

# PEOPLE UNITED *for* PRIVACY

June 12, 2025

The Honorable Jeff Landry  
Office of the Governor  
P.O. Box 94004  
Baton Rouge, LA 70804

## **RE: H.B. 693 Signature Request – Bipartisan CFDA Speech and Privacy Reforms**

Dear Governor Landry:

On behalf of People United for Privacy<sup>1</sup> (PUFP), I write to request your signature on H.B. 693. Multiple provisions in H.B. 693 address sorely needed improvements to Louisiana's outdated Campaign Finance Disclosure Act (CFDA) to provide clarity to would-be speakers and to better protect the privacy of Louisianians who support nonprofit causes active in their communities across The Pelican State. In recognition of these laudable goals, the legislation earned strong bipartisan support in both chambers of the Louisiana State Legislature.

Of particular interest to PUFP, H.B. 693 builds on the state's legacy of respecting citizen privacy by wisely revising the "political committee" definition in Louisiana law and appropriately clarifying the distinction between the reporting requirements for political "committees" (commonly known as "PACs") and the reporting requirements for organizations, like nonprofits, that are not PACs. Taken together, these reforms safeguard First Amendment-protected issue advocacy for nonprofits and crucially, the privacy of those organizations' members and supporters.

### **I. H.B. 693 builds on Louisiana's past bipartisan support for citizen privacy protections and furthers the laudable goal of protecting state residents who voluntarily support valuable nonprofit causes from having their sensitive information needlessly exposed to public scrutiny.**

Our focus in this letter concerns current requirements in Louisiana law – resolved by H.B. 693 – that compel certain nonprofit organizations to publicly disclose their donors. Nonprofit donors have a First Amendment-protected right to privacy in association, and campaign finance reporting requirements are a narrow exception to that right. Louisianians must be free to support social causes without being subjected to the privacy invasions of campaign finance law. Likewise, nonprofits must be free to voice an opinion on government actions when they affect issues core to their mission.

Campaign finance rules and regulations consistently produce many of the most perilous threats to the privacy of nonprofit members and supporters.<sup>2</sup> These laws also threaten to silence the

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<sup>1</sup> People United for Privacy's vision is an America where all people can freely and privately support ideas and nonprofits they believe in, so that all sides of a debate will be heard, individuals will not face retribution for supporting important causes, and all organizations have the ability to advance their missions because the privacy of their donors is protected.

<sup>2</sup> See Scott Blackburn, "2022 Free Speech Index: Grading the 50 States on the Freedom to Speak About Government," Institute for Free Speech. Available at: <https://www.ifs.org/wp-content/uploads/2022/05/Free-Speech-Index-2022.pdf> (Aug. 8, 2022).

nonprofit community during important policy debates relevant to their missions. As PUFPP has documented, unscrupulous state lawmakers and officials across the country have exploited campaign finance laws to target nonprofits and their supporters for their beliefs.<sup>3</sup>

Fortunately, Louisiana officials have demonstrated a willingness to reform state laws to better protect privacy and free speech. In 2020, Louisiana became one of now 21 states<sup>4</sup> to enshrine proactive privacy protections for citizens who support nonprofits active in The Pelican State. That legislation, S.B. 439,<sup>5</sup> passed with bipartisan and unanimous support in the House (100-0) and Senate (34-0) and was ultimately signed into law. H.B. 693 builds on the bipartisan, privacy-conscious legacy of S.B. 439 to protect Louisianians who support nonprofits doing vital work in their neighborhoods.

## **II. H.B. 693 greatly improves ambiguities and dated regulations in the CFDA.**

H.B. 693 would enact a number of updates to Louisiana’s badly antiquated CFDA. The bill tackles various practices that are commonplace in modern-day politics that are addressed under federal law for federal-level activity – such as leadership PACs and joint fundraising – but that lack clarity under existing Louisiana law. The bill would also enact additional safeguards for respondents in enforcement matters before the Supervisory Committee on Campaign Finance Disclosure.

Of particular importance to PUFPP, H.B. 693 would clarify the definition of a political “committee” (PAC). Triggering PAC status obligates a speaker to comply with burdensome and intrusive state registration and reporting requirements. Such requirements must be reserved only for organizations that have the “primary” (or “major”) purpose of engaging in political campaign activities. Indeed, because such requirements burden and deter core constitutionally protected First Amendment rights, the U.S. Supreme Court has held that PAC reporting requirements may not be imposed merely because an organization receives or makes political “contributions” or “expenditures.” Rather, for an organization to qualify as a PAC, such activities must constitute the organization’s “major purpose.”<sup>6</sup>

The existing CFDA appropriately defines a PAC based on an organization’s “primary purpose.”<sup>7</sup> However, Louisiana law fails to further define exactly what “primary purpose” means or how it is determined. Because this is such a critical concept with profound regulatory consequences for organizations that engage in core First Amendment activity, the term must be clearly defined rather than left to guesswork, whether by a regulatory agency or by the regulated community forced into compliance with the law.

