



# Compliance Notes - Vol. 4, Issue 3

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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**

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**Tennessee:** The Tennessee Bureau of Ethics and Campaign Finance released updated contribution limits for the 2023-2024 cycle, effective immediately. Individuals can contribute \$4,900 to candidates for governor and \$1,800 to candidates for state senate, state representative and all other state and local offices. PACs can contribute \$14,400 to governor and state representative candidates, \$28,000 to state senate candidates and \$9,400 to all other candidates for state and local offices. (Tennessee Bureau of Ethics and Campaign Finance Press Release)

**Washington:** The Seattle Ethics and Elections Commission (SEEC) amended the city's democracy voucher program, limiting the ability of paid campaign staffers to collect vouchers. Passed by voters in 2015, the voucher program allocates four \$25 vouchers to eligible Seattle residents who can donate them to City Council, city attorney and mayor candidates by turning them in electronically, giving them directly to a campaign or mailing them to the SEEC. Under the amended program, campaign staff can no longer collect voucher replacement forms during work hours, and supporters must turn in a replacement form to a volunteer or directly to the city by mail or online. While the changes could make it more challenging to canvass for vouchers, the SEEC decided to impose these restrictions to address accusations of "voucher harvesting" and uphold the program's integrity. (Guy Oron, *Real Change News*)

## Government Ethics & Transparency

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Following the announcement that the House Oversight and Accountability Committee plans to investigate President Biden for his handling of classified documents found in his home and former office, committee Chairman Rep. James Comer (R-Ky.) said it would not investigate former President Trump over his handling of classified documents. Comer explained that the Oversight Committee would not investigate Trump because he's mainly concerned about alleged mistreatment against Trump, and there have been many investigations of Trump. Both President Biden and Trump are facing separate special counsel inquiries into the potential mishandling of classified documents. (Jacob Knutson, *Axios*)

**California:** The Fair Political Practices Commission (FPPC) concluded that an El Monte councilmember did not violate state law by allowing a friend to pay \$1,100 toward her surgical expenses in 2016 even though the friend's employer had business before the City Council. The FPPC closed its yearlong investigation after determining that the payment for the medical procedure did not constitute a "gift," would not have been subject to state limits and did not qualify as reportable income. El Monte does not require lobbyists to register with the city, and the FPPC did not explain the rationale behind the decision. However, an FPPC fact sheet highlights exemptions to the state's gifting rules for financial assistance with medical expenses and for benefits received from "long-time friends" or other existing personal relationships, where the individual providing the gift is not "a lobbyist registered to lobby the official's agency." (Jason Henry, *San Gabriel Valley Tribune*)

**Iowa:** The wife of a Woodbury County Board supervisor and former Iowa House member was charged with 52 counts of voter fraud after she allegedly filled out and cast absentee ballots in her husband's unsuccessful race for a Republican nomination to run for Congress in 2020. Prosecutors allege that Kim Phuong Taylor filled out dozens of voter registrations, absentee ballot request forms and absentee ballots containing false information and delivered absentee ballots, sometimes without people's knowledge of their names being used. Phuong Taylor pleaded not guilty and is scheduled for trial on March 20; if convicted, she faces a maximum penalty of five years for each count. (*AP News*)

**New York:** Jason Schofield, former Republican county elections commissioner for the Rensselaer County Board of Elections, pleaded guilty to using the names and birthdays of voters to fraudulently apply for absentee ballots. Schofield admitted that in 2021 he unlawfully used the names and birthdates of voters in connection with 12 absentee ballot applications he submitted to the state and falsely certified that he was the voter requesting each absentee ballot. Schofield faces up to five years in prison and a fine of up to \$250,000. (Jim Levulis, WAMC Northeast Public Radio)

## Ballot Measures

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**Mississippi:** After the Mississippi Supreme Court overturned the ballot initiative process two years ago, reasoning that the process was outdated, state lawmakers are debating whether to reinstate the ballot initiative process. To bring a measure up for a statewide vote under state Sen. David Blount's proposal, 12% of the number of voters from the previous governor's election would have to sign a petition. However, some lawmakers are skeptical about whether voters can propose constitutional changes or just new laws and how many voters are required to put a measure on the ballot. (16 WAPT News)