

109TH CONGRESS
1ST SESSION

H. R. 491

To amend the Federal Election Campaign Act of 1971 to require persons conducting Federal election polls by telephone to disclose certain information to respondents and the Federal Election Commission.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2005

Mr. PETRI (for himself, Mrs. MALONEY, Mr. SHIMKUS, Mr. MCGOVERN, Mr. TAYLOR of Mississippi, Mr. HOLDEN, Mr. SIMMONS, Mr. JOHNSON of Illinois, Mr. KIND, Mr. SHAYS, Mr. SCHWARZ of Michigan, Mr. GEORGE MILLER of California, and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Federal Election Campaign Act of 1971 to require persons conducting Federal election polls by telephone to disclose certain information to respondents and the Federal Election Commission.

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 “Push Poll Disclosure
5 Act of 2005”.

1 **SEC. 2. DISCLOSURE AND REPORTS RELATING TO POLLING**
2 **BY TELEPHONE OR ELECTRONIC DEVICE.**

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

6 “DISCLOSURE AND REPORTS RELATING TO POLLING BY
7 TELEPHONE OR ELECTRONIC DEVICE

8 “SEC. 325. (a) DISCLOSURE TO RESPONDENTS.—
9 Any person who conducts a Federal election poll by tele-
10 phone or electronic device shall disclose to each respondent
11 the identity of the person paying the expenses of the poll.
12 The disclosure shall be made at the end of the interview
13 involved.

14 “(b) REPORTS TO COMMISSION.—In the case of any
15 Federal election poll by telephone or electronic device—

16 “(1) if the results are not to be made public,
17 the person who conducts the poll shall report to the
18 Commission the total cost of the poll and all sources
19 of funds for the poll; and

20 “(2) the person who conducts the poll shall re-
21 port to the Commission the total number of house-
22 holds contacted and include with such report a copy
23 of the poll questions.

24 “(c) FEDERAL ELECTION POLL DEFINED.—As used
25 in this section, the term ‘Federal election poll’ means a
26 survey—

1 “(1) in which the respondent is asked to state
2 opinions or views regarding a future election for
3 Federal office; and

4 “(2) in which more than 1,200 households are
5 surveyed.”.

6 (b) **EFFECTIVE DATE.**—The amendment made by
7 subsection (a) shall apply with respect to elections occur-
8 ring after December 31, 2005.

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