

ASSEMBLY, No. 3639

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED APRIL 14, 2016

Sponsored by:

Assemblyman JON M. BRAMNICK
District 21 (Morris, Somerset and Union)
Assemblyman ANTHONY M. BUCCO
District 25 (Morris and Somerset)
Assemblywoman HOLLY SCHEPISI
District 39 (Bergen and Passaic)

SYNOPSIS

Requires disclosure by independent expenditure groups; limits contributions to certain groups and committees performing public contracts; increases limits on contributions to political parties and candidates.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/20/2016)

1 AN ACT concerning campaign contributions and expenditures,
2 requiring disclosure by certain groups that make contributions
3 and expenditures and business entities that receive government
4 contracts, and amending, supplementing and repealing various
5 parts of the statutory law.

6
7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:

9
10 1. Section 3 of P.L.1973, c.83 (C.19:44A-3) is amended to read
11 as follows:

12 3. As used in this act, unless a different meaning clearly
13 appears from the context:

14 a. (Deleted by amendment, P.L.1993, c.65.)

15 b. (Deleted by amendment, P.L.1993, c.65.)

16 c. The term "candidate" means: (1) an individual seeking
17 election to a public office of the State or of a county, municipality
18 or school district at an election; except that the term shall not
19 include an individual seeking party office; (2) an individual who
20 shall have been elected or failed of election to an office, other than
21 a party office, for which he sought election and who receives
22 contributions and makes expenditures for any of the purposes
23 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during
24 the period of his service in that office; and (3) an individual who
25 has received funds or other benefits or has made payments solely
26 for the purpose of determining whether the individual should
27 become a candidate as defined in paragraphs (1) and (2) of this
28 subsection.

29 d. The terms "contributions" and "expenditures" include all
30 loans and transfers of money or other thing of value to or by any
31 candidate, candidate committee, joint candidates committee,
32 political committee, continuing political committee, independent
33 expenditure group, political party committee or legislative
34 leadership committee, and all pledges or other commitments or
35 assumptions of liability to make any such transfer; and for purposes
36 of reports required under the provisions of this act shall be deemed
37 to have been made upon the date when such commitment is made or
38 liability assumed.

39 e. The term "election" means any election described in section
40 4 of this act.

41 f. The term "paid personal services" means personal, clerical,
42 administrative or professional services of every kind and nature
43 including, without limitation, public relations, research, legal,
44 canvassing, telephone, speech writing or other such services,
45 performed other than on a voluntary basis, the salary, cost or

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 consideration for which is paid, borne or provided by someone
2 other than the committee, candidate or organization for whom such
3 services are rendered. In determining the value, for the purpose of
4 reports required under this act, of contributions made in the form of
5 paid personal services, the person contributing such services shall
6 furnish to the treasurer through whom such contribution is made a
7 statement setting forth the actual amount of compensation paid by
8 said contributor to the individuals actually performing said services
9 for the performance thereof. But if any individual or individuals
10 actually performing such services also performed for the contributor
11 other services during the same period, and the manner of payment
12 was such that payment for the services contributed cannot readily
13 be segregated from contemporary payment for the other services,
14 the contributor shall in his statement to the treasurer so state and
15 shall either (1) set forth his best estimate of the dollar amount of
16 payment to each such individual which is attributable to the
17 contribution of his paid personal services, and shall certify the
18 substantial accuracy of the same, or (2) if unable to determine such
19 amount with sufficient accuracy, set forth the total compensation
20 paid by him to each such individual for the period of time during
21 which the services contributed by him were performed. If any
22 candidate is a holder of public office to whom there is attached or
23 assigned, by virtue of said office, any aide or aides whose services
24 are of a personal or confidential nature in assisting him to carry out
25 the duties of said office, and whose salary or other compensation is
26 paid in whole or part out of public funds, the services of such aide
27 or aides which are paid for out of public funds shall be for public
28 purposes only; but they may contribute their personal services, on a
29 voluntary basis, to such candidate for election campaign purposes.

30 g. (Deleted by amendment, P.L.1983, c.579.)

31 h. The term "political information" means any statement
32 including, but not limited to, press releases, pamphlets, newsletters,
33 advertisements, flyers, form letters, or radio or television programs
34 or advertisements which reflects the opinion of the members of the
35 organization on any candidate or candidates for public office, on
36 any public question, or which contains facts on any such candidate,
37 or public question whether or not such facts are within the personal
38 knowledge of members of the organization.

