

## Department of Planning and Budget 2009 Fiscal Impact Statement

**1. Bill Number:** SB842

House of Origin      X      Introduced                  Substitute                  Engrossed  
Second House                 In Committee              Substitute                  Enrolled

**2. Patron:**        Cuccinelli

**3. Committee:** Privileges and Elections

**4. Title:**        **Campaign finance; prohibited contributions from foreign nationals.**

**5. Summary:** Makes it unlawful for a foreign national to make contributions or expenditures in connection with a state or local election and for any person, candidate, campaign committee, or political committee to accept a contribution from a foreign national. Violators are subject to civil penalties. Foreign national has the same meaning prescribed in 2 U.S.C. § 441e, the federal law prohibiting such contributions.

**6. Fiscal Impact Estimates:** Preliminary

**6a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2009	\$0		
2010	\$90,000		General
2011	\$0		
2012	\$0		
2013	\$0		
2014	\$0		
2015	\$0		

**6b. Revenue Impact:** The civil penalty to violators would allow the state to collect revenue beginning in FY 2010, but the amount to be collected is dependent on number of violators.

**7. Budget Amendment Necessary:** Yes, a budget amendment is necessary to modify campaign finance applications if the State Board of Elections is required to detect violators. If the agency is not responsible for detecting violators, then no fiscal impact exists.

**8. Fiscal Implications:** The agency's processes and campaign finance database application, forms, and instructions do not contain mechanisms to validate each contributor's record. Modifications to applications are necessary to check names and addresses against other external data and information systems. If the agency is responsible for initial detection, one-time additional costs include:

Modifications to campaign finance database	\$75,000
Modification and redistribution of client filing software	\$15,000

If the State Board of Elections is not responsible for detecting violators, there is no significant fiscal impact.

**9. Specific Agency or Political Subdivisions Affected:** State Board of Elections

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

**Date:** 1/8/2009 dpbegw

**Document:** G:\2009 Session\FIS 2009\SB842.Doc Emily Ward

cc: Secretary of Administration