



HB0049

Election reporting requirements.

Sponsored By: Joint Corporations, Elections & Political
Subdivisions Interim Committee

AN ACT relating to elections; providing a definition of organization; requiring organizations to file a statement of formation as specified; increasing the threshold for an independent expenditure or electioneering communication requiring an itemized statement; increasing and adding penalties for failure to file as specified; making conforming amendments; adding a penalty of perjury; and providing for an effective date.

1/30/2022 Bill Number Assigned
2/11/2022 H Received for Introduction
2/15/2022 H Introduced and Referred to H07 - Corporations 51-9-0-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Blackburn, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Greear, Hallinan, Haroldson, Harshman, Heiner, Henderson, Kinner, Knapp, Larsen, L, Lebeau, Macguire, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Western, Wharff, Wilson, Yin, Zwonitzer

Nays: Representative(s) Bear, Fortner, Gray, Jennings, Laursen, D, Neiman, Styvar, Williams, Winter

Ayes 51 **Nays** 9 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2022 H07 - Corporations:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Burt, Clausen, Duncan, Eyre, Lebeau, Macguire, Roscoe, Zwonitzer

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2022 H Placed on General File

HB0049HS001/ADOPTED

(CORRECTED COPY)

Page 14-line 7 Delete "or statement".

Page 14-line 8 Delete "22-25-101 or".

Page 14-line 11 Delete "or statement".

Page 14-line 16 Delete "or".

Page 14-line 17 Delete "statement".

Page 14-line 20 Delete "or statement".

Page 14-line 23 Delete "or statements".

Page 15-line 14 Delete "or statement".

Page 15-line 15 Delete "or statement".

Page 15-line 19 Delete "or statement".

Page 15-line 20 Delete "or statement". ZWONITZER, CHAIRMAN

2/22/2022 H COW:Passed
2/23/2022 H 2nd Reading:Passed
2/24/2022 H 3rd Reading:Passed 45-14-1-0-0

ROLL CALL

Ayes: Representative(s) Banks, Barlow, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Greear, Hallinan, Harshman, Heiner, Henderson, Kinner, Knapp, Larsen, L, Lebeau, Macguire, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Paxton, Provenza, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Western, Williams, Wilson, Yin, Zwonitzer

Nays: Representative(s) Andrew, Baker, Bear, Fortner, Gray, Haroldson, Jennings, Laursen, D, Neiman, Ottman, Rodrig-Williams, Styvar, Wharff, Winter

Excused: Representative Blackburn

Ayes 45 **Nays** 14 **Excused** 1 **Absent** 0 **Conflicts** 0

2/24/2022 S Received for Introduction
2/24/2022 S Introduced and Referred to S07 - Corporations
3/1/2022 S07 - Corporations:Recommend Amend and Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Driskill, Nethercott, Scott

Nays: Senator Case

Ayes 4 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

3/1/2022 S Placed on General File

HB0049SS001/ADOPTED (TO ENGROSSED COPY)

Page 14-line 20 After "(i)" insert "Up to".

Page 15-line 2 After "(ii)" insert "Up to". DRISKILL, CHAIRMAN

HB0049SW001/ADOPTED (TO ENGROSSED COPY)

Page 2-line 3 Delete "22-25-108(f)(i) and (ii)" and insert "22-25-108(f)".

Page 14-line 18 After "order" insert "after giving due consideration to the willfulness of the failure to file, the person's level of experience with reporting requirements under this act, efforts made to obscure the identity of the person required to file and any other factor evidencing an intent to evade reporting requirements under this act". CASE

3/2/2022 S COW:Passed

HB0049S2001/ADOPTED (TO ENGROSSED COPY)

Page 1-line 3 After "formation" delete balance of line.

Page 1-line 4 Delete "expenditures"; after "increasing" insert "the"; delete "and" and insert "an".

Page 1-line 8 Delete "repealing a provision;".

Page 2-lines 7 through 23 Delete entirely.

Page 3 Delete entirely.

Page 4-lines 1 through 5 Delete entirely and insert:

"(c) Any organization that receives contributions or expends funds totaling in aggregate more than one thousand dollars (\$1,000.00) for the purpose of causing independent expenditures or electioneering communications to be made shall file a statement of formation for the purpose of filing campaign reports in accordance with W.S. 22-25-106(h). Any organization that has not previously filed a statement of formation that is required by this subsection shall file a statement of formation within ten (10) days of causing or intending to cause the independent expenditure or electioneering communication to be made in any primary, general or special election or within twenty-four (24) hours if the independent expenditure or electioneering communication is made within ten (10) days of any primary, general or special election. The statement of formation as referenced in this subsection shall be filed in those offices as provided by W.S. 22-25-107 and shall list the:

(i) Name and mailing address of the organization;

(ii) Name and mailing address of the organization's chairman and treasurer, if applicable, or the organization's designee;

(iii) Date the organization formed; and

(iv) Purpose of the organization."

