

**CITY OF SAN DIEGO
ETHICS COMMISSION**

Office of the Executive Director

MEMORANDUM

DATE: March 4, 2010

TO: Chair and Members of the San Diego Ethics Commission

FROM: Stacey Fulhorst, Executive Director

SUBJECT: Contribution Limits for Political Party Committees
Docketed for Ethics Commission meeting on March 11, 2010

On February 16, 2010, United States District Court Judge Irma Gonzalez issued an order granting, in part, plaintiffs' motion for a preliminary injunction in the matter of *Thalheimer v. City of San Diego*. Part of the order stated that "[T]he City is preliminary enjoined from enforcing Section 27.2950, to the extent that it prohibits candidates from soliciting and accepting any contributions from political parties. The Court stays the preliminary injunction as it applies to this provision until further order of the Court, so as to allow the City time to provide an alternative limits on the contributions." In other words, the Court is requiring the City to allow political party committees to make contributions to City candidates, but is also permitting the City time to establish appropriate limits for such contributions.

At this point in time, the *Thalheimer* litigation is still pending, and it is unclear what permanent changes will ultimately be required. In the meantime, the City must move forward and adopt limits for contributions from political party committees to City candidates. In this regard, the Commission may wish to make a recommendation to the Rules Committee and/or the City Council concerning an appropriate limit on such contributions.

In considering this issue, the Commission may want some insight into the reasoning behind this aspect of Judge Gonzalez's decision. On page 18 of her Order, Judge Gonzalez noted that the U.S. Supreme Court "has recognized a sufficient anticorruption interest in preventing political parties from acting as conduits for large donors wishing to gain influence over candidates." In citing to a 2001 Supreme Court decision [*Federal Election Commission v. Colorado Republican Campaign Committee*], Judge Gonzalez noted that the contribution limits upheld in the *Colorado* case reflected "an effort by Congress to balance (1) the need to allow individuals to participate in the political process by contributing to political parties that help elect candidates with (2) the need to prevent the use of political parties 'to circumvent contribution limits that apply to individuals.'" Judge Gonzalez also cited to a more recent U.S. Supreme Court decision [*Randall*

v. *Sorrell*], which criticized Vermont campaign finance laws, in part, because contributions limits for political parties were no higher than those applicable to individuals.

Staff has prepared the following draft language for the Commission's consideration, leaving blank the amount of the contribution limit, as follows:

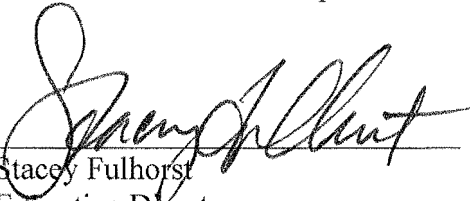
§27.2934 Political Party Committee Contributions to Candidates

Notwithstanding the provisions of sections 27.2935, 27.2936, 27.2950, and 27.2951:

- (a) A political party committee, as defined in California Government Code section 85205, shall not be prohibited from making *contributions* to a *candidate* or *controlled committee* in a *City candidate election*, but shall be subject to the *contribution* limits set forth in subsection (b).
- (b) It is unlawful for a political party committee to make, or for any *candidate* or *committee* controlled by a *candidate* to solicit or accept, a *contribution* that would cause the total amount contributed by the political party committee to the *candidate* and the *candidate's controlled committee* to exceed \$_____ for any single *City candidate election*.

As with the Commission's previous considerations of contribution limits, the issue here is one of balancing First Amendment rights with the City's interest in preventing corruption and the appearance of corruption. As discussed above, the City's interest in preventing political parties from acting as conduits for large donors wishing to gain influence over candidates must be weighed against the right of individuals to participate in the political process by contributing to political parties that help elect City candidates.

For purposes of comparison, staff has prepared a chart identifying the contribution limits in place for individual contributors and political party committees in the country's fifteen largest cities. Also attached is a chart delineating California's contribution limits, and a chart prepared by the National Conference of State Legislatures containing relevant information (in the first two columns) regarding limits in place in all fifty states. Finally, we've provided a chart depicting the contribution limits in place for federal elections.


