

Campaign Finance: Contribution Limits

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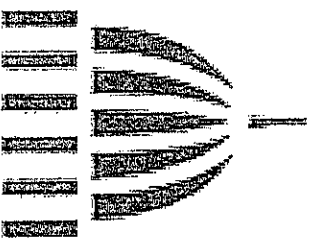
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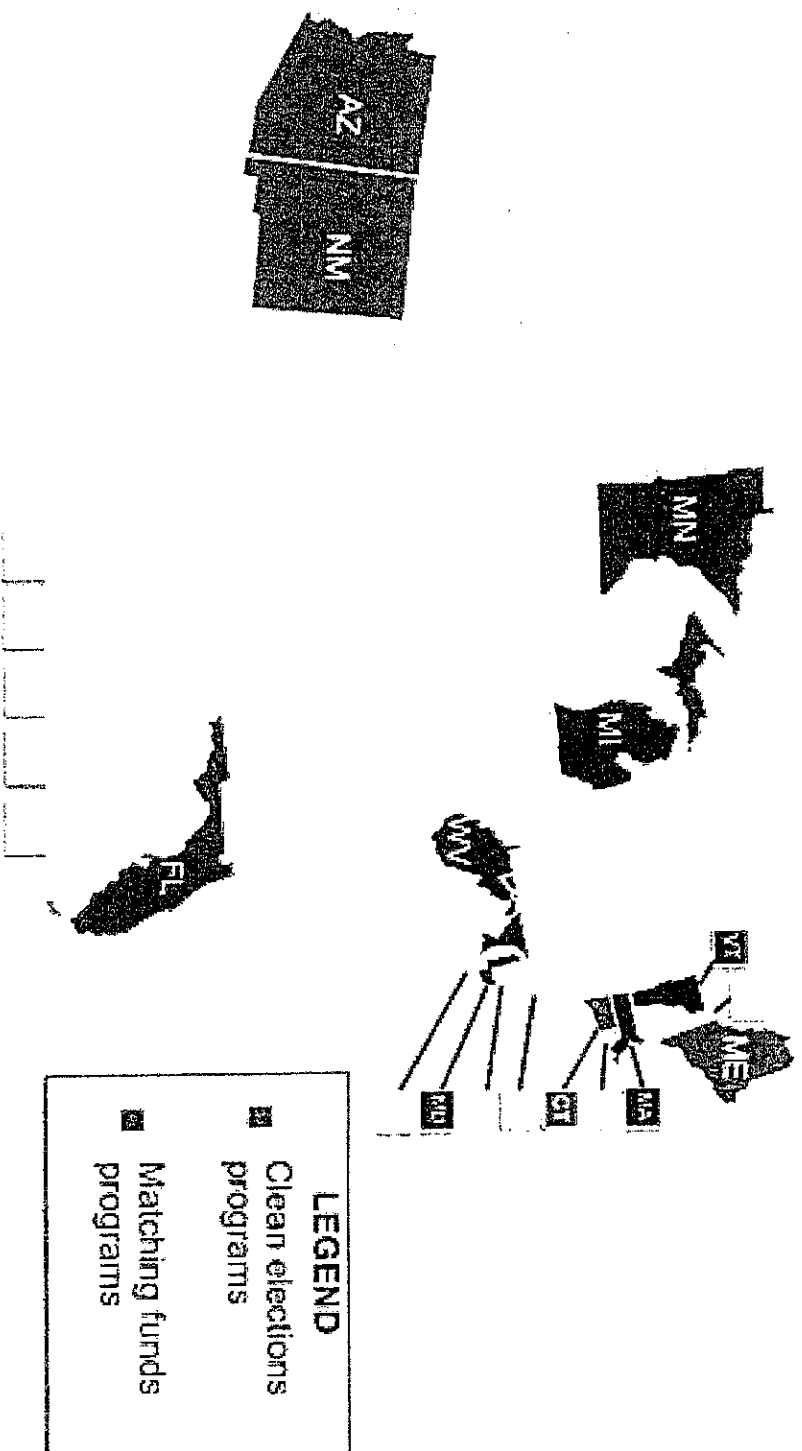
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Campaign Finance Regulation

- Public Financing
- Contribution Limits
- Disclosure and Reporting Requirements



Public Financing



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Contribution Limits

- Contribution Limits and the Supreme Court
- Federal Contribution Limits
- State Contribution Limits
- Recent State Legislation



Contribution Limits and the Supreme Court

Buckley v. Valeo (1976)

- ❑ Contribution limits are constitutional, expenditure limits are not.
- ❑ Contribution limits upheld because they act as a deterrent to quid pro quo corruption.



Contribution Limits and the Supreme Court

Randall v. Sorrell (2006)

- States cannot limit independent expenditures.
- States must ensure their contribution limits are high enough to enable a candidate to run an effective campaign.



