

Legal Update

Campaign Contribution Limits Increased for the 2019–2020 US Election Cycle

Federal and state election authorities have increased campaign contribution limits for the 2019–2020 election cycles in the United States. In the upcoming cycle, voters will elect the US president, US senators in 34 states and US representatives in all 435 districts. Voters will also elect governors in 14 states and countless other state and local officials across the country.

Increases in Federal Contribution Limits

The Federal Election Commission (FEC) is authorized to adjust certain contribution limits for inflation each odd-numbered year. The FEC announced updated contribution limits for 2019–2020 last month. (See Table A for a summary of the limits for the most common types of contributions.)

Federal contribution limits apply to campaign contributions to candidates for federal office and to the federal election accounts of political parties and political action committees.

Increases in State Contribution Limits

Most states have enacted their own limits on campaign contributions to candidates for state and local office and to political parties and political action committees for use in state and local elections. Many of those states adjust their contribution limits periodically, like the FEC.

For example, in California, Illinois and New York, election authorities recently announced updated contribution limits for the current election cycles. (See Tables B, C and D for summaries of these states' current limits.) These limits will apply to many state and local elections in these states, though some local elections may have further applicable limitations.

When Limits No Longer Apply

While more states have enacted broad campaign finance limits, there are many circumstances in which those limits do not apply.

Illinois is a prime example. In 2012, Illinois became one of the most recent states to enact campaign finance limits applicable to all state

and local elections. But the state quickly amended the law to remove the limits if (A) a candidate, alone or with his or her immediate family, contributes or loans more than \$100,000 or \$250,000, depending on the race, to his or her campaign (“self-funding”) or (B) an independent expenditure committee, commonly called a “super PAC,” makes independent expenditures of more than that amount.

Consequently, Illinois’ limits have not applied in some of the most competitive and well-funded races. In 2016, contribution limits were removed in 17 state representative elections (including one uncontested election), four state senate elections and the statewide comptroller election. This trend continued in the 2018 general election, when contribution limits were removed in the gubernatorial election as well as in 18 state representative races (including one uncontested election), six state senate elections (including one uncontested election) and the statewide attorney general race.

Other Limits May Apply

Donors should keep in mind that other limits or regulations may apply, beyond the generally applicable campaign finance limits described here. Government contractors and others soliciting business from government agencies, as well as registered lobbyists and participants in regulated industries, are often

subject to additional limitations, which might preclude even small donations.

These additional limitations comprise a patchwork of federal, state, and local pay-to-play and government ethics rules. Donors should be aware of any applicable limits before making campaign contributions.

For more information about the topics raised in this Legal Update, please contact any of the following lawyers.

John A. Janicik

+1 312 701 7323

jjanicik@mayerbrown.com

Joseph Seliga

+1 312 701 8818

jseliga@mayerbrown.com

Mitchell D. Holzrichter

+1 312 701 8212

mholzrichter@mayerbrown.com

Nicholas R. Vallorano

+1 312 701 7612

nvallorano@mayerbrown.com

Heather A. Weiner

+1 312 701 7350

hweiner@mayerbrown.com

Table A

2019–2020 Contribution Limits: Federal Elections		CONTRIBUTOR					
		Individual	Candidate Committee	PAC: Multicandidate	PAC: Non-Multi- candidate	State/District/ Local Party Committee	National Party Committee
RECIPIENT	Candidate Committee	\$2,800 per election cycle	\$2,000 per election cycle	\$5,000 per election cycle	\$2,800 per election cycle	\$5,000 per election cycle	\$5,000 per election cycle
	Political Action Committee (SSF and Non- Connected)	\$5,000 per calendar year	\$5,000 per calendar year	\$5,000 per calendar year	\$5,000 per calendar year	\$5,000 per calendar year	\$5,000 per calendar year
	State/District/Local Party Committee (Combined Limit for Recipients)	\$10,000 per calendar year	Unlimited	\$5,000 per calendar year	\$10,000 per calendar year	Unlimited	Unlimited
	National Party Committee	\$35,500 per calendar year	Unlimited	\$15,000 per calendar year	\$35,500 per calendar year	Unlimited	Unlimited
	Additional National Party Committee Accounts (for Limited Purposes)	\$106,500 per account, per calendar year		\$45,000 per account, per calendar year	\$106,500 per account, per calendar year		