H.B. 693 eliminates this ambiguity by appropriately defining the term “primary purpose” based on whether making political “contributions” or “expenditures” constitutes the preponderance of an organization’s spending and smartly excludes consideration of expenditures made from an organization’s general revenues. PUFPP strongly supports the bill’s approach on this issue.

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<sup>3</sup> Matt Nese and Alex Baiocco, “2025 State Threats to Donor Privacy and Nonprofit Advocacy: Risks Increase After Heated Election Season,” People United for Privacy Foundation. Available at: <https://unitedforprivacy.com/wp-content/uploads/2025/02/Memo-2025-State-Threats-To-Donor-Privacy-And-Nonprofit-Advocacy.pdf> (Feb. 2025).

<sup>4</sup> PUFPP Staff, “Nevada Becomes 21st State to Protect Nonprofit Supporters from Doxing and Harassment,” People United for Privacy. Available at: <https://unitedforprivacy.com/nevada-becomes-21st-state-to-protect-nonprofit-supporters-from-doxing-and-harassment/> (June 2, 2025). See also PUFPP Staff, “20 States Pass Bipartisan Privacy Law to Protect Americans From Doxing and Harassment,” People United for Privacy. Available at: <https://unitedforprivacy.com/20-states-pass-bipartisan-privacy-law-to-protect-americans-from-doxing-and-harassment/> (May 29, 2024).

<sup>5</sup> La. Legis. S.B. 439, 2020 Reg. Sess. (2020). Available at: <https://legis.la.gov/legis/BillInfo.aspx?s=20RS&b=SB439>.

<sup>6</sup> *Buckley v. Valeo*, 424 U.S. 1, 79 (1976).

<sup>7</sup> La. Rev. Stat. § 18:1483(17).

### III. H.B. 693 clarifies the limited reporting requirements for non-PAC organizations.

Under existing Louisiana law, organizations that are not PACs (*i.e.*, that lack the “primary purpose” of a PAC) are still subject to strict reporting requirements whenever they make political “expenditures” or accept political “contributions” exceeding \$500 during a CFDA reporting period.<sup>8</sup> The CFDA specifies vaguely that “[s]uch reports shall be filed at the same time, shall contain the same information, and shall be certified correct in the same manner as reports required of political committees.”<sup>9</sup>

If non-PAC entities are required to file campaign finance reports “contain[ing] the same information” as PACs – per the literal language of the CFDA – then this begs the question: Why even bother regulating and defining PACs and having a separate provision in the statute for non-PAC entities that merely subjects them to the same reporting requirements as PACs? Either the PAC definition or the reporting requirements for non-PAC entities would be superfluous, and this violates a basic rule of statutory construction.<sup>10</sup>

In an improvement from H.B. 693’s predecessor, H.B. 596,<sup>11</sup> the enrolled bill resolves the incoherent mandate in current law and properly clarifies that non-PACs engaging in occasional political expenditures are only required to report information on those expenditures and any “designated contributions” given expressly for such spending. The revised independent expenditure reporting requirements for non-PAC entities in § 1501.1(B) of H.B. 693 capture the spending at issue without unnecessarily – and potentially unconstitutionally – invading donor privacy rights for nonprofit speakers that only infrequently engage in political advocacy.

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People United for Privacy strongly commends members of the Louisiana Legislature for improving and subsequently passing H.B. 693 on a bipartisan basis. The enrolled bill rectifies two significant shortcomings in Louisiana’s campaign finance laws that impose undue burdens on the fundamental First Amendment rights of all Louisianians to freely associate with the organizations and causes they believe in. As such, it represents a significant step forward in protecting Louisianians’ First Amendment rights to freedom of speech and privacy in association. **For these reasons, People United for Privacy respectfully requests your signature on H.B. 693.**

Sincerely,



Heather Lauer  
Chief Executive Officer  
People United for Privacy

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<sup>8</sup> *Id.* § 18:1501.1(A)(1).

<sup>9</sup> *Id.* § 18:1501.1(B).

<sup>10</sup> *Hibbs v. Winn*, 542 U.S. 88, 101 (2004) (“A statute should be construed so that effect is given to all its provisions, so that no part will be inoperative or superfluous, void or insignificant . . .”).

<sup>11</sup> See Matt Nese and Eric Wang, “Support for Privacy and Free Speech Reforms in H.B. 596 and Suggested Amendment to Clarify Reporting Requirements for Non-PAC Entities,” People United for Privacy. Available at: [https://unitedforprivacy.com/wp-content/uploads/2025/05/2025-05-07\\_PUFP-Letter\\_LA\\_HB-596\\_Support-For-CFDA-Privacy-Reforms-And-Suggested-Amendment.pdf](https://unitedforprivacy.com/wp-content/uploads/2025/05/2025-05-07_PUFP-Letter_LA_HB-596_Support-For-CFDA-Privacy-Reforms-And-Suggested-Amendment.pdf) (May 7, 2025).