

Public Law 104-79
104th Congress

An Act

To amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, and for other purposes.

Dec. 28, 1995
[H.R. 2527]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELECTRONIC FILING AND PRESERVATION OF FEDERAL ELECTION COMMISSION REPORTS.

(a) **SECTION 304 AMENDMENT.**—Subsection (a) of section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by adding at the end the following new paragraph:
“(11)(A) The Commission shall permit reports required by this Act to be filed and preserved by means of computer disk or any other appropriate electronic format or method, as determined by the Commission.

“(B) In carrying out subparagraph (A) with respect to filing of reports, the Commission shall provide for one or more methods (other than requiring a signature on the report being filed) for verifying reports filed by means of computer disk or other electronic format or method. Any verification under the preceding sentence shall be treated for all purposes (including penalties for perjury) in the same manner as a verification by signature.

“(C) As used in this paragraph, the term ‘report’ means, with respect to the Commission, a report, designation, or statement required by this Act to be filed with the Commission.”

(b) **SECTION 302 AMENDMENT.**—Subsection (d) of section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(d)) is amended by adding at the end the following new sentence:
“For any report filed in electronic format under section 304(a)(11), the treasurer shall retain a machine-readable copy of the report as the copy preserved under the preceding sentence.”

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) and subsection (b) shall apply with respect to reports for periods beginning after December 31, 1996.

2 USC 432 note.

SEC. 2. WAIVER OF DUPLICATE FILING REQUIREMENT FOR STATES WITH ELECTRONIC ACCESS TO FEDERAL ELECTION COMMISSION REPORTS AND STATEMENTS.

Section 312 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439) is amended by adding at the end the following new subsection:

“(c) Subsections (a) and (b) shall not apply with respect to any State that, as determined by the Commission, has a system

that permits electronic access to, and duplication of, reports and statements that are filed with the Commission.”.

SEC. 3. FILING OF HOUSE OF REPRESENTATIVES ELECTION REPORTS WITH THE FEDERAL ELECTION COMMISSION, RATHER THAN WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES.

(a) SECTION 302 AMENDMENTS.—Subsection (g) of section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)) is amended—

(1) by striking out paragraph (1);

(2) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively;

(3) in paragraph (2), as so redesignated by paragraph (2) of this subsection—

(A) by striking out “Clerk of the House of Representatives and the”; and

(B) by striking out “them” and inserting in lieu thereof “the Secretary”;

(4) in paragraph (3), as so redesignated by paragraph (2) of this subsection, by striking out “paragraphs (1) and (2)” and inserting in lieu thereof “paragraph (1)”; and

(5) in paragraph (4), as so redesignated by paragraph (2) of this subsection, by striking out “Clerk of the House of Representatives and the”.

(b) SECTION 304 AMENDMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended—

(1) in the first sentence of subsection (a)(6), by striking out “Clerk, the Secretary,” and inserting in lieu thereof “Secretary”; and

(2) in the third sentence of subsection (c)(2), by striking out “Clerk, the Secretary,” and inserting in lieu thereof “Secretary”.

(c) SECTION 311 AMENDMENT.—Section 311(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(a)(4)) is amended by striking out “Clerk, Secretary,” and inserting in lieu thereof “Secretary”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to reports, designations, and statements required to be filed after December 31, 1995. 2 USC 432 note.

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.R. 2527:

CONGRESSIONAL RECORD, Vol. 141 (1995):

Nov. 13, considered and passed House.

Nov. 20, considered and passed Senate.