39 i. The term "political committee" means any two or more
40 persons acting jointly, or any corporation, partnership, or any other
41 incorporated or unincorporated association which is organized to, or
42 does, aid or promote the nomination, election or defeat of any
43 candidate or candidates for public office, or which is organized to,
44 or does, aid or promote the passage or defeat of a public question in
45 any election, if the persons, corporation, partnership or incorporated
46 or unincorporated association raises or expends \$1,000.00 or more
47 to so aid or promote the nomination, election or defeat of a
48 candidate or candidates or the passage or defeat of a public

1 question; provided that for the purposes of this act, the term
2 "political committee" shall not include a "continuing political
3 committee," as defined by subsection n. of this section, a "political
4 party committee," as defined by subsection p. of this section, a
5 "candidate committee," as defined by subsection q. of this section, a
6 "joint candidates committee," as defined by subsection r. of this
7 section **[or]**, a "legislative leadership committee," as defined by
8 subsection s. of this section, or an "independent expenditure group,"
9 as defined in subsection t. of this section.

10 j. The term "public solicitation" means any activity by or on
11 behalf of any candidate, political committee, continuing political
12 committee, candidate committee, joint candidates committee,
13 legislative leadership committee, independent expenditure group, or
14 political party committee whereby either (1) members of the general
15 public are personally solicited for cash contributions not exceeding
16 \$20.00 from each person so solicited and contributed on the spot by
17 the person so solicited to a person soliciting or through a receptacle
18 provided for the purpose of depositing contributions, or (2)
19 members of the general public are personally solicited for the
20 purchase of items having some tangible value as merchandise, at a
21 price not exceeding \$20.00 per item, which price is paid on the spot
22 in cash by the person so solicited to the person so soliciting, when
23 the net proceeds of such solicitation are to be used by or on behalf
24 of such candidate, political committee, continuing political
25 committee, candidate committee, joint candidates committee,
26 legislative leadership committee, independent expenditure group, or
27 political party committee.

28 k. The term "testimonial affair" means an affair of any kind or
29 nature including, without limitation, cocktail parties, breakfasts,
30 luncheons, dinners, dances, picnics or similar affairs directly or
31 indirectly intended to raise campaign funds in behalf of a person
32 who holds, or who is or was a candidate for nomination or election
33 to a public office in this State, or directly or indirectly intended to
34 raise funds in behalf of any political party committee or in behalf of
35 a political committee, continuing political committee, candidate
36 committee, joint candidates committee, independent expenditure
37 group, or legislative leadership committee.

38 l. The term "other thing of value" means any item of real or
39 personal property, tangible or intangible, but shall not be deemed to
40 include personal services other than paid personal services.

41 m. The term "qualified candidate" means:

42 (1) Joint candidates for election to the offices of Governor and
43 Lieutenant Governor whose names appear on the general election
44 ballot; who have deposited and expended \$150,000.00 pursuant to
45 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than
46 September 1 preceding a general election in which the offices of
47 Governor and Lieutenant Governor are to be filled, (a) notify the
48 Election Law Enforcement Commission in writing that the

1 candidates intend that application will be made on the candidates'
2 behalf for monies for general election campaign expenses under
3 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)
4 sign a statement of agreement, in a form to be prescribed by the
5 commission, to participate in interactive gubernatorial election
6 debates under the provisions of sections 9 through 11 of P.L.1989,
7 c.4 (C.19:44A-45 through C.19:44A-47); or

8 (2) Joint candidates for election to the offices of Governor and
9 Lieutenant Governor whose names do not appear on the general
10 election ballot; who have deposited and expended \$150,000.00
11 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,
12 not later than September 1 preceding a general election in which the
13 offices of Governor and Lieutenant Governor are to be filled, (a)
14 notify the Election Law Enforcement Commission in writing that
15 the candidates intend that application will be made on the
16 candidates' behalf for monies for general election campaign
17 expenses under subsection b. of section 8 of P.L.1974, c.26
18 (C.19:44A-33), and (b) sign a statement of agreement, in a form to
19 be prescribed by the commission, to participate in interactive
20 gubernatorial election debates under the provisions of sections 9
21 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);
22 or

