

## **Stop Super PAC-Candidate Coordination Act Summary**

Senator Leahy's Stop Super PAC-Candidate Coordination Act codifies a definition of coordination based on Supreme Court rulings and creates a new definition of "coordinated spender" to ensure that single-candidate Super PACs do not act as an arm of a candidate's campaign.

**Defines Coordination:** The bill defines coordination as any *payment* made by any person 'in cooperation, consultation, or concert with, or at the request or suggestion of,' a candidate, an authorized committee of a candidate, a political committee of a political party, or agents of the candidate or committee. This includes payments for republishing, dissemination, or distribution of material created by the campaign (including B roll).

The bill does not change existing coordination rules for spending by a political party on behalf of candidates of the party.

**Eliminates Firewall:** To prevent further skirting of coordination rules, the bill prohibits a group from using an internal firewall as the basis for avoiding the application of the coordination provisions. Under these provisions, a group could not set up a separate "independent" division to make expenditures if the group is otherwise coordinating with a candidate.

**Prevents Single-Candidate Super PACs from Acting as an Arm of a Candidate's Campaign:** The bill defines "coordinated spender" to be certain individuals or organizations with a close relationship to a candidate. Once a person or a group meets the definition of being a "coordinated spender" for a candidate, all future expenditures in support of that candidate would be treated as coordinated expenditures, and subject to the applicable contribution limits and prohibitions, including the prohibition on contributions by corporations and labor unions.

A Super PAC would be deemed to be a "coordinated spender" if:

- the Super PAC is established by or at the request, suggestion, encouragement, or approval of the candidate or the agents of the candidate it supports;
- the candidate or the candidate's agents solicit funds or engage in other fundraising activity for the Super PAC, including by providing or sharing fundraising lists with the Super PAC;
- the Super PAC is established, directed or managed by former political, media or fundraising advisers or consultants to the candidate;
- the Super PAC is established, directed or managed by a member of the candidate's immediate family;
- the Super PAC has retained the professional services of any person who during the preceding two year period has provided or is providing professional campaign services relating to the candidate.

**Prohibits Candidates and their Agents from Raising Money for Super PACs**