

HB214 INTRODUCED



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



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4 SYNOPSIS:

5 This bill would prohibit foreign nationals from
6 contributing to campaigns, ballot measures, political
7 parties, or political action committees and prohibit
8 political parties, political action committees,
9 principal campaign committees, and others from
10 soliciting campaign contributions from foreign
11 nationals.

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

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16 A BILL

17 TO BE ENTITLED

18 AN ACT

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

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

28 "§17-5-15.1



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

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

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

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

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

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

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

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



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

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

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

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

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

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



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

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

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

98 (2) FOREIGN NATIONAL. a. Includes any of the following:
99 1. An individual who is not a citizen or lawful
100 permanent resident of the United States.

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

103 3. A foreign political party.

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

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



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

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

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

124 Section 2. This act shall become effective on October
125 1, 2026.