Stacey Fulhorst
Executive Director

Attachments

**CONTRIBUTION LIMITS
POLITICAL PARTIES TO CANDIDATES
(NATION'S 15 MOST POPULATED CITIES)
(per election, except as noted)**

CITY	LIMITS FOR INDIVIDUALS (District/Citywide)	LIMITS FOR POLITICAL PARTIES	AUTHORITY
NEW YORK	\$2,750/\$4,950 per cycle	\$2,750/\$4,950 per cycle ¹	Admin. Code § 3-703
LOS ANGELES	\$500/\$1,000	\$500/\$1,000 ¹	Charter § 470(c)(3),(4)
CHICAGO	\$1,500 ²	No Limit	Muni Code § 2-164-040
HOUSTON	\$5,000/\$5,000	\$10,000/\$10,000 ¹	Muni Code § 18-38
PHILADELPHIA	\$2,500 per year	\$10,000 per year	Muni Code § 20-1002
PHOENIX	\$488	\$10,440/\$10,440 ³	Muni Code § 12-1500, incorporating Arizona statute 16-905
SAN ANTONIO	\$500/\$1,000	\$500/\$1,000 ¹	Muni Code § 2-302
SAN DIEGO	\$500/\$500	TBD	Muni Code § 27.2935
DALLAS	\$1,000/\$5,000	\$2,500/\$10,000 ¹	Muni Code § 15-A2
SAN JOSE ⁴	\$200/\$500	\$200/\$500 ¹	Muni Code § 12.06.210
DETROIT	\$3,400 per cycle	\$34,000 per cycle	Michigan Compiled Laws § 169.252
JACKSONVILLE	\$500/\$500	\$50,000	Florida Statutes § 106.08
INDIANAPOLIS	No Limit	No Limit	Indiana Code § 3-9-2-4
SAN FRANCISCO	\$500/\$500	\$500/\$500 ¹	Muni Code § 1.114
COLUMBUS	No Limit	No Limit	Ohio Code § 3517.102

¹ Limits apply to political parties and other political committees

² Limits apply only to lobbyists and persons with business before the City

³ Limit applies to all political parties and political organizations combined

⁴ Commencing in 2011

California Contribution Limits

What You Need to Know Before You Contribute – Fast Facts

Candidates seeking a state office and committees that make contributions to state candidates are subject to contribution limits from a single source. Contributions from affiliated entities are aggregated for purposes of the limits. (Regulation 18215.1.) The chart below shows the current limits per contributor and type of office sought. The primary, general, special, and special run-off elections are considered separate elections.

Per-election Limits on Contributions to State Candidates

(For elections held on or after January 1, 2009)

Contributor	Legislature	Statewide Except Governor	Governor
Person	\$3,900	\$6,500	\$25,900
Small Contributor Committee	\$7,800	\$12,900	\$25,900
Political Party	NO LIMIT	NO LIMIT	NO LIMIT

Calendar Year Limits on Contributions to Other State Committees

(2009 and 2010)

Contributor	Committee (Not Political Party) that Contributes to State Candidates	Political Party for State Candidates	Small Contributor Committee	Committee/Political Party Not for State Candidates
Person	\$6,500	\$32,400	\$200	NO LIMIT*

*State committees (including political parties) may receive contributions in excess of the limits identified above as long as the contributions are NOT used for state candidate contributions. (Regulation 18534.)

Calendar Year Limits on Contributions to State Officeholder Committees

Elected state officeholders may set up officeholder accounts subject to contribution limits specified below.

Contributor	Legislature	Statewide Except Governor	Governor
Any Source Person, Small Contributor Committee or Political Party	\$3,200	\$5,400	\$21,500
	Legislature	Statewide Except Governor	Governor
Aggregate From all Sources	\$53,800	\$107,500	\$215,000

- **Legal Defense Funds**

Contributions raised for a legal defense fund are not subject to contribution limits or the voluntary expenditure ceiling. However, a candidate or officeholder may raise, in total, no more than is reasonably necessary to cover attorney's fees and other legal costs related to the proceeding for which the fund is created. (Section 85304; Regulation 18530.4.)