Page 7-lines 17 and 18 Reinsert stricken language.

Page 15 lines 7 and 8 Delete entirely and renumber as necessary.

Page 15-line 10 Delete "**Section 3.**" and insert "**Section 2.**". DRISKILL

3/3/2022 S 2nd Reading:Passed

3/4/2022 S 3rd Reading:Laid Back

HB0049S3001/FAILED

(TO ENGROSSED COPY)

Page 1-line 4 After "specified;" insert "removing reporting requirements for 26 U.S.C. 501(c)(3) and (4) organizations as specified;"

Page 1-line 14 After "(d)" insert ", (d)(ii) by creating a new subparagraph (E)"; delete "a".

Page 1-line 15 Delete "paragraph (iv)" and insert "paragraphs (iv) and (v)".

Page 7-after line 6 Insert:

"(E) A communication made by an organization recognized under 26 U.S.C. 501(c)(3) or (4) that includes reasonable notice in the communication that the organization paid for the communication."

Page 7-line 8 After "means" insert ", except as otherwise provided by paragraph (iv) of this subsection,".

Page 7-after line 18 Insert and renumber as necessary:

"(iv) "Independent expenditure" does not include an expenditure that would otherwise qualify as an independent expenditure if the expenditure is made by an organization recognized under 26 U.S.C. 501(c)(3) or (4) and any express advocacy made by the organization includes notice identifying the organization as the advocate."

Page 7-line 20 Delete "(iv)" and insert "(v)". BOUCHARD

ROLL CALL

Ayes: Senator(s) Biteman, Bouchard, Case, Ellis, French, Hutchings, James, Mckeown, Salazar, Scott

Nays: Senator(s) Anderson, Baldwin, Boner, Cooper, Dockstader, Driskill, Furphy, Gierau, Hicks, Kinskey, Kolb, Kost, Landen, Nethercott, Pappas, Rothfuss, Schuler, Steinmetz, Wasserburger

Excused: Senator Perkins

Ayes 10 **Nays** 19 **Excused** 1 **Absent** 0 **Conflicts** 0

HB0049S3002/ADOPTED

(TO ENGROSSED COPY)

Page 7-line 20 After "Organization" insert ", as used in this chapter,".

Page 8-line 1 Delete "candidate's campaign committee,".

Page 8-line 2 Delete entirely and insert "political party, political action committee or candidate's campaign committee."

Page 8-line 9 After "organization" insert "except a political party, political action committee or candidate's campaign committee".

Page 9-line 4 Strike "person" and delete all new language.

Page 9-line 5 Delete entirely.

Page 9-line 6 Strike "or organization violating" and insert "violation of". DRISKILL

3/7/2022 S 3rd Reading:Passed 21-8-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Boner, Cooper, Dockstader, Driskill, Ellis, Furphy, Gierau, Hicks, Hutchings, Kinskey, Kolb, Kost, Landen, Nethercott, Pappas, Schuler, Scott, Steinmetz, Wasserburger

Nays: Senator(s) Biteman, Bouchard, Case, French, James, Mckeown, Rothfuss, Salazar

Excused: Senator Perkins

Ayes 21 **Nays** 8 **Excused** 1 **Absent** 0 **Conflicts** 0

3/7/2022 H Received for Concurrence

3/8/2022 H Concur:Passed 41-17-2-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Banks, Barlow, Blackburn, Brown, Burkhart, Burt, Clausen, Connolly, Duncan, Eklund, Eyre, Flitner, Hallinan, Harshman, Henderson, Kinner, Knapp, Larsen, L, Lebeau, Macguire, Newsome, Nicholas, Oakley, Obermueller, Olsen, Paxton, Provenza, Romero-Martinez, Roscoe, Schwartz, Sherwood, Sommers, Stith, Sweeney, Walters, Western, Williams, Wilson, Yin, Zwonitzer

Nays: Representative(s) Baker, Bear, Crago, Fortner, Gray, Haroldson, Heiner, Jennings, Laursen, D, Neiman, Ottman, Rodrig-Williams, Simpson, Styvar, Washut, Wharff, Winter

Excused: Representative(s) Greear, O'hearn

Ayes 41 Nays 17 Excused 2 Absent 0 Conflicts 0

3/8/2022 Assigned Number HEA No. 0035
3/9/2022 H Speaker Signed HEA No. 0035
3/9/2022 S President Signed HEA No. 0035
3/15/2022 Governor Signed HEA No. 0035
3/15/2022 Assigned Chapter Number 81

Chapter No. 81 Session Laws of Wyoming 2022