

HB214 INTRODUCED



1 HB214
2 TBS4N55-1
3 By Representatives Lomax, DuBose
4 RFD: Ethics and Campaign Finance
5 First Read: 14-Jan-26



SYNOPSIS:

This bill would prohibit foreign nationals from contributing to campaigns, ballot measures, political parties, or political action committees and prohibit political parties, political action committees, principal campaign committees, and others from soliciting campaign contributions from foreign nationals.

This bill would also define terms and impose penalties for violations.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Fair Campaign Practices Act; to amend Section 17-5-15.1, Code of Alabama 1975; to define "foreign national" and prohibit foreign national contributions and donations to fund Alabama campaigns and noncandidate elections; and to provide penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-5-15.1, Code of Alabama 1975, is amended to read as follows:

"§17-5-15.1



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(a) (1) A principal campaign committee of a state or local candidate and any person authorized to make an expenditure on its behalf ~~may~~ shall not receive or spend, in a campaign for state or local office, campaign funds in excess of one thousand dollars (\$1,000) that were raised by a principal campaign committee of a federal candidate.

~~(b)~~ (2) Any person who ~~intentionally~~ knowingly and willfully receives or expends campaign funds in violation of ~~subsection (a)~~ subdivision (1) shall be guilty, upon conviction, of a Class C felony.

(b) (1) A foreign national shall not make, directly or indirectly, any of the following:

a. A contribution or donation of money or other thing of value, or make an express or implied promise to make a contribution or donation, in connection with a state or local election of a candidate to public office or a noncandidate election.

b. A contribution or donation to a committee of a state or local political party.

c. A contribution or donation to a political action committee.

d. An expenditure, independent expenditure, or disbursement for an electioneering communication.

(2) A person, political party, political action committee, or principal campaign committee shall not solicit, accept, or receive a contribution, donation, expenditure, independent expenditure, or disbursement described in paragraph (1)a., (1)b., (1)c., or (1)d. from a foreign



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national. A recipient of contributions or other funds described in this subdivision does not violate this subsection when the contribution or source includes credible evidence demonstrating that the contributor or source of the funds is not a foreign national.

(3)a. If a solicitation contains a notice or disclaimer that funds are not being solicited from a foreign national, there shall be a rebuttable presumption that a foreign national was not solicited, as prohibited by this subsection.

b. A notice or disclaimer that funds are not being solicited may be included with any notice or disclaimer required under Section 17-5-12 or 17-5-13.

(4) This subsection does not apply to dues charged for membership in an organization or fees collected for conference attendance or sponsorship of an event hosted by the organization itself so long as: (i) the organization is not a foreign national; (ii) any dues or fees received by the organization are only partially derived from foreign nationals; and (iii) no decisions of the organization regarding a candidate election or a noncandidate election are dictated, directly or indirectly, by a foreign national.

(5) Any person who knowingly and willfully violates subdivision (1) or (2) shall be guilty, upon conviction, of a Class C felony.

(6) It is the intent of the Legislature that the Secretary of State and the Alabama Ethics Commission use available Federal Election Commission guidance and interpretations of restrictions involving foreign national



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campaign activities pursuant to 52 U.S.C. § 30121 where the provisions are comparable to avoid federal and state regulatory confusion and to minimize administrative burdens. Other terms not specifically defined by the Alabama Fair Campaign Practices Act, such as "independent expenditure," should likewise be construed.

(c) For purposes of this section, the following terms have the following meanings:

(1) DIRECTLY OR INDIRECTLY. Acting either alone or jointly with, through, or on behalf of any other noncandidate election committee, political party, political action committee, or principal campaign committee, organization, person, or other entity.

(2) FOREIGN NATIONAL. a. Includes any of the following:

1. An individual who is not a citizen or lawful permanent resident of the United States.

2. A government or subdivision of a foreign country or municipality thereof.

3. A foreign political party.

4. Any entity, such as a partnership, association, corporation, organization, or other combination of persons, that is organized under the laws of, or has its principal place of business in, a foreign country.

5. Any U.S. entity, such as a partnership, association, corporation, or organization, which is wholly or majority owned by any foreign national, unless: (i) any contribution or expenditure the entity makes derives entirely from funds generated by the entity's U.S. operations; and (ii) all



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decisions concerning the contributions or expenditures are made by individuals who are U.S. citizens or permanent residents, except decisions setting overall budget amounts.

b. The definition of "foreign national" should be construed in pari materia with 52 U.S.C. § 30121 and the regulations, interpretations, and guidance issued by the Federal Election Commission pursuant to that law.

(3) NONCANDIDATE ELECTION. A question or proposition to be placed before the voter in a state or local election, other than the nomination or election of a candidate for public office, such as a constitutional amendment or referendum."

Section 2. This act shall become effective on October 1, 2026.