

HB 482 - AS INTRODUCED

2021 SESSION

21-0651

04/11

HOUSE BILL **482**

AN ACT relative to the use of campaign contributions for personal use expenditures.

SPONSORS: Rep. Burroughs, Carr. 1; Rep. M. Smith, Straf. 6; Rep. Chase, Straf. 18; Rep. DiLorenzo, Rock. 17; Rep. Grote, Rock. 24; Rep. McLean, Hills. 44

COMMITTEE: Election Law

ANALYSIS

This bill prohibits the use of campaign contributions for certain personal uses.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the use of campaign contributions for personal use expenditures.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Political Expenditures and Contributions; Prohibited Political Expenditures. RSA 664:5 is
2 repealed and reenacted to read as follows:

3 664:5 Prohibited Political Expenditures.

4 I. No expenditure or use of a contribution, tangible or intangible, shall be made for the
5 purpose of promoting the success or defeat of any political party, measure or candidate:

6 (a) By a political committee, except the political committee of a political party, unless
7 the political committee meets the requirements of RSA 664:3, I.

8 (b) By a political committee which is organized to support a candidate in any election, or
9 to such candidate or the candidate's fiscal agent unless the committee secures and files the written
10 consent of the candidate or the candidate's fiscal agent with the secretary of state in accordance with
11 RSA 664:3, III.

12 (c) By any person, candidate or political committee, for political advertising in a
13 newspaper, periodical, or on a radio or television broadcast, or on a billboard, if at a rate more or less
14 than the applicable rates to be filed with the secretary of state.

15 (d) By any foreign national, as defined in 52 U.S.C. section 30121(b) and 11 C.F.R.
16 section 110.20(a)(3), for any purpose, including for the use of telephones, facsimile machines,
17 vehicles, and computers, for electioneering. For the purposes of this paragraph, "electioneering"
18 means to act in any way specifically designed to influence the vote of a voter on any question or
19 office.

20 II. No expenditure or use of a contribution, tangible or intangible, shall be made for a
21 purpose that primarily furthers a personal interest of a candidate or office holder or a candidate's or
22 office holder's family, which interest is not connected with the performance of an activity as a
23 candidate or an activity or duty of an office holder, including but not limited to the following:

24 (a) A mortgage, rent, utility, or vehicle payment.

25 (b) A household food item or supply.

26 (c) Clothing, except for clothing bearing a candidate's name or campaign slogan or logo
27 that is used in a candidate's campaign.

28 (d) Admission to a sporting, artistic, or recreational event or other form of
29 entertainment.

30 (e) Dues, fees, or gratuities at a country club, health club, or recreational facility.

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1 (f) A salary payment made to a candidate, officeholder, or a person who has not provided
2 a bona fide service to a candidate or officeholder.

3 (g) A vacation.

4 (h) A vehicle expense, except for the cost of gas for travel within the district in which the
5 candidate resides and used for the purpose of campaigning.

6 (i) A meal expense, unless tied to the candidate's campaign for office.

7 (j) A travel expense, unless tied to the candidate's campaign for office.

8 (k) A payment of an administrative, civil, or criminal penalty.

9 (l) A satisfaction of a personal debt.

10 (m) A personal service, including the service of an attorney, accountant, physician, or
11 other professional, unless tied to the candidate's campaign for office.

12 (n) A membership fee for a professional or service organization.

13 (o) A payment in excess of the fair market value of the item or service purchased.

14 (p) A gift to a constituent, including but not limited to floral arrangements for funerals
15 or birthdays.

16 2 Effective Date. This act shall take effect 60 days after its passage.