- **Recall Elections**

A state officeholder who is the subject of a recall may set up a separate committee to oppose the qualification of the recall measure and, if the recall petition qualifies, the recall election. Neither contribution limits nor voluntary expenditure ceilings apply to the committee to oppose the recall that is



NATIONAL CONFERENCE of STATE LEGISLATURES

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State Limits on Contributions to Candidates
Updated January 20, 2010

	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Alabama § 10-2A-70.1 and 17-22A-1 et seq.	Unlimited	Unlimited	Unlimited	\$500/candidate/election ^{aj}	Unlimited
Alaska § 15.13.065 to .080	\$500/candidate/year Aggregate amounts candidates may accept from non-residents: \$20,000/year/gub candidate \$5,000/year/senate candidate \$3,000/year/house candidate	\$100,000/year/gub candidate \$15,000/year/senate candidate \$10,000/year/house candidate	\$1,000/office/year Contributions from out-of-state PACs prohibited	Prohibited	Prohibited
Arizona ^{b, p} § 16-901 et seq.	Limits for the 2009-2010 election cycle: \$840/statewide candidates \$410/legislative candidates An individual may not contribute an aggregate amount in excess of \$5,850 per calendar year to candidates and committees that give to candidates. <i>Amounts are per election cycle</i>	Limits for the 2009-2010 election cycle: Aggregate contributions accepted from all political parties and organizations cannot exceed: \$83,448 - statewide candidates \$8,352 - legis. candidates	Limits for the 2009-2010 election cycle: “Super” PACs ^c : \$4,176/statewide candidate \$1,664/legislative candidate Regular PACs: \$840/statewide candidate \$410/legislative candidate Aggregate contributions accepted from PACs cannot exceed: \$83,448 - statewide candidates \$13,464 - legis. candidates <i>Amounts are per election cycle</i>	Prohibited ^d	Prohibited ^d
Arkansas § 7-6-201 et seq.	\$2,000/candidate/election ^a	\$2,500/election ^a	\$2,000/candidate/election ^a	Same as individual limits	Same as individual limits

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
<p>California^p Gov. Code § 85300 et seq.</p>	<p>For elections held on or after January 1, 2009:</p> <p>\$25,900/gubernatorial cand. \$6,500/statewide candidate \$3,900/legislative candidate</p> <p><i>Amounts are per election^a</i></p>	<p>Unlimited</p>	<p>For elections held on or after January 1, 2009:</p> <p>“Small Contributor” Cmtes^g: \$25,900/gubernatorial cand. \$12,900/statewide candidate \$7,800/legislative candidate</p> <p>Regular PACs: Same as individual limits</p> <p><i>Amounts are per election^a</i></p>	<p>Same as individual limits</p>	<p>Same as individual limits</p>
<p>Colorado^p Constitution Art. XXVIII</p>	<p>Limits effective 2007 - 2010:</p> <p>\$525/gub candidate \$525/other statewide cand \$200/legis candidate</p> <p><i>Amounts per election^a</i></p>	<p>Limits effective 2007 - 2010:</p> <p>\$530,000/gub candidate \$106,000/other statewide cand \$19,080/senate candidate \$13,780/house candidate</p> <p>Note: Political parties are prohibited from contributing to any candidate more than 20% of the voluntary expenditure limits, which are adjusted every 4 years.</p> <p><i>Amounts are per applicable election cycle.</i></p>	<p>Limits effective 2007 - 2010:</p> <p>“Small Donor” Committees:ⁱ \$5,300/gub & statewide cand \$2,125/legis. cand.</p> <p>Regular PACs: Same as individual limits</p>	<p>Prohibited^d</p>	<p>Prohibited^d</p>
<p>Connecticut^b § 9-611 et seq.</p>	<p>\$3,500/gub candidate \$1,000/senate candidate \$250/house candidate \$15,000 aggregate/individual to all candidates and committees</p> <p><i>All amounts are per election^a</i></p>	<p>\$50,000/gub candidate \$10,000/senate candidate \$5,000/house candidate</p> <p><i>All amounts are per election^a</i></p>	<p>\$5,000/gubernatorial candidate \$1,500/state senate candidate \$750/state house candidate</p> <p>Aggregate limits on contributions by PACs to candidates: \$100,000/election by a PAC established by a business entity \$50,000/election by a PAC established by an organization</p> <p><i>All amounts are per election^a</i></p>	<p>Prohibited^d §9-613</p>	<p>Same as individual limits^d</p>

