



Compliance Notes - Vol. 2, Issue 46

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RECENT LOBBYING, ETHICS & CAMPAIGN FINANCE UPDATES

We read the news, cut through the noise and provide you the notes.

Welcome to *Compliance Notes* from Nossaman's **Government Relations & Regulation Group** – a periodic digest of the headlines, statutory and regulatory changes and court cases involving campaign finance, lobbying compliance, election law and government ethics issues at the federal, state and local level.

Our attorneys, policy advisors and compliance consultants are available to discuss any questions or how specific issues may impact your business.

If there is a particular subject or jurisdiction you'd like to see covered, please let us know.

Until then, please enjoy this installment of **Compliance Notes**. If you would like to have these updates delivered directly to your in-box, please click below to subscribe to our Government Relations & Regulation mailing list.

Campaign Finance & Lobbying Compliance

Federal prosecutors charged Matt Tunstall and Robert Reyes with conspiracy to lie to the Federal Elections Commission and commit wire fraud. Prosecutors allege that political action committees (PACs) run by Tunstall and Reyes raised roughly \$3.5 million during the 2016 election. However, the PACs only distributed approximately \$19.00 —nineteen dollars—to any political cause or any candidates' authorized campaign committee, and the PACs' operators used more than \$1.5 million for their own benefit. According to the indictment, the PACs made "false and misleading representations" to solicit donations, but the PACs' operators used the money to directly enrich themselves and support their independent business ventures.

(Caitlin Oprysko, *Politico*)

Colorado: The Colorado Attorney General's Office filed a lawsuit against Mesa County Clerk Tina Peters, alleging Peters was impermissibly soliciting contributions for a 2022 re-election campaign. Colorado law requires all candidates to register a candidate committee or file an affidavit with the Secretary of State before accepting any contributions, which Peters has not done. (Charles Ashby, *The Grand Junction Daily Sentinel*)

Illinois: A new law taking effect in January will ban judicial candidates from accepting campaign contributions from out-of-state donors and dark money groups. Illinois' law takes a different approach than states which force disclosure of nonprofit funders by prohibiting judicial candidates from accepting any contributions from an entity that does not disclose its funders. (Hannah Meisel, NPR Illinois)

Missouri: Two PACs connected to Steve Tilley, former Speaker of the Missouri House of Representatives, are taking steps to account for almost \$170,000 in cash that was not disclosed to the state ethics commission. Since journalists discovered and reported the discrepancies, one PAC has filed an amended report, while the other PAC has yet to file any amended disclosures. (Jason Hancock, *Missouri Independent*)

Government Ethics & Transparency

Alabama: Former District Attorney Brandon Hughes was sentenced to at least ten months in prison for committing perjury while in office and violating Alabama's ethics laws. The convictions arise from Hughes giving false information to a grand jury and using \$14,000 from his office's official budget to settle a sex discrimination claim filed against him by a female prosecutor who worked for his office. (Associated Press)

New York: The Joint Commission on Public Ethics (JCOPE) voted 12-1 to revoke the approval it gave former Governor Andrew Cuomo to publish his 2020 memoir. JCOPE's revocation will require Cuomo to reapply for authorization. If JCOPE denies the subsequent application, JCOPE could force Cuomo to surrender the \$5.1 million he was paid to author the memoir. (Bill Mahoney, *Politico*)

Wisconsin: U.S. Senator Ron Johnson is calling on state lawmakers and local officials to take over federal elections in Wisconsin and set aside the work of the state's bipartisan Elections Commission. Senator Johnson contends that the legislature could unilaterally take over federal elections because, when it comes to running elections, "there's no mention of governor in the Constitution." (Patrick Marley and Bill Glauber, *The Milwaukee Journal Sentinel*, via *Election Law Blog*)