

103^D CONGRESS
1ST SESSION

H. R. 103

To establish a House of Representatives election limitation on contributions from persons other than local individual residents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. MICHEL (for himself and Mr. THOMAS of California) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To establish a House of Representatives election limitation on contributions from persons other than local individual residents, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair and Competitive
5 Election Act”.

1 **SEC. 2. HOUSE OF REPRESENTATIVES ELECTION LIMITA-**
2 **TION ON CONTRIBUTIONS FROM PERSONS**
3 **OTHER THAN LOCAL INDIVIDUAL RESIDENTS.**

4 (a) IN GENERAL.—Section 315 of the Federal Elec-
5 tion Campaign Act of 1971 (2 U.S.C. 441a), is amended
6 by adding at the end the following new subsection:

7 “(i)(1) A candidate for the office of Representative
8 in, or Delegate or Resident Commissioner to, the Congress
9 may not, with respect to a reporting period for an election,
10 accept contributions from persons other than local individ-
11 ual residents totaling in excess of the total of contributions
12 accepted from local individual residents.

13 “(2) As used in this subsection, the term ‘local indi-
14 vidual resident’ means an individual who resides in a coun-
15 ty, any part of which is in the congressional district in-
16 volved.

17 “(3)(A) Any candidate who accepts contributions that
18 exceed the limitation under this subsection by 5 percent
19 or less shall refund the excess contributions to the persons
20 who made the contributions.

21 “(B) Any candidate who accepts contributions that
22 exceed the limitation under this subsection by more than
23 5 percent and less than 10 percent shall pay to the Com-
24 mission, for deposit in the Treasury, an amount equal to
25 three times the amount of the excess contributions.

1 “(C) Any candidate who accepts contributions that
2 exceed the limitation under this subsection by 10 percent
3 or more shall pay to the Commission, for deposit in the
4 Treasury, an amount equal to three times the amount of
5 the excess contributions plus a civil penalty in an amount
6 determined by the Commission.”.

7 (b) EFFECTIVE PROVISION.—During any period with
8 respect to which subsection (i) of section 315 of the Fed-
9 eral Election Campaign Act of 1971, as added by sub-
10 section (a), is not in effect, such subsection shall be effec-
11 tive as so added, together with the following new para-
12 graph:

13 “(3) For purposes of this subsection, an individual
14 may not be considered a resident of more than one con-
15 gressional district.”.

16 **SEC. 3. REDUCTION IN THE LIMITATION AMOUNT APPLICA-**
17 **BLE TO NONPARTY MULTICANDIDATE POLIT-**
18 **ICAL COMMITTEE CONTRIBUTIONS TO CAN-**
19 **DIDATES.**

20 (a) IN GENERAL.—Section 315 of the Federal Elec-
21 tion Campaign Act of 1971 (2 U.S.C. 441a), as amended
22 by section 1, is further amended by adding at the end the
23 following new subsection:

24 “(j) Notwithstanding subsection (a)(2)(A), no
25 nonparty multicandidate political committee may make

1 contributions referred to in that subparagraph which, in
2 the aggregate, exceed \$1,000.”.

3 (b) TECHNICAL AMENDMENT.—Section 315(a)(2)(A)
4 of the Federal Election Campaign Act of 1971 (2 U.S.C.
5 441a(a)(2)(A)) is amended by inserting after “(A)” the
6 following: “except as provided in subsection (j),”.

7 **SEC. 4. BAN ON SOFT MONEY.**

8 (a) IN GENERAL.—Title III of the Federal Election
9 Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended
10 by adding at the end the following new section:

11 “LIMITATIONS AND REPORTING REQUIREMENTS FOR
12 AMOUNTS PAID FOR MIXED POLITICAL ACTIVITIES

13 “SEC. 323. (a) Any payment by the national commit-
14 tee of a political party or a State committee of a political
15 party for a mixed political activity—

16 “(1) shall be subject to limitation and reporting
17 under this Act as if such payment were an expendi-
18 ture; and

19 “(2) may be paid only from an account that is
20 subject to the requirements of this Act.

21 “(b) As used in this section, the term ‘mixed political
22 activity’ means, with respect to a payment by the national
23 committee of a political party or a State committee of a
24 political party, an activity, such as a voter registration
25 program, a get-out-the-vote drive, or general political ad-
26 vertising, that is both (1) for the purpose of influencing

1 an election for Federal office, and (2) for any purpose un-
2 related to influencing an election for Federal office.”.

3 (b) REPEAL OF BUILDING FUND EXCEPTION TO THE
4 DEFINITION OF THE TERM “CONTRIBUTION”.—Section
5 301(8)(B) of the Federal Election Campaign Act of 1971
6 (2 U.S.C. 431(8)(B)) is amended—

7 (1) by striking out clause (viii); and

8 (2) by redesignating clauses (ix) through (xiv)
9 as clauses (viii) through (xiii), respectively.

10 **SEC. 5. TRANSITION RULE RELATING TO EXCESS FUNDS OF**
11 **CANDIDATES FOR THE HOUSE OF REP-**
12 **RESENTATIVES.**

13 A candidate for the office of Representative in, or
14 Delegate or Resident Commissioner to, the Congress, who,
15 on the date of the enactment of this Act, has campaign
16 accounts containing amounts in excess of the contribution
17 limit under section 315(i) of the Federal Election Cam-
18 paign Act of 1971 shall deposit such excess in a separate
19 account subject to section 304 of the Federal Election
20 Campaign Act of 1971. The amount so deposited shall be
21 available for any lawful purpose other than use, with re-
22 spect to the individual for an election for the office of Rep-
23 resentative, in, or Delegate or Resident Commissioner to,
24 the Congress. For purposes of this section, excess funds
25 are those funds which exceed twice the amount of funds

1 raised from local individual residents after December 31,
2 1992. From the date of the enactment of this Act until
3 the end of the period covered by the 1994 pre-primary
4 report a candidate may transfer excess funds from the
5 separate account to the campaign account so long as a
6 majority of the total funds contributed or transferred to
7 the campaign account were raised from local individual
8 residents after December 31, 1992. No funds may be
9 transferred from a separate account of a candidate to a
10 campaign account of the candidate after the end of the
11 period covered by the 1994 pre-primary report.

12 **SEC. 6. EFFECTIVE DATE.**

13 The amendments made by this Act shall take effect
14 on the date of the enactment of this Act.

○