23 (3) Any candidate for nomination for election to the office of
24 Governor whose name appears on the primary election ballot; who
25 has deposited and expended \$150,000.00 pursuant to section 7 of
26 P.L.1974, c.26 (C.19:44A-32); and who, not later than the last day
27 for filing petitions to nominate candidates to be voted upon in a
28 primary election for a general election in which the office of
29 Governor is to be filled, (a) notifies the Election Law Enforcement
30 Commission in writing that the candidate intends that application
31 will be made on the candidate's behalf for monies for primary
32 election campaign expenses under subsection a. of section 8 of
33 P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of
34 agreement, in a form to be prescribed by the commission, to
35 participate in two interactive gubernatorial primary debates under
36 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
37 45 through C.19:44A-47); or

38 (4) Any candidate for nomination for election to the office of
39 Governor whose name does not appear on the primary election
40 ballot; who has deposited and expended \$150,000.00 pursuant to
41 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than
42 the last day for filing petitions to nominate candidates to be voted
43 upon in a primary election for a general election in which the office
44 of Governor is to be filled, (a) notifies the Election Law
45 Enforcement Commission in writing that the candidate intends that
46 application will be made on the candidate's behalf for monies for
47 primary election campaign expenses under subsection a. of section
48 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of

1 agreement, in a form to be prescribed by the commission, to
2 participate in two interactive gubernatorial primary debates under
3 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
4 45 through C.19:44A-47).

5 n. The term "continuing political committee" means any group
6 of two or more persons acting jointly, or any corporation,
7 partnership, or any other incorporated or unincorporated
8 association, including a political club, political action committee,
9 civic association or other organization, which in any calendar year
10 contributes or expects to contribute at least \$2,500.00 to the aid or
11 promotion of the candidacy of an individual, or of the candidacies
12 of individuals, for elective public office, or the passage or defeat of
13 a public question or public questions, and which may be expected to
14 make contributions toward such aid or promotion or passage or
15 defeat during a subsequent election, provided that the group,
16 corporation, partnership, association or other organization has been
17 determined to be a continuing political committee under subsection
18 b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided that for the
19 purposes of this act, the term "continuing political committee" shall
20 not include a "political party committee," as defined by subsection
21 p. of this section, **[or]** a "legislative leadership committee," as
22 defined by subsection s. of this section, or an "independent
23 expenditure group," as defined in subsection t. of this section.

24 o. The term "statement of agreement" means a written
25 declaration, by a candidate for nomination for election to the office
26 of Governor, or by joint candidates for election to the offices of
27 Governor and Lieutenant Governor who intend that application will
28 be made on behalf of the candidate for the office of Governor to
29 receive monies for the primary election or on behalf of the
30 candidates for the office of Governor and the office of Lieutenant
31 Governor for general election campaign expenses under subsection
32 a. or subsection b., respectively, of section 8 of P.L.1974, c.26
33 (C.19:44A-33), that the candidates undertake to abide by the terms
34 of any rules established by any private organization sponsoring a
35 gubernatorial primary or general election debate, as appropriate, to
36 be held under the provisions of sections 9 through 11 of P.L.1989,
37 c.4 (C.19:44A-45 through C.19:44A-47) and in which the
38 candidates are to participate. The statement of agreement shall
39 include an acknowledgment of notice to the candidates who sign it
40 that failure on the candidates' part to participate in any of the
41 gubernatorial debates may be cause for the termination of the
42 payment of such monies on the candidates' behalf and for the
43 imposition of liability for the return to the commission of such
44 monies as may previously have been so paid.

45 p. The term "political party committee" means the State
46 committee of a political party, as organized pursuant to R.S.19:5-4,
47 any county committee of a political party, as organized pursuant to

1 R.S.19:5-3, or any municipal committee of a political party, as
2 organized pursuant to R.S.19:5-2.

3 q. The term "candidate committee" means a committee
4 established pursuant to subsection a. of section 9 of P.L.1973, c.83
5 (C.19:44A-9) for the purpose of receiving contributions and making
6 expenditures.

