SPONSOR: Rep. Morrison & Sen. Huxtable
Reps. Baumbach, Hilovsky, Osienski, Michael Smith, Wilson-Anton; Sens. Buckson, Gay, Hansen, S. McBride, Paradee

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 291
AS AMENDED BY
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 80 of Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8030. Reports of political committees.

(d) Each report under this section shall disclose all of the following information, for the entire reporting period:

(1) Amount of cash and other intangible and tangible assets on hand at the beginning of the reporting period;

(2) Full name and mailing address of each person who has made contributions to such political committee (including the purchase of tickets for events such as dinners, luncheons, rallies and similar fund-raising events, whether or not the tickets were used by the person who paid for them) during the election period in an aggregate amount or value in excess of $100, the total of all contributions from such person during the election period, and the amount and date of all contributions from such person during the reporting period. If the person who made the contribution is not an individual, then the report shall also include the name and address of 1 responsible party for such person;

§ 8033. Reporting campaign violations.

(a) The Department shall establish a telephone number and online form for the reporting of any suspected violations under this chapter.

(b) A person reporting a suspected violation under subsection (a) of this section must provide their name, address, telephone number and email address to the Department. The information provided under this subsection is not a public record as defined under Chapter 100 of Title 29.

§ 8043. Violations; penalties; jurisdiction in Superior Court.

~~(h) A reporting party who receives a prohibited contribution or makes a prohibited expenditure without any intention to violate this chapter, but who returns the contribution or reimburses the political committee or other person~~

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~~making expenditure within 7 days after learning that the contribution or expenditure was prohibited, shall not be liable for any violation of this chapter. A reporting party may also donate a prohibited or suspected prohibited contribution to any charitable organization listed in subchapter IX, Chapter 11 of Title 30.~~

(h) A reporting party who receives a prohibited contribution or makes a prohibited expenditure without intent to violate this chapter will not be held liable for a violation of this chapter if the reporting party does either of the following within 30 days after being informed by the Department that the contribution or expenditure was prohibited:

(1) Returns the contribution or reimburses the political committee or other person making the expenditure.

(2) Pays the contribution to the State Treasurer for deposit in the General Fund.

(i) Any person who accepts an unlawful contribution from a person or entity with knowledge that it is a prohibited contribution under this title must return the full amount of the unlawful contribution to the donor.

~~(i)~~ (j) A reporting party who violates § 8021 of this title shall be assessed a fine by the Commissioner of $500 or 25% of the cost of the campaign advertisement subject thereto, whichever is greater.