Table B

2019–2020 Contribution Limits: California State Elections		CONTRIBUTOR				
		Individual	Business Entity	Committee/PAC	Small Contributor Committee*	Political Party
RECIPIENT	Governor	\$31,000 per election	\$31,000 per election	\$31,000 per election	\$31,000 per election	Unlimited
	Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization	\$7,800 per election	\$7,800 per election	\$7,800 per election	\$15,500 per election	Unlimited
	Senate and Assembly	\$4,700 per election	\$4,700 per election	\$4,700 per election	\$9,300 per election	Unlimited
	CalPERS/CalSTRS Board	\$4,700 per election	\$4,700 per election	\$4,700 per election	\$9,300 per election	Unlimited
	Committee (PAC), Other Than a Political Party, That Contributes to State Candidates	\$7,800 per calendar year	\$7,800 per calendar year	\$7,800 per calendar year		
	Political Party Account for State Candidates	\$38,800 per calendar year	\$38,800 per calendar year	\$38,800 per calendar year		
	Small Contributor Committee*	\$200 per calendar year	\$200 per calendar year	\$200 per calendar year		
	Committee Account NOT for State Candidates (Ballot Measure, PAC, Political Party)	Unlimited				
	Governor Officeholder Committee (Aggregate Limit from All Sources: \$257,500 per Calendar Year)	\$25,700 per calendar year	\$25,700 per calendar year	\$25,700 per calendar year		
	Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization Officeholder Committee (Aggregate Limit from All Sources: \$128,700 per Calendar Year)	\$6,400 per calendar year	\$6,400 per calendar year	\$6,400 per calendar year	\$6,400 per calendar year	\$6,400 per calendar year
	Senate, Assembly, CalPERS/CalSTRS Board Officeholder Committee (Aggregate Limit from All Sources: \$64,400 per Calendar Year)	\$3,900 per calendar year	\$3,900 per calendar year	\$3,900 per calendar year	\$3,900 per calendar year	\$3,900 per calendar year
	Ballot Measure Committee	Unlimited				

* Small Contributor Committee: Any committee that meets all of the following criteria: 1) has been in existence for at least six months; 2) receives contributions from 100 or more persons; 3) has not received more than \$200 per calendar year from a single person; and 4) makes contributions to five or more candidates. See Cal. Gov't Code § 85203.

Note: A state candidate or state officeholder may not contribute more than \$4,700 to another state candidate or to a committee controlled by another state candidate. This limit applies to the aggregate total of contributions made from the candidate's or officeholder's personal funds and from committees controlled by that candidate. There are some exclusions to this limit, however. It does not apply to contributions to a) a committee controlled by an elective state officer to oppose the recall election of his or her office, b) another candidate's legal defense fund or c) a ballot measure committee controlled by another candidate. See Cal. Code Regs. tit. 2 § 18535.

Table C

2019–2020 Contribution Limits: Illinois State and Local Elections		CONTRIBUTOR				
		Individual	Corporation, Labor Org., Association	Political Action Committee	Candidate Committee	Political Party Committee
RECIPIENT	Candidate Committee	\$5,800 per election cycle	\$11,600 per election cycle	\$57,800 per election cycle	\$57,800 per election cycle	Unlimited, except during primary elections
	Political Action Committee	\$11,600 per calendar year	\$23,200 per calendar year	\$57,800 per calendar year	\$57,800 per calendar year	\$23,200 per calendar year
	Political Party Committee	\$11,600 per calendar year	\$23,200 per calendar year	\$57,800 per calendar year	Unlimited	Unlimited
	Ballot Initiative Committee	Unlimited				
	Independent Expenditure Committee	Unlimited				

Table D

2019 Contribution Limits: New York State		CONTRIBUTOR				
		Individual (Non-Family)	Family (Aggregate)	Corporation/LLC/PLLC	Unincorporated Labor Org., Association	PAC
RECIPIENT	Statewide Candidate	\$7,500 – \$22,600 primary */\$47,100 general	Formula amount**	\$7,500 - \$22,600 primary*/\$47,100 general (Limited to \$5,000 per calendar year)	\$7,500 – \$22,600 primary*/\$47,100 general	\$7,500 – \$22,600 primary*/\$47,100 general
	New York State Senate	\$7,500 primary/ \$11,800 general	\$20,000 – \$100,000 **	\$7,500 primary/ \$11,800 general (Limited to \$5,000 per calendar year)	\$7,500 primary/ \$11,800 general	\$7,500 primary/ \$11,800 general
	New York State Assembly	\$4,700 primary/\$4,700 general	\$12,500 – \$100,000**	\$4,700 primary/\$4,700 general (Limited to \$5,000 per calendar year)	\$4,700 primary/\$4,700 general	\$4,700 primary/\$4,700 general
	Party or Constituted Committee***	\$117,300 per calendar year	N/A	\$5,000 per calendar year	\$117,300 per calendar year	\$117,300 per calendar year
	Ballot Issue	Unlimited				

* Calculated for each primary election using the following formulas within the ranges noted above: total number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by \$0.005.

** Family limits in each election are calculated through formulas based on the total number of registered voters in a party or in the district (depending on whether it is a primary or general election). For example, for statewide primary elections, the family limit is equal to the total number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by \$0.025. For statewide general elections, the family limit is equal to the total number of registered voters in the state, excluding voters in inactive status, multiplied by \$0.025. Where ranges have been established, they are listed above.

*** Limits on contributions to a party or constituted committee do not apply to "housekeeping" expenses.

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