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IDAHO SECRETARY OF STATE

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Secretary of State Campaign Finance Guidance 2026-3

Re: NRSC v. FEC - Political party coordinated expenditures

On June 30, 2026, the United States Supreme Court issued its decision in *National Republican Senatorial Committee v. Federal Election Commission* (NRSC), holding that limits on expenditures made by political parties in coordination with their candidates violate the First Amendment. The decision changes how Idaho's existing contribution limits may be applied to certain political party expenditures.

This guidance is intended to assist recognized political parties and candidates during the 2026 general election by explaining how the Idaho Secretary of State's Office will administer and enforce Idaho's campaign finance laws following the NRSC decision. It applies to expenditures made by state and county central committees of recognized political parties in support of the party's nominees in the general election. It does not change the treatment of expenditures related to ballot measures or other political activity outside the scope of this guidance.

Background

Idaho's campaign finance disclosure laws are intended to promote public confidence, openness, and transparency in the financial support or opposition of election campaigns. Idaho Code § 67-6601. Idaho also recognizes that political speech is entitled to strong protection under the First Amendment.

Before NRSC, an expenditure made by a political party in cooperation or consultation with a candidate was generally treated as an in-kind contribution to the candidate and counted toward the contribution limits in Idaho Code § 67-6610A. If the party acted independently of the candidate, the expenditure was treated as an independent expenditure under Idaho Code § 67-6611.

Following NRSC and consultation with the Idaho Attorney General's Office (See Attorney General Opinion 26-2), the Secretary of State will not enforce Idaho Code § 67-6610A's contribution limits against coordinated expenditures made by a recognized political party in support of its nominees during the 2026 general election. All other applicable disclosure and reporting requirements remain in effect.

Coordinated Expenditures by Political Parties

A state or county central committee may communicate, cooperate, or consult with its party's general election nominee regarding campaign activities and may use the party's own funds to pay directly for those activities without the expenditure being counted as a contribution to the candidate.

For example, a party may coordinate with its nominee regarding the content, timing, placement, audience, or distribution of advertising, mail, digital communications, or voter-contact activity and may pay the vendor directly. There is no monetary limit on the amount the party may spend on these coordinated activities.

A coordinated party expenditure is not an independent expenditure because it is made in cooperation or consultation with the candidate. Accordingly, the party should report the payment as an expenditure on its regular campaign finance report, not as an independent expenditure. The candidate should not report the party's coordinated expenditure as an in-kind contribution.

Direct Contributions Remain Subject to Existing Limits

The NRSC decision does not eliminate Idaho's direct contribution limits. Existing limits continue to apply when a party gives money, goods, services, or other things of value directly to a candidate or candidate committee.

For example, a check or transfer of funds from a party committee to a candidate remains a contribution subject to Idaho Code § 67-6610A. Likewise, property or services transferred to and received by the candidate as an in-kind contribution remain subject to the applicable contribution limit. The change described in this guidance applies when the political party itself makes and pays for the coordinated campaign expenditure.

PACs and Other Persons

The Supreme Court's decision specifically addressed coordinated expenditures by political parties and emphasized the unique relationship between political parties and their candidates. It did not change Idaho's contribution limits or coordination rules as they apply to political action committees (PACs), individuals, corporations, nonbusiness entities, or other persons.

Accordingly, a PAC or other person that coordinates an expenditure with a candidate remains subject to Idaho's existing contribution and reporting requirements. If the expenditure is made without cooperation, consultation, prior consent, request, or suggestion of the candidate, the existing independent expenditure requirements continue to apply.

Reporting and Disclosure Requirements

The NRSC decision changes the application of contribution limits to coordinated political party expenditures; it does not eliminate campaign finance transparency. Political parties must continue to file required campaign finance reports and disclose their contributions and expenditures under Idaho law.

For coordinated party expenditures covered by this guidance, the party should report the vendor, amount, date, and purpose of the expenditure through its regular expenditure reporting. These payments should not be reported through the independent expenditure process, and the candidate should not report them as in-kind contributions.

Existing requirements concerning political advertising disclosures, records, contribution sources, and the prohibition against concealing the true source of a contribution or expenditure also remain applicable. See Idaho Code §§ 67-6610A(6)(a) and 67-6614. Nothing in this guidance authorizes a contributor to use a political party as a conduit to conceal the source of funds or evade an otherwise applicable contribution limit.

Additional Considerations

This guidance reflects how the Idaho Secretary of State's Office will administer and enforce the Sunshine Law with respect to recognized political parties supporting their nominees during the 2026 general election following the Supreme Court's NRSC decision. The Legislature will have the opportunity to consider any statutory changes that may be appropriate during its next session.

Political parties and candidates with questions about a particular transaction or reporting requirement are encouraged to contact the Idaho Secretary of State's Office before the transaction or filing, when possible.