7 r. The term "joint candidates committee" means a committee
8 established pursuant to subsection a. of section 9 of P.L.1973, c.83
9 (C.19:44A-9) by at least two candidates for the same elective public
10 offices in the same election in a legislative district, county,
11 municipality or school district, but not more candidates than the
12 total number of the same elective public offices to be filled in that
13 election, for the purpose of receiving contributions and making
14 expenditures. For the purpose of this subsection: the offices of
15 member of the Senate and members of the General Assembly shall
16 be deemed to be the same elective public offices in a legislative
17 district; the offices of member of the board of chosen freeholders
18 and county executive shall be deemed to be the same elective public
19 offices in a county; and the offices of mayor and member of the
20 municipal governing body shall be deemed to be the same elective
21 public offices in a municipality.

22 s. The term "legislative leadership committee" means a
23 committee established, authorized to be established, or designated
24 by the President of the Senate, the Minority Leader of the Senate,
25 the Speaker of the General Assembly or the Minority Leader of the
26 General Assembly pursuant to section 16 of P.L.1993, c.65
27 (C.19:44A-10.1) for the purpose of receiving contributions and
28 making expenditures.

29 t. The term "independent expenditure group" means an
30 organization organized under section 527 of the federal Internal
31 Revenue Code, 26 U.S.C. s.527, or under paragraphs (4), (5), or (6)
32 of subsection c. of section 501 of the federal Internal Revenue
33 Code, 26 U.S.C. s.501, that does not fall within the definition of any
34 other organization subject to the provisions of P.L.1973, c.83
35 (C.19:44A-1 et seq.), that engages in influencing or attempting to
36 influence the outcome of any election or the nomination, election,
37 or defeat of any person to any State or local elective public office,
38 or the passage or defeat of any public question, or in providing
39 political information on any candidate or public question, and raises
40 or expends \$5,000 or more in the aggregate for any such purpose,
41 but does not coordinate its activities with any candidate or political
42 party.

43 (cf: P.L.2009, c.66, s.5)

44

45 2. Section 8 of P.L.1973, c.83 (C.19:44A-8) is amended to read
46 as follows:

47 8. a. (1) Each political committee shall make a full cumulative
48 report, upon a form prescribed by the Election Law Enforcement

1 Commission, of all contributions in the form of moneys, loans, paid
2 personal services, or other things of value made to it and all
3 expenditures made, incurred, or authorized by it in furtherance of
4 the nomination, election or defeat of any candidate, or in aid of the
5 passage or defeat of any public question, or to provide political
6 information on any candidate or public question, during the period
7 ending 48 hours preceding the date of the report and beginning on
8 the date on which the first of those contributions was received or
9 the first of those expenditures was made, whichever occurred first.
10 The cumulative report, except as hereinafter provided, shall contain
11 the name and mailing address of each person or group from whom
12 moneys, loans, paid personal services or other things of value have
13 been contributed since 48 hours preceding the date on which the
14 previous such report was made and the amount contributed by each
15 person or group, and where the contributor is an individual, the
16 report shall indicate the occupation of the individual and the name
17 and mailing address of the individual's employer. In the case of any
18 loan reported pursuant to this subsection, the report shall contain
19 the name and mailing address of each person who has cosigned such
20 loan since 48 hours preceding the date on which the previous such
21 report was made, and where an individual has cosigned such loans,
22 the report shall indicate the occupation of the individual and the
23 name and mailing address of the individual's employer. The
24 cumulative report shall also contain the name and address of each
25 person, firm or organization to whom expenditures have been paid
26 since 48 hours preceding the date on which the previous such report
27 was made and the amount and purpose of each such expenditure.
28 The cumulative report shall be filed with the Election Law
29 Enforcement Commission on the dates designated in section 16
30 hereof.

31 The campaign treasurer of the political committee reporting shall
32 certify to the correctness of each report.

33 Each campaign treasurer of a political committee shall file
34 written notice with the commission of a contribution in excess of
35 \$500 received during the period between the 13th day prior to the
36 election and the date of the election, and of an expenditure of
37 money or other thing of value in excess of \$500 made, incurred or
38 authorized by the political committee to support or defeat a
39 candidate in an election, or to aid the passage or defeat of any
40 public question, during the period between the 13th day prior to the
41 election and the date of the election. The notice of a contribution
42 shall be filed in writing or by **【telegram】** electronic transmission
43 within 48 hours of the receipt of the contribution and shall set forth
44 the amount and date of the contribution, the name and mailing
45 address of the contributor, and where the contributor is an
46 individual, the individual's occupation and the name and mailing
47 address of the individual's employer. The notice of an expenditure
48 shall be filed in writing or by **【telegram】** electronic transmission

1 within 48 hours of the making, incurring or authorization of the
2 expenditure and shall set forth the name and mailing address of the
3 person, firm or organization to whom or which the expenditure was
4 paid and the amount and purpose of the expenditure.