Contribution Limits and the Supreme Court

Citizens United v. Federal Election Commission (2010)

- ❑ States cannot place limits on the amount of money corporations, unions, or PACs use for electioneering communications, as long as they don't coordinate with a candidate



Contribution Limits and the Supreme Court

McCutcheon v. Federal Election
Commission (2014)

- Individual aggregate limits are unconstitutional.



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Contribution Limits in 2015

- States can impose limits on contributions to candidates. But:
 - They can't be too low
 - No individual aggregate limits
- No limits on independent expenditures



Federal Contribution Limits

CONTRIBUTION LIMITS FOR 2015-2016 FEDERAL ELECTIONS

RECIPIENTS

DONORS	Candidate Committee	PAC ¹ (SSF and Nonconnected)	State/District/ Local Party Committee		National Party Committee	Additional National Party Committee Accounts ²
Individual	\$2,700* per election	\$5,000 per year	\$10,000 per year (combined)	\$33,400* per year	\$100,200* per account, per year	
Candidate Committee	\$2,000 per election	\$5,000 per year	Unlimited Transfers	Unlimited Transfers		
PAC-Multicandidate	\$5,000 per election	\$5,000 per year	\$5,000 per year (combined)	\$15,000 per year	\$45,000 per account, per year	
PAC-Nonmulticandidate	\$2,700 per election	\$5,000 per year	\$10,000 per year (combined)	\$33,400* per year	\$100,200* per account, per year	
State/District/Local Party Committee	\$5,000 per election	\$5,000 per year	Unlimited Transfers			
National Party Committee	\$5,000 per election ³	\$5,000 per year				



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Federal Contribution Limits to Candidates

To Candidate

Individual	→	\$2,700
Candidate	→	\$2,000
Multicandidate PAC	→	\$5,000
Non-multicandidate PAC	→	\$2,700
State/local/district party	→	\$5,000
National party	→	\$5,000

