

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 746

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO CAMPAIGN FINANCE; AMENDING SECTION 67-6610D, IDAHO CODE, TO RE-
2 VISE A PROVISION REGARDING FOREIGN CONTRIBUTIONS, FOREIGN INDEPENDENT
3 EXPENDITURES, AND FOREIGN ELECTIONEERING COMMUNICATIONS; AND DECLAR-
4 ING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 67-6610D, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 67-6610D. FOREIGN CONTRIBUTIONS, FOREIGN INDEPENDENT EXPENDITURES,
10 AND FOREIGN ELECTIONEERING COMMUNICATIONS PROHIBITED. (1) A foreign na-
11 tional shall not make a contribution, directly or indirectly, to any candi-
12 date, political committee, or measure or make electioneering communications
13 or independent expenditures.

14 (2) As used in this section, "foreign national" means:

15 (a) An individual who is not a citizen of the United States and is not
16 lawfully admitted for permanent residence;

17 (b) A government or subdivision of a foreign country;

18 (c) A foreign political party; or

19 (d) Any entity, such as a partnership, association, corporation, or-
20 ganization, union, or other combination of persons, that is organized
21 under the laws of or has its principal place of business in a foreign
22 country. Provided, however, a foreign national does not include a cor-
23 poration organized under the laws of the United States that is in a par-
24 ent-subsidiary relationship with a foreign national corporation.

25 (3) A violation of the provisions of this section shall be prosecuted
26 and punished as provided in section 67-6625(2) through (5), Idaho Code. Pro-
27 vided, however, any person who knowingly and willfully violates the provi-
28 sions of this section is guilty of a felony when:

29 (a) The aggregate amount of contributions, independent expenditures,
30 or cost of electioneering communications made in violation of this sec-
31 tion exceeds one thousand dollars (\$1,000) in a consecutive twelve (12)
32 month period; or

33 (b) The person pleads guilty to or is found guilty of a knowing and will-
34 ful violation of the provisions of this section for a second time within
35 ten (10) years, notwithstanding the form of the judgment or withheld
36 judgment.

37 (4) If any provision of this section or its application to any person or
38 circumstance is held invalid, the remainder of the section or the applica-
39 tion of the provision to other persons or circumstances is not affected.

1 SECTION 2. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after
3 July 1, 2022.