5 (2) When a political committee or an individual seeking party
6 office makes or authorizes an expenditure on behalf of a candidate,
7 it shall provide immediate written notification to the candidate of
8 the expenditure.

9 b. (1) A group of two or more persons acting jointly, or any
10 corporation, partnership, or any other incorporated or
11 unincorporated association including a political club, political
12 action committee, civic association or other organization, which in
13 any calendar year contributes or expects to contribute at least
14 \$2,500.00 to the aid or promotion of the candidacy of an individual,
15 or of the candidacies of individuals, for elective public office or the
16 passage or defeat of a public question or public questions and which
17 expects to make contributions toward such aid or promotion, or
18 toward such passage or defeat, during a subsequent election shall
19 certify that fact to the commission, and the commission, upon
20 receiving that certification and on the basis of any information as it
21 may require of the group, corporation, partnership, association or
22 other organization, shall determine whether the group, corporation,
23 partnership, association or other organization is a continuing
24 political committee for the purposes of this act. If the commission
25 determines that the group, corporation, partnership, association or
26 other organization is a continuing political committee, it shall so
27 notify that continuing political committee.

28 No person serving as the chairman of a political party committee
29 or a legislative leadership committee shall be eligible to be
30 appointed or to serve as the chairman of a continuing political
31 committee.

32 (2) A continuing political committee shall file with the Election
33 Law Enforcement Commission, not later than April 15, July 15,
34 October 15 and January 15 of each calendar year, a cumulative
35 quarterly report of all moneys, loans, paid personal services or other
36 things of value contributed to it during the period ending on the
37 15th day preceding that date and commencing on January 1 of that
38 calendar year or, in the case of the cumulative quarterly report to be
39 filed not later than January 15, of the previous calendar year, and all
40 expenditures made, incurred, or authorized by it during the period,
41 whether or not such expenditures were made, incurred or authorized
42 in furtherance of the election or defeat of any candidate, or in aid of
43 the passage or defeat of any public question or to provide
44 information on any candidate or public question.

45 The cumulative quarterly report shall contain the name and
46 mailing address of each person or group from whom moneys, loans,
47 paid personal services or other things of value have been
48 contributed and the amount contributed by each person or group,

1 and where an individual has made such contributions, the report
2 shall indicate the occupation of the individual and the name and
3 mailing address of the individual's employer. In the case of any
4 loan reported pursuant to this subsection, the report shall contain
5 the name and address of each person who cosigns such loan, and
6 where an individual has cosigned such loans, the report shall
7 indicate the occupation of the individual and the name and mailing
8 address of the individual's employer. The report shall also contain
9 the name and address of each person, firm or organization to whom
10 expenditures have been paid and the amount and purpose of each
11 such expenditure. The treasurer of the continuing political
12 committee reporting shall certify to the correctness of each
13 cumulative quarterly report.

14 Each continuing political committee shall provide immediate
15 written notification to each candidate of all expenditures made or
16 authorized on behalf of the candidate.

17 If any continuing political committee submitting cumulative
18 quarterly reports as provided under this subsection receives a
19 contribution from a single source of more than \$500 after the final
20 day of a quarterly reporting period and on or before a primary,
21 general, municipal, school or special election which occurs after
22 that final day but prior to the final day of the next reporting period
23 it shall, in writing or by **【telegram】** electronic transmission, report
24 that contribution to the commission within 48 hours of the receipt
25 thereof, including in that report the amount and date of the
26 contribution; the name and mailing address of the contributor; and
27 where the contributor is an individual, the individual's occupation
28 and the name and mailing address of the individual's employer. If
29 any continuing political committee makes or authorizes an
30 expenditure of money or other thing of value in excess of \$500, or
31 incurs any obligation therefor, to support or defeat a candidate in an
32 election, or to aid the passage or defeat of any public question, after
33 March 31 and on or before the day of the primary election, or after
34 September 30 and on or before the day of the general election, it
35 shall, in writing or by **【telegram】** electronic transmission, report
36 that expenditure to the commission within 48 hours of the making,
37 authorizing or incurring thereof.

