receive a prohibited contribution or make a prohibited expenditure to return or reimburse the contribution or pay the contribution to the State Treasurer. This Act also eliminates the ability of anyone who makes or accepts a prohibited campaign contribution from donating the money to a designated Title 30 charitable organization. The Act requires anyone who knowingly accepts an unlawful campaign contribution to pay the money to the State Treasurer for deposit to the General Fund.