



Compliance Notes - Vol. 3, Issue 14

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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

The U.S. Senate Committee on Rules & Administration held a hearing on April 6 to consider the nomination of Dara Lindenbaum to be a Member of the Federal Election Commission (FEC). (Senate Rules & Admin. Committee)

The FEC released a settlement agreement with the Democratic National Committee and Hillary Clinton's 2016 campaign to resolve allegations that their FEC reports had improperly disclosed payments made to their law firm as legal fees when, according to the FEC, those payments should have been disclosed as payments to a third party, Fusion GPS, for opposition research for what became known as the Steele

Dossier. (Zach Montellaro, *Politico*)

The House Judiciary Committee held a hearing on whether reforms are needed to the Foreign Agent Registration Act (FARA), which was the first such hearing since 1991. Notably, the Department of Justice (DOJ), which administers and enforces FARA, was not part of the hearing, even though the DOJ FARA unit is examining whether a rulemaking is needed to clarify FARA regulations. (Justin Wise, *Law360*)

Mississippi: Governor Tate Reeves signed H.B. 1365 into law, which outlaws using grants or other private funding for election-related expenses in Mississippi. The Center for Tech and Civic Life (CTCL), a nonprofit organization funded by Facebook CEO Mark Zuckerberg, donated almost \$1.9 million in grants to the Hinds County Election Commission in the 2020 election. However, a local election commissioner was indicted on embezzlement charges related to Zuckerberg-funded grant money. The bill will go into effect July 1, aiming to diminish election fund fraud cases significantly. (Alyssa Arbuckle, *SuperTalk Mississippi News*).

South Dakota: The South Dakota Attorney General's office announced it is investigating whether the Dakota Institute for Legislative Solutions broke campaign finance disclosure laws when the organization sponsored billboards encouraging state lawmakers to impeach Attorney General Jason Ravnsborg. The billboards demanded Ravnsborg be impeached and named four House committee members investigating Ravnsborg's conduct related to a fatal pedestrian crash in 2020. The organization, which spent over \$24,000 on the billboards but has not disclosed its top donors, stated it fully complied with applicable state laws and regulations. (*AP News*)

Government Ethics & Transparency

Kansas: The Kansas Chamber of Commerce received subpoenas from the state's Governmental Ethics Commission seeking information about campaign finance activities after Republican lawmakers promoted a plan to oust the commission's top staffer, which they abruptly dropped. The elections bill proposed setting new qualifications for the ethics commission's executive director, requiring the director to be an attorney with an active Kansas license. Such a change would have removed the current Executive Director Mark Skoglund because his law license is suspended; Skoglund's predecessor, who held the job for decades, was not an attorney. (John Hanna, *AP News*)

New Hampshire: Voting records show that former Trump administration official Matt Mowers, now a leading Republican primary candidate looking to unseat New Hampshire Rep. Chris Pappas, voted twice during the 2016 primary election season. Mowers potentially violated federal voting law when he cast an absentee ballot in New Hampshire's 2016 presidential primary and then cast another ballot in New Jersey four months later. Public records show that Mowers used his parents' address to re-register in his home state to vote in New Jersey's presidential primary. (Brian Slodysko and Holly Ramer, *AP News*)

New Jersey: A three-judge panel decided that, under New Jersey's bribery statute, political candidates may be charged with accepting illicit payments in exchange for promising to take action if elected. By determining the statute applied to candidates for office, the panel said the law "casts a wide net," referring to "persons" as the covered party, not just a "public servant." In a statement, Acting New Jersey Attorney General Matthew J. Platkin expressed gratitude that the court confirmed the "commonsense prohibition" that candidates for office cannot take bribes in exchange for promising to perform future official duties if elected. (Bill Wichert, *Law360*) (Opinion)

Elections & Voting

North Carolina: A Superior Court Panel ruled, 2-1, that North Carolina's law prohibiting voting by people with past felony convictions violates the state constitution. The ruling strikes down a 1973 law blocking voting by people on probation, parole, or post-release supervision, thereby permitting people who have completed their sentence to vote. Although Republican lawmakers will likely appeal the ruling, the panel's decision could expand voting access to more than 56,000 people in North Carolina. (CJ Staff, *Carolina Journal*)