

HB214 ENROLLED



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



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1 Enrolled, An Act,

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

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

11 "§17-5-15.1

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

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

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

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



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

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

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

35 (2) A person, political party, political action
36 committee, or principal campaign committee shall not solicit,
37 accept, or receive a contribution, donation, expenditure,
38 independent expenditure, or disbursement described in
39 paragraph (1)a., (1)b., (1)c., or (1)d. from a foreign
40 national. A recipient of contributions or other funds
41 described in this subdivision does not violate this subsection
42 when the contribution or source includes credible evidence
43 demonstrating that the contributor or source of the funds is
44 not a foreign national.

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

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

52 (4) This subsection does not apply to dues charged for
53 membership in an organization or fees collected for conference
54 attendance or sponsorship of an event hosted by the
55 organization itself so long as: (i) the organization is not a
56 foreign national; (ii) any dues or fees received by the



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57 organization are only partially derived from foreign
58 nationals; and (iii) no decisions of the organization
59 regarding a candidate election or a noncandidate election are
60 dictated, directly or indirectly, by a foreign national.

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

64 (6) It is the intent of the Legislature that the
65 Secretary of State and the Alabama Ethics Commission use
66 available Federal Election Commission guidance and
67 interpretations of restrictions involving foreign national
68 campaign activities pursuant to 52 U.S.C. § 30121 where the
69 provisions are comparable to avoid federal and state
70 regulatory confusion and to minimize administrative burdens.
71 Other terms not specifically defined by the Alabama Fair
72 Campaign Practices Act, such as "independent expenditure,"
73 should likewise be construed.

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

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

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

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

84 2. A government or subdivision of a foreign country or



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85 municipality thereof.

86 3. A foreign political party.

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

91 5. Any U.S. entity, such as a partnership, association,
92 corporation, or organization, which is wholly or majority
93 owned by any foreign national, unless: (i) any contribution or
94 expenditure the entity makes derives entirely from funds
95 generated by the entity's U.S. operations; and (ii) all
96 decisions concerning the contributions or expenditures are
97 made by individuals who are U.S. citizens or permanent
98 residents, except decisions setting overall budget amounts.

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

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

107 Section 2. This act shall become effective on October
108 1, 2026.

