



Compliance Notes - Vol. 4, Issue 48

11.29.2023

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

With the 2024 presidential election less than a year away, Congress is weighing the potential for AI (Artificial Intelligence) to influence elections. A significant concern is AI's growing ability to generate convincing deepfakes or manipulate media to portray the subject of a picture, video or sound bite as an entirely different person or as saying or doing things that never really happened. The Protect Elections from Deceptive AI Act, introduced by a bipartisan cohort led by Sen. Amy Klobuchar (D-Minn.), would attempt to get ahead of the game by banning the coordinated and intentional dispersal of deepfakes that specifically seek to affect the outcome of federal elections. Federal candidates targeted by AI-deceptive content would be able to have the content taken down and seek damages in federal court. (Alec Snyder, *POLITICO Pro*)

(subscription required) and Laura Oakes and Mark Freie, *WCCO Radio*)

California: The Fair Political Practices Commission fined William Brough, a former Orange County assemblyman, \$100,000 for using campaign funds to cover various personal costs in violation of state law. According to the FPPC, Brough used \$17,303 in campaign funds for personal expenses, including family vacations, his children's cellphone bills and \$2,400 worth of clothing, and failed multiple record-keeping requirements, even as his campaign treasurer warned him about violations. The unusually large fine by the FPPC concludes a four-year-long investigation into Brough's expenses. (Faith E. Pinho, *Los Angeles Times*)

Florida: In a complaint filed with the Florida Commission on Ethics, Miami Mayor Francis Suarez has been accused of violating state ethics law by spending taxpayer money on personal security during his campaign for president. The complaint cites records that showed that Miami Police Department officers traveled on the campaign trail with Suarez and billed the city more than \$20,000 for their hotels, transportation and meal expenses. If the City of Miami is not reimbursed for the costs, Suarez's use of city funds during his presidential campaign could breach state law that requires public resources and city staff to be used only for public purposes. If the commission finds that the complaint is "legally sufficient," it will be assigned to a staff investigator. (Naomi Feinstein and Alex DeLuca, *Miami New Times*)

Government Ethics & Transparency

Vermont: The Vermont Ethics Commission is seeking public input to craft a code of ethics for local select boards and town government officials as part of its effort to make local governments more accountable. Employees for the state of Vermont and elected state leaders must adhere to a uniform code of ethics, but municipal employees and members of city councils and select boards do not need to do so. The commission's executive director says that under a law passed two years ago, the state is now building a code of ethics for local government, whether it is the misuse of position, resources, or a conflict of interest. The ethics commission will draft recommendations for lawmakers this coming legislative session. (Calvin Cutler, *WCAX*)

Ballot Measures & Elections

Nevada: A Carson City judge struck down an effort from reproductive rights groups to place a question on the 2024 ballot that aimed to establish a state constitutional right to abortion. The petition, if passed by voters, would have amended the state constitution to guarantee a right to "all matters relating to pregnancy," including birth control, abortion care and prenatal care. The district court judge ruled that the proposed question violated Nevada law because it was too broad for a single ballot question, contains a "misleading description of effect" and has an unfunded mandate. The Nevadans for Reproductive Freedom PAC, the group spearheading the ballot measure, plans to appeal the judge's ruling. (Eric Neugeboren, *The Nevada Independent*)