

1 HJR428  
2 141893-1  
3 By Representative Ball  
4 RFD: Rules  
5 First Read: 26-APR-12

2  
3  
4  
5  
6  
7  
8 CREATING THE FAIR CAMPAIGN PRACTICES ACT STUDY TASK  
9 FORCE.

10  
11 WHEREAS, Chapter 5 of Title 17 of the Code of  
12 Alabama 1975, known as the Fair Campaign Practices Act,  
13 governs almost all aspects of how political campaigns in  
14 Alabama may operate, including how campaigns may be funded,  
15 how funds received by a campaign should be properly reported,  
16 and how those who violate the act's provisions should be  
17 penalized; and

18 WHEREAS, the most important purpose of the Fair  
19 Campaign Practices Act is that it provides the general public  
20 with simple and transparent mechanisms ultimately designed to  
21 hold elected officials accountable to those they serve; and

22 WHEREAS, the Legislature determines that it is in  
23 the best interest of the public and the citizens of the State  
24 of Alabama for the Fair Campaign Practices Act, from time to  
25 time, to be thoroughly reviewed and analyzed to determine what  
26 revisions, if any, could be made that would strengthen the  
27 law; now therefore,

1 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
2 HOUSES THEREOF CONCURRING, That the Fair Campaign Practices  
3 Act Study Task Force is hereby created to immediately begin a  
4 thorough study of the Fair Campaign Practices Act and  
5 recommend any revisions that could be made to improve how the  
6 law is implemented and enforced. The Task Force shall be  
7 composed of the following members:

8 (1) The Governor, or his or her designee.

9 (2) The Secretary of State, or his or her designee.

10 (3) The Attorney General, or his or her designee.

11 (4) Two members of the Alabama Senate appointed by  
12 the President Pro Tempore of the Alabama Senate.

13 (5) Two members of the Alabama House of  
14 Representatives appointed by the Speaker of the House of  
15 Representatives.

16 (6) A representative of the Alabama Probate Judges  
17 Association, or his or her designee.

18 (7) The Montgomery County District Attorney, or his  
19 or her designee.

20 (8) A representative of the Alabama District  
21 Attorneys Association.

22 (9) A representative of the Alabama Bar Association.

23 The membership of the task force shall be inclusive  
24 and reflect the racial, gender, geographic, urban/rural, and  
25 economic diversity of the state.

26 The task force may utilize any and all available  
27 expertise and resources of governmental, academic, financial,

1 educational, or legal organizations or entities in conducting  
2 its business. The Governor, or his or her designee, shall set  
3 a date for the first meeting of the task force at which a  
4 chair and vice chair of the task force shall be elected by a  
5 majority vote from among the task force members. The vice  
6 chair shall serve as acting chair in the absence or incapacity  
7 of the chair.

8 The task force shall meet at times and locations as  
9 specified by a call of the chair or upon a vote of four or  
10 more task force members. The task force shall study all  
11 aspects of the Fair Campaign Practices Act, particularly as it  
12 relates to the enforcement of the act.

13 The task force shall report its findings,  
14 conclusions, and recommendations concurrently to the House of  
15 Representatives, the Senate, and the Governor on or before the  
16 fifth legislative day of the 2013 Regular Session, whereupon  
17 the task force shall stand dissolved and discharged of any  
18 further duties and liabilities. Upon the request of the chair  
19 of the task force, the Clerk of the House of Representatives  
20 and Secretary of the Senate shall provide necessary clerical  
21 assistance for the work of the task force. Each  
22 non-legislative member of the task force shall be reimbursed  
23 for expenses incurred in attending meetings of the task force  
24 as authorized for state officers in the service of the state  
25 as provided in Article 2, commencing with Section 36-7-20,  
26 Chapter 7, Title 36, Code of Alabama 1975. Upon requisitions  
27 signed by the chair or vice chair of the task force, these

1 payments shall be paid out of any funds appropriated to the  
2 use of the House of Representatives or Senate by means of  
3 warrants drawn by the state Comptroller on the State Treasury.

4 Legislative members on the task force shall be  
5 entitled to regular legislative compensation, per diem, and  
6 travel expenses for each day in attendance at a meeting of the  
7 task force, which shall be paid out of any funds appropriated  
8 to the use of the Legislature, upon warrants drawn on the  
9 state Comptroller upon requisitions signed by the chair of the  
10 task force. Notwithstanding the foregoing, no legislative  
11 member shall receive additional legislative compensation or  
12 per diem on a regular or special legislative meeting day or  
13 regular committee meeting day, or if a member is being paid  
14 any other payments on the same dates for attendance on other  
15 state business. The total expenditures of the Legislature for  
16 task force business shall not exceed one thousand dollars  
17 (\$1,000).