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Delaware § 15-8010 to 8013	\$1,200/statewide candidate \$600/other candidate <i>All amounts per election cycle</i>	\$75,000/gub candidate \$5,000/senate candidate \$3,000/house candidate <i>All amounts per election cycle</i>	Same as individual limits	Same as individual limits	Same as individual limits
Florida § 106.08	\$500/candidate/election ^a	Same as individual limits	Same as individual limits	Same as individual limits	Same as individual limits
Georgia ^p § 21-5-41 to 43	Limits effective as of 2/24/09: Statewide candidates: \$6,100/primary election \$3,600/primary run-off \$6,100/general election \$3,600/general run-off Legislative candidates: \$2,400/primary election \$1,200/primary run-off \$2,400/general election \$1,20/general run-off	Same as individual limits	Same as individual limits	Same as individual limits	Same as individual limits
Hawaii § 11-200 to 207	\$6,000/statewide candidate \$4,000/senate candidate \$2,000/house candidate Contributions from a candidate's immediate family are limited to \$50,000 in an election cycle, including loans. <i>All amounts are per election cycle</i>	Same as individual limits	Same as individual limits	Same as individual limits	Same as individual limits
Idaho § 67-6610A	\$5,000/statewide candidate \$1,000/leg candidate <i>Amounts are per election^a</i>	\$10,000/statewide candidate \$2,000/legislative candidate <i>Amounts are per election^a</i>	Same as individual limits	Same as individual limits	Same as individual limits

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Illinois ^a 10 ILCS 5/9-1 et seq.	Unlimited Effective 1/1/2011 ^P : \$5,000 per election cycle	Unlimited Effective 1/1/2011 ^P : Unlimited if candidate is not seeking nomination in a primary election. For candidates running in a primary: \$200,000/statewide candidate \$125,000/senate candidate \$75,000/house candidate <i>Amounts are per election cycle.</i>	Unlimited Effective 1/1/2011 ^P : \$50,000 per election cycle	Unlimited Effective 1/1/2011 ^P : \$10,000 per election cycle	Unlimited Effective 1/1/2011 ^P : \$10,000 per election cycle
Indiana § 3-9-1-1 et seq.	Unlimited	Unlimited	Unlimited	\$5,000 in the aggregate to statewide candidates \$2,000 in the aggregate to senate candidates \$2,000 in the aggregate to house candidates <i>All amounts are per year</i>	Same as corporate limits unless made by the union's PAC, in which case there are no limits
Iowa § 68A.503	Unlimited	Unlimited	Unlimited	Prohibited	Unlimited
Kansas § 25-4153	\$2,000/statewide candidate \$1,000/senate candidate \$500/house candidate <i>Amounts are per election^a</i>	For a contested primary election, same as individual limits. Unlimited in uncontested primaries and general elections	Same as individual limits	Same as individual limits	Same as individual limits

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Kentucky § 121.150	\$1,000/candidate/election ^a	Unlimited ^k Except for gubernatorial slates, no candidate can accept party contributions which in the aggregate exceed 50% of total contributions or \$10,000 (whichever is greater) in an election cycle.	Same as individual limits Aggregate Limits: - Except for gubernatorial slates, no candidate can accept PAC contributions which in the aggregate exceed 50% of total contributions or \$10,000 (whichever is greater) in an election cycle. - Gubernatorial slates that accept public financing may not accept more than 25% of their contributions from PACs - Other gubernatorial slates may not accept more than 25% or \$150,000 (whichever is less) of contributions from PACs	Prohibited	Same as individual limits
Louisiana § 18:1481 to 1532	\$5,000/statewide candidate \$2,500/legislative candidate <i>Both amounts are per election^a</i>	Unlimited	Regular PACs: Same as individual limits “Big” PACs ^f : Double the amount of individual limits Candidates subject to following aggregate limits on all PAC contributions accepted for the primary and general elections combined: \$80,000/statewide candidate \$60,000/legislative candidate	Same as individual limits	Same as individual limits
Maine ^b Tit. 21-A, § 1001 to 1128	\$500/gub candidate/election ^a \$250/other candidate/election ^a Individuals limited to \$25,000 aggregate contributions to all campaign finance entities per calendar year.	Same as individual limits	Same as individual limits	Same as individual limits	Same as individual limits