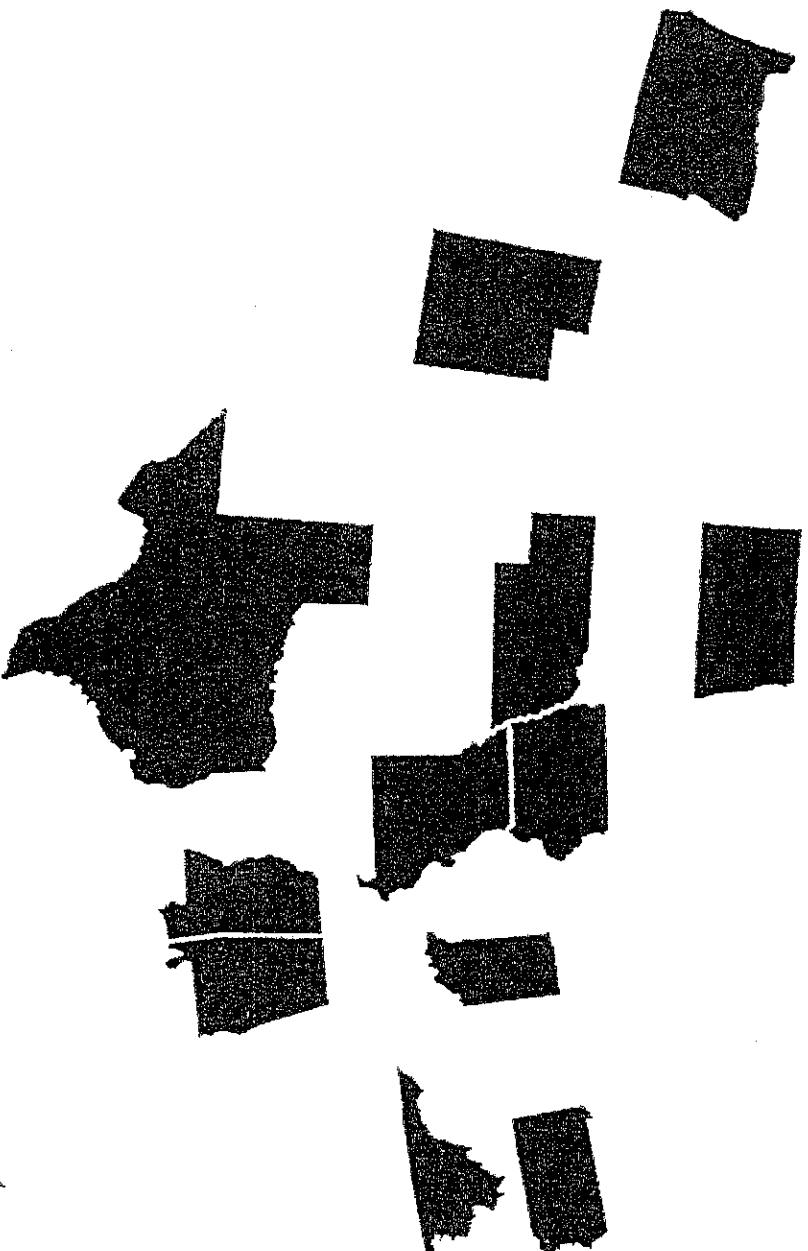


State Contribution Limits

- ❑ 12 States have no individual limits on contributions to candidates, and 6 have no limits at all
- ❑ Other states have limits on contributions to candidates from:
 - ❑ Individuals
 - ❑ State Parties
 - ❑ PACs
 - ❑ Corporations
 - ❑ Unions



No Limits on Individual Donors



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Individual Contribution Limits

	\$0	\$1,000	\$2,000	\$3,000	\$4,000	\$5,000	\$6,000
OH							
NV							
NC							
CA							
AR							
NJ							
GA							
NM							
LA							
TN							
WY							
VT							
ID							
MN							
SC							
FL							
WV							
NH							
KY							
WA							
KS							
ME							
CT							
CO							
MT							

Governor ■ State Senate Limit ■ State House Limit



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Individual Contribution Limits

	Governor	State Senate	State House
Average	\$4,509	\$2,182	\$2,112
Median	\$3,500	\$1,000	\$1,000
Kansas	\$2,000	\$1,000	\$500
Highest Limit	\$28,200 (CA)	\$12,353 (OH)	\$12,353 (OH)
Lowest Limit	\$550 (CO)	\$170 (MT)	\$170 (MT)



State Party to Candidate Limits

	Governor	State Senate	State House
Average	\$95,591	\$18,763	\$11,969
Median	\$8,150	\$4,175	\$3,850
Kansas	\$2,000	\$1,000	\$500
Highest Limit	\$706,824 (OH)	\$140,989 (OH)	\$70,181 (OH)
Lowest Limit	\$1,000 (NH)	\$375 (ME)	\$375 (ME)



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PAC to Candidate Limits

- ❑ Most states “PAC to candidate” limits are the same as “individual to candidate” limits
- ❑ 9 state have higher limits for PACs
- ❑ Only one state is lower – Massachusetts
- ❑ Other variations:
 - ❑ Different limits for “big PACs,” “independent PACs,” “Super PACs,” small donor committees



Corporation/Union to Candidate Limits

Unlimited Corp . To Candidate		Unlimited Union to Candidate	
Alabama	Utah	Alabama	Nebraska
Missouri	Virginia	Iowa	Oregon
Nebraska		Mississippi	Utah
Oregon		Missouri	Virginia
Prohibited Corp. to Candidate		Prohibited Union to Candidate	
Alaska	Ohio	Alaska	Texas
Colorado	Oklahoma	Connecticut	Wisconsin
Connecticut	Pennsylvania	Michigan	Wyoming
Iowa	Rhode Island	New Hampshire	
Kentucky	South Dakota	North Carolina	
Massachusetts	Texas	Ohio	
Michigan	West Virginia	Oklahoma	
Minnesota	Wisconsin	Pennsylvania	
Montana	Wyoming	Rhode Island	
North Carolina		South Dakota	



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Spotlight on Surrounding States: **Nebraska and Missouri**

- No limits on individual, state party, PAC, corporation or union contributions to candidates



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Spotlight on Surrounding States:

Oklahoma

- ❑ Individual → Candidate Limits
 - ❑ \$2,700/year
- ❑ State Party → Candidate Limits
 - ❑ Governor: \$50,000/year
 - ❑ Other statewide candidates: \$25,000/year
- ❑ Legislative candidates: \$1,000/year



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Spotlight on Surrounding States: **Oklahoma** (continued)

- ❑ PAC → Candidate Limits
 - ❑ \$5,000/year
- ❑ Corporate/Union Contributions to Candidates
 - ❑ Prohibited



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Spotlight on Surrounding States:

Colorado

- ❑ Individual → Candidate Limits
- ❑ Statewide candidates: \$550/election
- ❑ Legislative candidates: \$200/election
- ❑ Limits double for a candidate who accepts voluntary spending limits and meets certain conditions.



