

Union Calendar No. 375

110TH CONGRESS
2D SESSION

H. R. 3032

[Report No. 110-602]

To amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2007

Mr. JONES of North Carolina introduced the following bill; which was referred to the Committee on House Administration

APRIL 22, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DESIGNATION OF INDIVIDUAL AUTHORIZED TO**
2 **MAKE CAMPAIGN COMMITTEE DISBURSE-**
3 **MENTS IN EVENT OF DEATH OF CANDIDATE.**

4 (a) **IN GENERAL.**—Section 302 of the Federal Elec-
5 tion Campaign Act of 1971 (2 U.S.C. 432) is amended
6 by adding at the end the following new subsection:

7 “(j)(1) Each candidate may, with respect to each au-
8 thorized committee of the candidate, designate an indi-
9 vidual who shall be responsible for disbursing funds in the
10 accounts of the committee in the event of the death of
11 the candidate.

12 “(2) Upon the death of a candidate who has des-
13 ignated an individual for purposes of paragraph (1), funds
14 in the accounts of each authorized committee of the can-
15 didate may be disbursed only under the direction and in
16 accordance with the instructions of such individual, sub-
17 ject to the terms and conditions applicable to the disburse-
18 ment of such funds under this Act or any other applicable
19 Federal or State law.

20 “(3) Nothing in paragraph (2) may be construed to
21 affect the responsibility of the treasurer of an authorized
22 committee for which funds are disbursed in accordance
23 with such paragraph to file reports of the disbursements
24 of such funds under section 304(a).”

25 (b) **INCLUSION OF DESIGNATION IN STATEMENT OF**
26 **ORGANIZATION OF COMMITTEE.**—Section 303(b) of the

1 Federal Election Campaign Act of 1971 (2 U.S.C. 432(b))
2 is amended—

3 (1) in paragraph (5), by striking “and” at the
4 end;

5 (2) in paragraph (6), by striking the period at
6 the end and inserting “; and”; and

7 (3) by adding at the end the following new
8 paragraph:

9 “~~(7)~~ in the case of an authorized committee of
10 a candidate who has designated an individual under
11 section 302(j) to disburse funds from the accounts
12 of the committee in the event of the death of the
13 candidate, the name and address of the individual.”.

14 **SEC. 2. EFFECTIVE DATE.**

15 The amendments made by this Act shall apply with
16 respect to authorized campaign committees which are des-
17 ignated under section 302(e)(1) of the Federal Election
18 Campaign Act of 1971 before, on, or after the date of the
19 enactment of this Act.

20 **SECTION 1. DESIGNATION OF INDIVIDUAL AUTHORIZED TO**
21 **MAKE CAMPAIGN COMMITTEE DISBURSE-**
22 **MENTS IN EVENT OF DEATH OF CANDIDATE.**

23 (a) *IN GENERAL.*—Section 302 of the Federal Election
24 Campaign Act of 1971 (2 U.S.C. 432) is amended by add-
25 ing at the end the following new subsection:

1 “(j)(1) *Each candidate may, with respect to each au-*
2 *thorized committee of the candidate, designate an indi-*
3 *vidual who shall be responsible for disbursing funds in the*
4 *accounts of the committee in the event of the death of the*
5 *candidate, and may also designate another individual to*
6 *carry out the responsibilities of the designated individual*
7 *under this subsection in the event of the death or incapacity*
8 *of the designated individual or the unwillingness of the des-*
9 *ignated individual to carry out the responsibilities.*

10 “(2) *In order to designate an individual under this*
11 *subsection, the candidate shall file with the Commission a*
12 *signed written statement (in a standardized form developed*
13 *by the Commission) that contains the name and address*
14 *of the individual and the name of the authorized committee*
15 *for which the designation shall apply, and that may con-*
16 *tain the candidate’s instructions regarding the disburse-*
17 *ment of the funds involved by the individual. At any time*
18 *after filing the statement, the candidate may revoke the des-*
19 *ignation of an individual by filing with the Commission*
20 *a signed written statement of revocation (in a standardized*
21 *form developed by the Commission).*

22 “(3) *Upon the death of a candidate who has designated*
23 *an individual for purposes of paragraph (1), funds in the*
24 *accounts of each authorized committee of the candidate may*
25 *be disbursed only under the direction and in accordance*

1 *with the instructions of such individual, subject to the terms*
2 *and conditions applicable to the disbursement of such funds*
3 *under this Act or any other applicable Federal or State law*
4 *(other than any provision of State law which authorizes*
5 *any person other than such individual to direct the dis-*
6 *bursement of such funds).*

7 “(4) *Nothing in paragraph (3) may be construed to*
8 *grant any authority to an individual who is designated*
9 *pursuant to this subsection other than the authority to di-*
10 *rect the disbursement of funds as provided in such para-*
11 *graph, or may be construed to affect the responsibility of*
12 *the treasurer of an authorized committee for which funds*
13 *are disbursed in accordance with such paragraph to file re-*
14 *ports of the disbursements of such funds under section*
15 *304(a).”.*

16 ***(b) INCLUSION OF DESIGNATION IN STATEMENT OF***
17 ***ORGANIZATION OF COMMITTEE.—Section 303(b) of the Fed-***
18 ***eral Election Campaign Act of 1971 (2 U.S.C. 433(b)) is***
19 ***amended—***

20 ***(1) in paragraph (5), by striking “and” at the***
21 ***end;***

22 ***(2) in paragraph (6), by striking the period at***
23 ***the end and inserting “; and”; and***

24 ***(3) by adding at the end the following new para-***
25 ***graph:***

1 “(7) in the case of an authorized committee of a
2 candidate who has designated an individual under
3 section 302(j) (including a second individual des-
4 ignated to carry out the responsibilities of that indi-
5 vidual under such section in the event of that individ-
6 ual’s death or incapacity or unwillingness to carry
7 out the responsibilities) to disburse funds from the ac-
8 counts of the committee in the event of the death of
9 the candidate, a copy of the statement filed by the
10 candidate with the Commission under such section
11 (as well as a copy of any subsequent statement of rev-
12 ocation filed by the candidate with the Commission
13 under such section).”.

14 **SEC. 2. EFFECTIVE DATE.**

15 *The amendments made by this Act shall apply with*
16 *respect to authorized campaign committees which are des-*
17 *ignated under section 302(e)(1) of the Federal Election*
18 *Campaign Act of 1971 before, on, or after the date of the*
19 *enactment of this Act.*

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