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Maryland Election Law § 13-226	\$4,000/candidate \$10,000 aggregate to all candidates <i>Both amounts are per 4-year election cycle (1/1/07-12/31/10)</i>	Transfer limit: \$6,000/4-year election cycle In-Kind Contributions: Limited to an amount equal to \$1 for every two registered voters in the state, regardless of political affiliation. Limit is per 4-year election cycle.	\$6,000/candidate/4-year election cycle	Same as individual limits	Same as individual limits
Massachusetts Ch. 55, § 6, 6A, 7A and 8	\$500/candidate \$12,500/individual aggregate limit on contributions to all candidates Registered lobbyists may only contribute up to \$200/candidate <i>All amounts are per calendar year.</i>	\$3,000/candidate/year No limit on in-kind contributions	Regular PAC: \$500/candidate People's Committee: ^o \$500/candidate Candidates cannot accept aggregate PAC contributions that exceed the following amounts: \$150,000/gub candidate \$18,750/senate candidate \$7,500/house candidate <i>All amounts per calendar year.</i>	Prohibited	Same as PAC limits
Michigan § 169.252	\$3,400/statewide candidate \$1,000/senate candidate \$500/house candidate <i>All amounts are per election cycle</i>	\$68,000/statewide candidate \$10,000/senate candidate \$5,000/house candidate <i>All amounts are per election cycle</i>	Political Committees: Same as individual limits. Independent Committees: ^b \$34,000/statewide candidate \$10,000/senate candidate \$5,000/house candidate <i>All amounts are per election cycle</i>	Prohibited ^d	Prohibited ^d

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Minnesota § 10A.27	<p>Election year limits: \$2,000/gub candidate \$500/legislative candidate</p> <p>Non-election year limits: \$500/gub candidate \$100/legislative candidate</p> <p>Aggregate contributions from PACs, lobbyists, political funds and individuals who contribute or loan more than ½ the yearly contribution limit cannot exceed 20% of spending limits. For 2007, those amounts are: \$95,800/gub candidate \$2,400/senate candidate \$1,200/house candidate</p> <p><i>All amounts are per calendar year.</i></p>	Party committees may contribute up to 10 times the limits imposed on individuals	Same as individual limits	Prohibited	Same as individual limits
Mississippi § 23-15-801 et seq. §79-13-15	Unlimited	Unlimited	Unlimited	\$1,000/candidate/calendar year	Unlimited
Missouri § 130.031	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Montana ^P § 13-37-216	<p>\$630/gubernatorial slate \$310/other statewide candidate \$160/legislative candidate</p> <p>Limits will be adjusted in 1/10</p> <p><i>Amounts are per election^a</i></p>	<p>\$22,500/gubernatorial slate \$8,150/other statewide cand. \$1,300/senate candidate \$800/house candidate</p> <p>Limits will be adjusted in 1/10</p> <p><i>All amounts are per election^a</i></p>	<p>Same as individual limits</p> <p>Candidates limited to total contributions from all PACs: \$2,450 senate candidates \$1,500 house candidates</p> <p>Limits will be adjusted in 1/10</p> <p><i>Amounts are per election^a</i></p>	Prohibited ^d	Same as individual limits

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Nebraska ^P § 32-1608	Unlimited	Candidates limited to maximum amount of aggregate contributions that can be accepted in an election period from PACs, corporations, labor unions, associations, other candidate committees, political parties, and other organizations. Once the limit is reached, candidates may accept only individual contributions. Limit for 2010: \$46,000/legislative candidate (No statewide races in 2010)	Same as party contribution limits	Candidates may not accept funds totaling more than 40% of the voluntary spending limit for their office.	Same as party contribution limits
Nevada § 294A.100 and Const. Art. 2 §10	\$5,000/candidate/election ^a	Same as individual limits	Same as individual limits	Same as individual limits	Same as individual limits
New Hampshire § 664:4	To candidates not agreeing to abide by spending limits: \$1,000/election ^a To candidates agreeing to abide by spending limits: \$5,000/election ^a	To candidates not agreeing to abide by spending limits: \$1,000/election ^a Unlimited to candidates who agree to expenditure limits	Same as party limits	Same as individual limits ^a	Prohibited
New Jersey ^P § 19:44A-11.3	\$3,400/gubernatorial cand \$2,600/legislative candidate Both amounts are per election ^a	No limit on contributions by state & county committees National party committee: \$8,200/election ^a	\$8,200/candidate/election ^a	Same as individual limits	Same as individual limits
New Mexico ^r § 1-19-25 to 36	Unlimited Effective 11/3/10: \$2,300/non-SW cand/election ^a \$5,000/SW cand/election ^a	Unlimited Effective 11/3/10: \$5,000/election ^a	Unlimited Effective 11/3/10: \$5,000/election ^a	Unlimited Effective 11/3/10: Same as individual limits	Unlimited Effective 11/3/10: Same as individual limits

