



April 5, 2005

Open Letter to the Alabama State Senate: Vote “NO” on Free Speech-Infringing H.B. 75

Dear Senator:

On behalf of the 350,000 members of the National Taxpayers Union and our 3,500 members in Alabama, I write to offer our views on legislation set to be voted upon in the Senate (H.B. 75) that would place disclosure requirements on political educational efforts. Specifically, we urge you to vote “NO” on H.B. 75.

The legislation in question would require that “*any person, organization, entity or political committee making expenditures for the purpose of influencing the outcome of an election or referendum or legislation in excess of \$5,000 in any calendar year shall disclose the source of the funding of the expenditure.*” In other words, H.B. 75 seeks to insulate politicians from public scrutiny by inhibiting and suppressing the ability of Alabama citizens to engage in educational and advocacy activities.

Supposedly, this bill seeks to regulate such spending in order to prevent corruption, which is the traditional rationale politicians provide for such restrictions. However, the bill **does not** involve direct contributions to the candidates’ committees for office, nor is it aimed at exposing the day-to-day expenditures of shady lobbyists hoping to secure more taxpayer dollars for their clients. Rather, it targets spending for advertising and other grassroots means of influencing pending legislation or elections. Therefore, to say that this legislation represents a confusing double standard would be generous. For example, would a citizen group that regularly publishes ratings of state lawmakers in a newspaper have to disclose each and every member in Alabama who sent the group a general supporting donation throughout the year? H.B. 75’s poorly-written provisions could provide several contradictory answers to this question.

Senators who are considering voting in favor of this free speech-restricting legislation need to bear in mind that they will eventually have to answer to Alabama citizens who are unlikely to appreciate efforts to trample on their constitutional rights. At a time when citizens hold the political process in such low regard, it would be extremely unwise to fuel the public perception – right or wrong – that too many rules are written to protect incumbents rather than promote accountability. Thus, we at the National Taxpayers Union encourage the Senate to uphold the freedoms that its citizens cherish by voting “NO” on H.B. 75.

Sincerely,

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