sion,[880] and that a state requirement to disclose the names and addresses on those petitions to the public would be subjected to "exacting scrutiny."[881] The Court upheld the disclosure requirement on its face, finding that it furthered the state's interest in detecting fraud and mistake in the petitioning process, while also providing for transparency and accountability. The case was remanded, however, to ascertain whether in this particular instance (a referendum to overturn a law conferring rights to gay couples) there was a "reasonable probability" that the compelled disclosures would subject the signatories to threats, harassment, or reprisals from either Government officials or private parties.[882]

In *Nixon v. Shrink Missouri Government PAC*,[883] the Court held that *Buckley v. Valeo* "is authority for state limits on contributions to state political candidates," but state limits "need not be pegged to *Buckley's* dollars."[884] The Court in *Nixon* justified the limits on contributions on the same grounds that it had in *Buckley*: "preventing corruption and the appearance of it that flows from munificent campaign contributions."[885] Further, *Nixon* did "not present a close call requiring further definition of whatever the State's evidentiary obligation may be" to justify the contribution limits, as "there is little reason to doubt that sometimes large contributions will work actual corruption of our political system, and no reason to question the existence of a corresponding suspicion among voters."[886] As for the amount of the contribution limits, Missouri's fluctuated in accordance with the consumer price index, and, when suit was filed, ranged from $275 to $1,075, depending on the state office or size of constitu-

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[880] Note, however, that the Court subsequently declined to extend the reasoning of this case to find that a legislator's vote was a form of expression protected by the First Amendment. Nevada Comm'n on Ethics v. Carrigan, 564 U.S. ___, No. 10–568, slip op. (2011) (upholding law prohibiting legislator with a conflict of interest from voting on a proposal or advocating its passage or failure).

[881] *Reed*, No. 09–559, slip op. at 7. Five Justices joined the majority opinion written by Chief Justice Roberts—Justices Kennedy, Ginsburg, Breyer, Alito and Sotomayor. One might question, however, what level of scrutiny Justice Breyer would support, since he also joined a concurrence by Justice Stevens, which suggested that the disclosure of the name and addresses on the petitions is not "a regulation of pure speech," and consequently should be subjected to a lesser standard of review. Slip op. at 1 (Stevens, J., concurring in part and in judgment). Justice Breyer, in his own concurrence, suggests that "in practice [the standard articulated in both the majority and Justice Steven's concurrence] has meant asking whether the statute burdens any one such interest in a manner out of proportion to the statute's salutary effects upon the others." Slip op. at 1 (Breyer, J., concurring). Justice Scalia, on the other hand, questioned whether "signing a petition that has the effect of suspending a law fits within 'freedom of speech' at all." Slip op. at 1 (Scalia, J., concurring in judgment).

[882] Slip op. at 12–13 (citation omitted).

[883] 528 U.S. 377 (2000).

[884] 528 U.S. at 381–82.

[885] 528 U.S. at 390.

[886] 528 U.S. at 393, 395.