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Spotlight on Surrounding States: **Colorado** (continued)

- State Party → Candidate Limits
- Governor: \$569,530/election
- Other statewide offices:
\$113,905/election
- Senate: \$20,500/election
- House: \$14,805/election

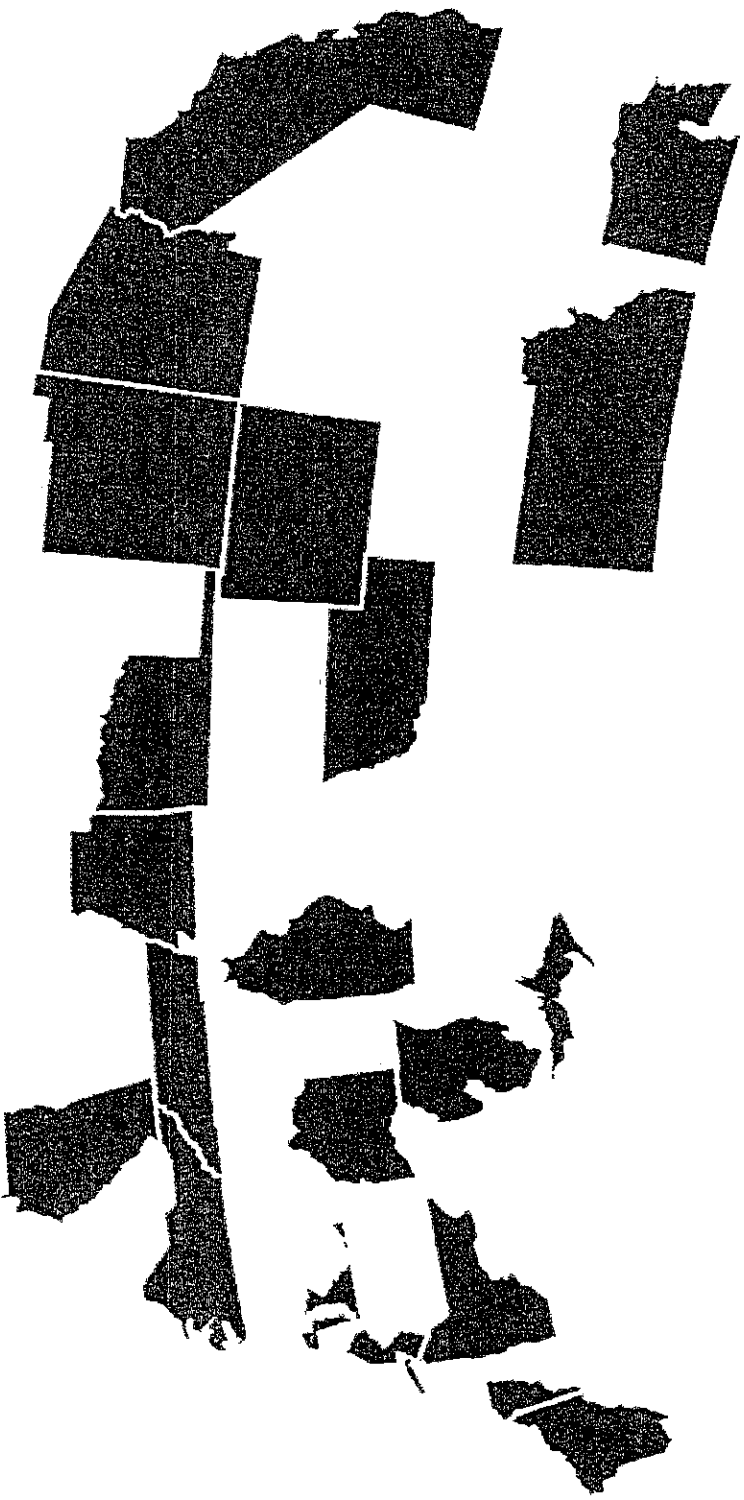


Spotlight on Surrounding States: Colorado (continued)

- PACs → Candidate Limits
 - Regular PACs same as individual limits
 - “Small donor committees”
 - Statewide candidates: \$5,675
 - Legislative candidates: \$2,250
- Corporations and Unions →
Candidate: Prohibited (with caveats)



States That Adjust for Inflation



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Legislation Overview: General Trends

- Public financing isn't seeing much action
- Contribution limits – mostly to increase limits
- Half of the legislation introduced this year was on disclosure requirements



States That Have Raised Contribution Limits in the Last 2 Years

- ☐ Alabama
- ☐ Arizona
- ☐ Connecticut
- ☐ Florida
- ☐ Maryland
- ☐ Michigan
- ☐ Minnesota
- ☐ Nebraska
- ☐ North Carolina
- ☐ Wyoming
- ☐ Vermont



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Other Provisions in

Contribution Limits Legislation

- ❑ Required adjustments to contribution limits based on inflation
- ❑ Addressed enforcement/penalties for noncompliance with reporting requirements
- ❑ Lowered the reporting threshold
- ❑ Addressed independent expenditures



Other Trends in Campaign Finance

- Electronic reporting and searchable databases
- Independent expenditure reporting
- Identification/disclaimers for electioneering communications
- Regulating coordination between candidates and independent groups



Questions and Contact Info

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