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
New York ^p Election Law, § 14-114	<p>Gub. Cand., Primary – Product of number of enrolled voters in candidate's party in state x \$.005, but not less than \$6,000 or more than \$18,100 General – \$37,800</p> <p>Legis. Cand., Primary – \$6,000/senate candidate \$3,800/house candidate General – \$9,500/senate candidate \$3,800/house candidate</p> <p>Max. contribs. by individual limited to \$150,000 in the aggregate.</p> <p>Separate limits apply for contribs. from all family members in the aggregate. Limit is based on the formula of total # of enrolled voters in candidate's party in the state x \$.025. For legislative candidates, this amount may not exceed \$100,000. "Family" is defined as a child, parent, grandparent, brother, sister, and the spouses of those persons. <i>All amounts per calendar year</i></p>	<p>Prohibited in primary election</p> <p>Unlimited in general election</p>	Same as individual limits	Corporations are limited to \$5,000 per year in aggregate contributions to NY state candidates and committees.	Same as individual limits
North Carolina § 163-278.6 et seq.	\$4,000/candidate/election ²	Unlimited	Same as individual limits	Prohibited ^d	Prohibited ^d
North Dakota § 16.1-08.1	Unlimited	Unlimited	Unlimited	Prohibited ^d	Prohibited ^d

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	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Ohio ^P § 3517.102(B)(1)(a) and 3599.03	Limits effective 2/25/09: \$11,395.56/candidate/election ^a	\$642,709.58/statewide cand. \$128,200.05/senate candidate \$63,815.14/house candidate In-kind contributions unlimited <i>All amounts are per election^a</i>	Same as individual limits	Prohibited ^d	Prohibited ^d
Oklahoma 21 OS § 187.1 et seq. and Ethics Commission Rules §257:1-1-1 et seq. and §257:10-1-2 et seq	\$5,000/candidate/campaign *This limit applies to an entire family, defined as an individual, his spouse, and all children under 18 living in the same household.	\$50,000/gubernatorial cand ^m \$25,000/other statewide cand ^m \$1,000/legislative candidate <i>All amounts per calendar year</i>	Same as individual limits	Prohibited ^d	Prohibited ^d
Oregon § 260.160 to 174	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Pennsylvania 25 Pa Stat § 3241 to 3260a	Unlimited	Unlimited	Unlimited	Prohibited ^d	Prohibited ^d
Rhode Island § 17-25-10.1	\$1,000/candidate or \$2,000/candidate if candidate qualifies for public funding and agrees to abide by spending limits <i>Both amounts are per calendar year.</i> Individuals limited to \$10,000 in aggregate contributions to candidates, PACs and party committees per year	\$25,000/candidate/year In-kind contributions unlimited	\$1,000/candidate/calendar year or \$2,000/candidate/year if candidate qualifies for public funding and agrees to abide by spending limits Annual aggregate limit of \$25,000 to all recipients	Prohibited	Prohibited
South Carolina § 8-13-1314 to 1316	\$3,500/statewide candidate \$1,000/legislative candidate Both amounts are per election ^a	Candidates may not accept more than the following from parties during an election cycle: \$50,000/statewide candidate \$5,000/other candidate	Same as individual limits	Same as individual limits	Same as individual limits
South Dakota § 12-27-7	\$4,000/statewide candidate \$1,000/legislative candidate <i>Amounts are per calendar year</i>	Unlimited	Unlimited	Prohibited	Prohibited ^d