38 A continuing political committee which ceases making
39 contributions toward the aiding or promoting of the candidacy of an
40 individual, or of the candidacies of individuals, for elective public
41 office in this State or the passage or defeat of a public question or
42 public questions in this State shall certify that fact in writing to the
43 commission, and that certification shall be accompanied by a final
44 accounting of any fund relating to such aiding or promoting
45 including the final disposition of any balance in such fund at the
46 time of dissolution. Until that certification has been filed, the
47 committee shall continue to file the quarterly reports as provided
48 under this subsection.

1 c. Each political party committee **[and each]**, legislative
2 leadership committee, and independent expenditure group shall file
3 with the Election Law Enforcement Commission, not later than
4 April 15, July 15, October 15 and January 15 of each calendar year,
5 a cumulative quarterly report of all moneys, loans, paid personal
6 services or other things of value contributed to it during the period
7 ending on the 15th day preceding that date and commencing on
8 January 1 of that calendar year or, in the case of the cumulative
9 quarterly report to be filed not later than January 15, of the previous
10 calendar year, and all expenditures made, incurred, or authorized by
11 it during the period, whether or not such expenditures were made,
12 incurred or authorized in furtherance of the election or defeat of any
13 candidate, or in aid of the passage or defeat of any public question
14 or to provide information on any candidate or public question.

15 The cumulative quarterly report shall contain the name and
16 mailing address of each person or group from whom moneys, loans,
17 paid personal services or other things of value have been
18 contributed and the amount contributed by each person or group,
19 and where an individual has made such contributions, the report
20 shall indicate the occupation of the individual and the name and
21 mailing address of the individual's employer. In the case of any
22 loan reported pursuant to this subsection, the report shall contain
23 the name and address of each person who cosigns such loan, and
24 where an individual has cosigned such loans, the report shall
25 indicate the occupation of the individual and the name and mailing
26 address of the individual's employer. The report shall also contain
27 the name and address of each person, firm or organization to whom
28 expenditures have been paid and the amount and purpose of each
29 such expenditure. The treasurer of the political party committee or
30 legislative leadership committee reporting shall certify to the
31 correctness of each cumulative quarterly report.

32 d. (1) Each independent expenditure group shall make a full
33 cumulative report, upon a form prescribed by the Election Law
34 Enforcement Commission, of all contributions received in excess of
35 \$300 in the form of moneys, loans, paid personal services, or other
36 things of value made to it, and of all expenditures in excess of \$300
37 made, incurred, or authorized by it in influencing or attempting to
38 influence the outcome of any election or the nomination, election,
39 or defeat of any person to State or local elective public office or the
40 passage or defeat of any public question, or in providing political
41 information on any candidate or public question, during the period
42 ending 48 hours preceding the date of the report and beginning on
43 the date on which the first of those contributions was received or
44 the first of those expenditures was made, whichever occurred first.
45 The cumulative report, except as hereinafter provided, shall contain
46 the name and mailing address of each person or group from whom
47 moneys, loans, paid personal services or other things of value have
48 been contributed since 48 hours preceding the date on which the

1 such previous report was made and the amount contributed by each
2 person or group in excess of \$300, and when the contributor is an
3 individual, the report shall indicate the occupation of the individual
4 and the name and mailing address of the individual's employer. In
5 the case of any loan reported pursuant to this subsection, the report
6 shall contain the name and mailing address of each person who has
7 cosigned such loan since 48 hours preceding the date on which the
8 previous such report was made, and when an individual has
9 cosigned such loans, the report shall indicate the occupation of the
10 individual and the name and mailing address of the individual's
11 employer. The cumulative report shall also contain the name and
12 address of each person, firm or organization to whom expenditures
13 have been paid since 48 hours preceding the date on which the
14 previous such report was made and the amount and purpose of each
15 such expenditure. The cumulative report shall be filed with the
16 Election Law Enforcement Commission on the dates designated in
17 section 16 of P.L.1973, c.83 (C.19:44A-16).

