

Chapter 16. Disclosure

ADD THE FOLLOWING AT THE END OF NOTE 6 ON PAGE 1192:

Relying in part upon *Bonta*, a federal district court struck down some broad campaign finance disclosure rules in Wyoming as violating the First Amendment. *Wyoming Gun Owners v. Buchanon*, 592 F. Supp. 3d 1014 (D. Wyo. 2022). The rules appeared to require disclosure of funding for some non-election-related political activities. The court recognized the government interests served by disclosure, and it suggested ways that Wyoming could narrow its disclosure rules so that they would be more likely to satisfy exacting scrutiny and not violate plaintiff's rights. The case is currently on appeal to the Tenth Circuit.

Professor Hasen argues that nonprofit entities, especially religious entities, are attractive plaintiffs for opponents of campaign finance disclosure and other regulation seeking to use courts to push further deregulation. Richard L. Hasen, *Nonprofit Law as the Tool to Kill What Remains of Campaign Finance Law: Reluctant Lessons from Ellen Aprill*, 56 *Loyola of Los Angeles Law Review* (forthcoming 2024), draft available, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4353037.

ADD THE FOLLOWING AT THE END OF NOTE 7 ON PAGE 1193:

The en banc court in the *CREW* case, over the dissent of two judges, affirmed FEC Commissioners' use of prosecutorial discretion to insulate those decisions from judicial review. 55 F.4th 918 (D.C. Cir. 2022) (en banc).