Subtitle I—Honest Elections and
Campaign, No Gain Act

SEC. 4801. SHORT TITLE.

This subtitle may be cited as the “Honest Elections and Campaign, No Gain Act”.

SEC. 4802. REQUIRING AUTHORIZED COMMITTEES OF CANDIDATES TO DISBURSE FUNDS REMAINING UNEXPENDED AFTER DATE OF ELECTION.

(a) REQUIRING DISBURSEMENT.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by inserting after section 303 the following new section:

“SEC. 303A. DISBURSEMENT OF FUNDS REMAINING UNEXPENDED AFTER DATE OF ELECTION.

“(a) REQUIRING DISBURSEMENT.—

“(1) IN GENERAL.—Each authorized committee or leadership PAC of a candidate shall, in accordance with subsection (b) and prior to the expiration of the applicable disbursement period, disburse any
funds of the committee or PAC which remain unex-

pended as of the date of the election for the office
sought by the candidate.

“(2) Exception for candidates in next
election.—Paragraph (1) does not apply to the
committee or PAC of a candidate who, prior to the
first day of the applicable disbursement period, pro-
vides the appropriate State election official with the
information and fees (if any) required under State
law for the individual to qualify as a candidate for
the next election for the office sought by the can-
didate or the next election for another Federal of-

“(3) Applicable disbursement period.—In
this subsection, the ‘applicable disbursement period’
is, with respect to a candidate seeking election for
an office, the 2-year period which begins on the day
after the latest date on which an individual may pro-
vide the appropriate State election official with the
information and fees (if any) required under State
law for the individual to qualify as a candidate for
the next election for such office.

“(b) Rules for Disbursement of Funds.—
“(1) Payment of obligations.—In carrying
out subsection (a), an authorized committee or lead-
ership PAC shall first disburse funds to pay obligations incurred in connection with the operation of the committee.

“(2) OTHER PERMITTED DISBURSEMENTS.—If, after disbursing all of the funds necessary to pay obligations under paragraph (1), funds of a committee or PAC remain unexpended, the committee or PAC may disburse the funds for any of the following purposes, in such manner and combination as the committee or PAC considers appropriate:

“(A) To return to any person a contribution the person made to the committee or PAC.

“(B) To make a contribution to an organization described in section 170(c) of the Internal Revenue Code of 1986.

“(C) To make a transfer without limitation to a national, State, or local committee of a political party.

“(c) RESTRICTIONS ON DISBURSEMENT TO RELATIVES.—

“(1) RESTRICTION.—In disbursing funds pursuant to the requirements of this section, an authorized committee or leadership PAC may not disburse funds to a relative of the candidate unless the funds are disbursed to pay an obligation of the committee.
as described in paragraph (1) of subsection (b) which is reported by the committee or PAC as a disbursement under section 304(b)(5) or which would be so reported if the amount of the disbursement were in excess of $200.

“(2) RELATIVE DEFINED.—In this subsection, the term ‘relative’ means, with respect to a candidate, an individual who is related to the candidate as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

“(d) DEFINITION.—In this section, the term ‘leadership PAC’ has the meaning given such term in section 304(i)(8)(B).”.

(b) CONFORMING AMENDMENT RELATING TO PERMITTED USES OF CONTRIBUTIONS.—Section 313(a) of such Act (52 U.S.C. 30114(a)) is amended by striking “A contribution” and inserting “Subject to section 303A, a contribution”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly sched-
uled general election for Federal office held in November 2020 and each succeeding election for Federal office.

SEC. 4803. REQUIRING FORMER CANDIDATES SERVING AS REGISTERED LOBBYISTS TO CERTIFY COMPLIANCE WITH DISBURSEMENT REQUIREMENTS.

(a) Certification of Compliance.—Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)) is amended—

(1) by striking “and” at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting “; and”; and

(3) by inserting after paragraph (6) the following new paragraph:

“(7) in the case of an individual who was a candidate for election for Federal office, a certification (under penalty of perjury) that each authorized committee and leadership PAC (as defined in section 304(i)(8)(B) of the Federal Election Campaign Act of 1971) of the individual is in compliance with section 303A of the Federal Election Campaign Act of 1971 (relating to the disbursement of funds of the committee or leadership PAC which remain unexpended after the date of the election).”.
(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to registration statements filed under section 4(a) of the Lobbying Disclosure Act on or after the date of the regularly scheduled general election for Federal office held in November 2020.

Subtitle J—Severability

SEC. 4901. SEVERABILITY.