

Requiring Legislative Approval for Use of Federal Election Funds; SB 5

SB 5 amends the Transparency in Revenues Underwriting Elections Act (Act) regarding the acceptance and use of certain election-related funds.

Definitions

The bill defines the following terms:

- “Federal government” means any branch, agency, department, office, bureau, or instrumentality of the government of the United States; and
- “Governmental agency” means the State or any agency or political subdivision or instrumentality thereof.

Requiring Funds to Be Provided By Law

Continuing law provides that no election official can knowingly accept or expend any moneys, directly or indirectly, from any person, except as provided in any acts of appropriation, or as otherwise provided by law, for any expenditures related to conducting, funding, or otherwise facilitating the administration of a lawful election.

The bill amends the Act to clarify that no election official can knowingly accept or expend any moneys except as provided in any acts of appropriation, or as otherwise provided by state law, specifically for such election expenditures.

The bill also prohibits government agencies, including election officials, from knowingly accepting or expending any moneys, directly or indirectly, from the federal government, except as appropriated or otherwise provided by state law, for any expenditures related to election administration or for any election-related activities, including, but not limited to, voter registration and voter assistance.

The bill requires such election expenditures to be authorized by acts of appropriation or other state law and any moneys received from the federal government be expended only for those purposes authorized by an act of Congress.

The bill exempts the receipt and expenditure of moneys for election security from these provisions.