	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
Tennessee § 2-10-302	\$2,500/statewide candidate \$1,000/legislative candidate <i>Both amounts are per election^a</i>	Candidates limited to aggregate amount from all political party committees: \$250,000/statewide candidate \$40,000/senate candidate \$20,000/house candidate <i>All amounts are per election^a</i>	\$7,500/statewide candidate \$7,500/senate candidate \$5,000/other candidates No more than 50% of a statewide candidate's or \$75,000 of a legislative candidate's total contributions may come from PACs <i>All amounts are per election^a</i>	Prohibited	Same as individual limits
Texas Election Code, § 253	Unlimited	Unlimited	Unlimited	Prohibited ^d	Prohibited ^d
Utah § 20A-11-101	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Vermont ^c 17 VSA §2805	\$1,000/candidate/election ^{aj} Contributions from immediate family members are unlimited.	Unlimited	\$3,000/candidate/election ^a	Same as individual limits	Same as individual limits
Virginia § 24.2-900 et seq.	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Washington ^p RCW § 42.17.610 et seq. WAC § 390-05-400	Adjusted limits effective 12/28/08: \$1,600/gub candidate \$800/legislative candidate <i>Both amounts are per election^a</i> During the 21 days before the general election, no contributor may donate more than \$50,000 in the aggregate to a statewide candidate or \$5,000 in the aggregate to any other candidate. This includes a candidate's personal contributions to his/her campaign.	Aggregate contributions from a state party central committee to a statewide or legislative candidate may not exceed \$.80 x number of registered voters in candidate's district. This limit applies to the entire election cycle.	Same as individual limits A PAC that has not received contributions of \$10 or more from 10 or more WA registered voters during the past 180 days is prohibited from making contributions.	Prohibited for corporations not doing business in Washington state. Same as individual limits for Washington corporations.	Prohibited for unions that have fewer than 10 members who reside in Washington. Same as individual limits for Washington unions.

	Individual → Candidate Contributions	State Party → Candidate Contributions	PAC → Candidate Contributions	Corporate → Candidate Contributions	Union → Candidate Contributions
West Virginia § 3-8-8 to 12	\$1,000/candidate/election ^a	Same as individual limits	Same as individual limits	Prohibited ^d	Same as individual limits
Wisconsin § 11.01 et seq.	\$10,000/statewide candidate \$1,000/senate candidate \$500/house candidate <i>Above amounts are per election campaign</i> An individual may not contribute more than \$10,000 in a calendar year to any combination of Wisconsin candidates or political committees.	Aggregate limit on amount candidates may accept from all committees, including party committees, in an election campaign: \$700,830/gub. candidate \$22,425/senate candidate \$11,213/house candidate	\$43,128/gub candidate \$1,000/senate candidate \$500/house candidate Aggregate limit on amount candidates may accept from all committees, excluding party committees, in an election campaign: \$485,190/gub. candidate \$15,525/senate candidate \$7,763/house candidate <i>All amounts are per election cycle</i>	Prohibited	Prohibited
Wyoming § 22-25-102	\$1,000/candidate/election ^a No individual may make more than \$25,000 ^a in total contributions during a two-year election cycle.	Unlimited	Unlimited	Prohibited	Prohibited

- (a) Primary and general are considered separate elections; stated amount may be contributed in each election.
- (b) Candidates participating in "Clean Elections" public financing may not accept contributions after qualifying for public funds. Limits listed are for candidates not participating in public financing program.
- (c) In Arizona, a PAC that has received contributions from 500 or more individuals in amounts of \$10 or more in a one-year period may qualify as a "Super PAC." Qualification is valid for two years. (Ariz. Rev. Stat. §16-905(I))
- (d) Direct corporate and/or union contributions are prohibited and/or use of treasury funds and/or dues is prohibited. In these states, the law specifically says that nothing prevents the employees or officers of a corporation from making political contributions through a PAC, using funds from an account that is separate and segregated from corporate accounts. Such contributions are subject to the same limitations placed on other PACs.
- (e) Full public financing is available to qualifying candidates for governor and lieutenant governor. A candidate who wishes to receive public funding may not solicit or accept any private contributions except qualifying contributions.
- (f) In Louisiana, a "Big PAC" is a PAC with over 250 members who contributed over \$50 to the PAC during the preceding calendar year and has been certified as meeting that membership requirement.
- (g) In California, a "small contributor committee" is a committee which has been in existence for at least six months, receives contributions from 100 or more persons in amounts of not more than \$200 per person, and makes contributions to five or more candidates. (Cal. Govt. Code §85203)
- (h) In Michigan, an "independent committee" must have filed a statement of organization at least 6 months before the election in which the committee wishes to make contributions; must have supported or opposed 3 or more candidates for nomination or election; and must have received contributions from at least 25 persons.
- (i) In Colorado, a "small donor committee" means any political committee that has accepted contributions only from natural persons who each contributed no more than \$50 in the aggregate per year.
- (j) Any public utility regulated by the Public Service Commission is prohibited from making political contributions (Ala. Code §10-2A-70.1)
- (k) The text of the statute on contribution limits (KRS §121A.050(1)) states that party contributions to candidates are limited to \$1,000 per election. However, the Kentucky Registry of Election Finance's web site states that party contributions to candidates are unlimited (<http://www.state.ky.us/agencies/kref/contlmt.htm>, see footnote 4).
- (l) Vermont's attempt to limit out-of-state contributions to 25% of a candidate's total contributions received was declared unconstitutional on August 18, 2004, by the U.S. 2nd Circuit Court of Appeals (Landell v. Sorrell, 382 F.3d 91 (2004))

