HISTORY OF CAMPAIGN FINANCE

Campaign Finance Regulation, 1907-2014

Date and "Actor"	Regulation	Decision
Congress – 1907 Tillman Act	Bans contributions from national banks and corporations.	
Congress – 1910 Publicity Act	Requires post-election disclosure of contributions and expenditures by some party committees.	
Congress – 1911 Amendments to Publicity Act	Mandates disclosure for House and Senate campaigns and caps the amount they can spend.	
Congress – 1925 Federal Corrupt Practices Act	Passed in response to the Teapot Dome scandal, requiring quarterly disclosure reports by all multicandidate political committees and raising spending limits.	
Congress – 1939 Hatch Act	Extends prohibitions on political activity by federal civil service employees.	
Congress – 1940 Amendments to Hatch Act	Imposes the first contribution caps: $5,000 per year on individual contributions to federal candidates and national party committees.	
Congress – 1947 Taft Hartley Act	Prohibits labor unions from making campaign contributions drawn from their general treasuries and also prohibits corporations and unions from making direct expenditures in connection with either primary or general campaigns for public office.	
Congress – 1971 Federal Elections Campaign Act (FECA)	Restricts campaign expenditures on media, limits candidate self-funding, and requires strict public disclosure of financial activity.	

1972 -74 Watergate Scandals	Major political scandals in the US during the 1970's that began with a break-in of DNC headquarters and the resulting conspiracy and cover up that led to a constitutional crisis and the resignation of President Richard Nixon.	
Congress – 1974 FECA Amendments	Limits contributions to campaigns by individuals, parties, and political committees; imposes spending limits on presidential and congressional campaigns; strengthens disclosure requirements; and creates the Federal Election Commission to oversee compliance. The Amendments also create an opt-in public financing program for presidential campaigns.	
SCOTUS – 1976 *Buckley v. Valeo*		Upholds the disclosure requirements, voluntary presidential public financing, and contribution limitations. The Court determines that campaign expenditures require heightened First Amendment protection and strikes down the expenditure limits. The Court also finds that the method of appointing the FEC is constitutionally flawed, although the agency is quickly reconstituted through acceptable means.

SCOTUS – 1978 *First National Bank of Boston v. Bellotti*		Overturns prohibitions on corporate expenditures in issue elections (i.e. non-candidate campaigns such as initiative and referendums) as infringement of 1st Amendment.
SCOTUS – 1990 *Austin v. Michigan Chamber of Commerce*		Upholds restrictions on corporate support or opposition to candidates based on the idea that "corporate wealth can unfairly influence elections."
Congress – 2001 Bipartisan Campaign Reform Act (BCRA)	Bans "soft money" in campaign financing by closing the soft money loophole which allowed corporations, unions and individuals to make huge campaign contributions to political parties. Bans "sham" issue ads which were campaign ads masquerading as lobbying on an issue. Prohibits corporations and unions from using general treasury funds to make electioneering communications within 30 days of a primary or 60 days of general election. Raises contribution limits for those running against a wealthy self-funded candidate.	
SCOTUS – 2003 *McConnell v. Federal Election Commission*		Upholds much of BRCA including that government has a legitimate interest in preventing both "actual corruption and the appearance of corruption that might result from those contributions."

		Upholds limits on and regulation of electioneering communications.
SCOTUS – 2007 *Wisconsin Right to Life v. Federal Election Commission*		Overturns limits on electioneering communications by specific types of organizations.
SCOTUS – 2008 *Davis v. Federal Election Commission*		Overturns higher contribution limits for those opposing wealthy self-funded candidates, who are free to spend their own money without limit.
SCOTUS – 2010 *Citizens United v. Federal Election Commission*		Upholds disclosure requirements in elections. Affirms a corporation's all forms of corporations – including non-profit organizations, trade associations and for-profit multi-national corporations -- as well as labor unions right to spend unlimited money independently in elections; (ban on direct corporate contributions to candidates remains). Overturns limits on issue ads in BCRA while upholding disclosure of issue ad spending.
Various courts based on *Citizens United* decision		Creates legal framework for Super PAC. Allows traditional PAC to merge with Super PAC – though PAC has contribution limits it can contribute directly to candidate. Creates a Hybrid PAC.
SCOTUS – 2011 *McComish v. Bennett*		Overturns AZ law which granted additional public funds to a candidate being

		outspent by privately financed opponent or independent groups.
SCOTUS – 2014 *McCutcheon v. Federal Election Commission*		Overturns federal aggregate limits on campaign contributions to candidates, political parties and political committees.

With thanks to the Massachusetts and California Leagues for information contained in this chart.