- (m) While these limits are specified in Oklahoma's Ethics Rules, statutes have not been changed to reflect this limit. According to the statutes, any contribution in excess of \$5,000 would constitute a criminal violation.
- (n) Corporations are no longer prohibited from making political contributions under New Hampshire law despite the language of NH RSA 664:4. That ban was declared unconstitutional by a federal district court in 1999. A June 6, 2000 letter from Deputy Attorney General Steven M. Houran indicates that the limits on individual contributions now apply to corporate contributions as well.
- (o) In Massachusetts, a "People's Committee" is a PAC that has been in existence for six months, has received contributions from individuals of \$140 (adjusted biennially; this amount is for 2006-2007) or less per year, and has contributed to five candidates. It is unclear what advantage there would be to converting to a People's Committee, since the contribution limits are the same.
- (p) Contribution limits are adjusted for inflation at the beginning of each campaign cycle.
- (q) Effective July 1, 2009, decreases to \$12,500 (see SF 94, 2009)
- (r) New Mexico enacted new limits on contributions during the 2009 legislative session. These limits take effect on November 3, 2010.
- (s) Illinois enacted new limits on contributions during the 2009 legislative session. These limits take effect on January 1, 2011.

FEDERAL ELECTIONS

Contribution Limits for 2009-10

Donors	★ Recipients				Special Limits
	Candidate Committee	PAC ¹	State, District and Local Party Committee ²	National Party Committee ³	
Individual	\$2,400* per election ⁴	\$5,000 per year	\$10,000 per year combined limit	\$30,400* per year	Biennial limit of \$115,500* (\$45,600 to all candidates and \$69,900 ⁵ to all PACs and parties)
★ State, District and Local Party Committee	\$5,000 per election combined limit	\$5,000 per year combined limit	Unlimited transfers to other party committees		
★ National Party Committee	\$5,000 per election	\$5,000 per year	Unlimited transfers to other party committees		\$42,600* to Senate candidate per campaign ⁶
PAC Multicandidate ⁷	\$5,000 per election	\$5,000 per year	\$5,000 per year combined limit	\$15,000 per year	
PAC Not Multicandidate	\$2,400* per election ⁸	\$5,000 per year	\$10,000 per year combined limit	\$30,400* per year	

* These limits are indexed for inflation in odd-numbered years.

¹ These limits apply both to separate segregated funds (SSFs) and political action committees (PACs). Affiliated committees share the same set of limits on contributions made and received.

² A state party committee shares its limits with local and district party committees in that state unless a local or district committee's independence can be demonstrated. These limits apply to multicandidate committees only.

³ A party's national committee, Senate campaign committee and House campaign committee are each considered national party committees, and each have separate limits, except with respect to Senate candidates — see Special Limits column.

⁴ Each of the following is considered a separate election with a separate limit: primary election, caucus or convention with the authority to nominate, general election, runoff election and special election.

⁵ No more than \$45,600 of this amount may be contributed to state and local parties and PACs.

⁶ This limit is shared by the national committee and the Senate campaign committee.

⁷ A multicandidate committee is a political committee that has been registered for at least six months, has received contributions from more than 50 contributors and — with the exception of a state party committee — has made contributions to at least five federal candidates.

⁸ A federal candidate's authorized committee(s) may contribute no more than \$2,000 per election to another federal candidate's authorized committee(s). 2 U.S.C. §432(e)(3)(B) and 11CFR 102.12(c)(2).