18 (2) The disclosure requirements for an independent expenditure
19 group shall apply to and include any expenditure for a
20 communication that can be interpreted by a reasonable person as
21 advocating: (1) the election or defeat of a candidate for nomination
22 or election to an elective public office, taking into account whether
23 the communication mentions a candidate or takes a position on a
24 candidate's character, qualifications, or fitness for the public office;
25 or (2) the passage or defeat of a public question. An independent
26 expenditure group shall disclose all expenditures made by it in
27 excess of \$300, including, but not limited to, for voter registration,
28 get-out-the-vote-efforts, polling, and research done for the purpose
29 of supporting or opposing: (1) a candidate for nomination or
30 election to an elective public office; or (2) the passage or defeat of a
31 public question. The disclosures required by this paragraph shall
32 occur beginning in the year following the year in which the
33 expenditures were made and shall be reported to the Election Law
34 Enforcement Commission on the same schedule as required in
35 current law for political committees and continuing political
36 committees pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8).

37 The treasurer of the reporting independent expenditure group
38 shall certify the correctness of each report and shall maintain all
39 records of contributions and expenditures for a period of not less
40 than four years.

41 **【If】** e. When a political party committee 【or a】 legislative
42 leadership committee 【submitting cumulative quarterly reports as
43 provided under this subsection】 or independent expenditure group
44 receives a contribution from 【a single source】 one or more sources
45 of more than \$500 after the final day of a quarterly reporting period
46 and on or before a primary, general, municipal, school or special
47 election which occurs after that final day but prior to the final day
48 of the next reporting period it shall, in writing or by 【telegram】

1 electronic transmission, report that contribution or those
2 contributions to the commission within 48 hours of the receipt
3 thereof, including in that report the amount and date of **【the】** each
4 contribution; the name and mailing address of the contributor or
5 contributors; and where **【the】** a contributor is an individual, the
6 individual's occupation and the name and mailing address of the
7 individual's employer. **【If】** When a political party committee **【or**
8 **a】**, legislative leadership committee **【submitting cumulative**
9 **quarterly reports as provided under this subsection】** or independent
10 expenditure group makes or authorizes **【an expenditure】** one or
11 more expenditures of money or other thing of value in excess of
12 \$800, or incurs any obligation therefor, to support or defeat a
13 candidate in an election, or to aid the passage or defeat of any
14 public question, after March 31 and on or before the day of the
15 primary election, or after September 30 and on or before the day of
16 the general election, it shall, in writing or by **【telegram】** electronic
17 transmission, report that expenditure or those expenditures to the
18 commission within 48 hours of the making, authorizing or incurring
19 thereof.

20 **【d.】** f. In any report filed pursuant to the provisions of this
21 section the organization or committee reporting may exclude from
22 the report the name of and other information relating to any
23 contributor whose contributions during the period covered by the
24 report did not exceed \$300, provided, however, that (1) such
25 exclusion is unlawful if any person responsible for the preparation
26 or filing of the report knew that it was made with respect to any
27 person whose contributions relating to the same election or issue
28 and made to the reporting organization or committee aggregate, in
29 combination with the contribution in respect of which such
30 exclusion is made, more than \$300 and (2) any person who
31 knowingly prepares, assists in preparing, files or acquiesces in the
32 filing of any report from which the identification of a contributor
33 has been excluded contrary to the provisions of this section is
34 subject to the provisions of section 21 of this act, but (3) nothing in
35 this proviso shall be construed as requiring any committee or
36 organization reporting pursuant to this act to report the amounts,
37 dates or other circumstantial data regarding contributions made to
38 any other organization or political committee, political party
39 committee or campaign organization of a candidate.

40 g. Any report filed pursuant to the provisions of this section
41 shall include an itemized accounting of all receipts and
42 expenditures relative to any testimonial affairs held since the date
43 of the most recent report filed, which accounting shall include the
44 name and mailing address of each contributor in excess of \$300 to
45 such testimonial affair and the amount contributed by each; in the
46 case of an individual contributor, the occupation of the individual
47 and the name and mailing address of the individual's employer; the

1 expenses incurred; and the disposition of the proceeds of such
2 testimonial affair.

3 The \$300 limit established in this subsection shall remain as
4 stated in this subsection without further adjustment by the
5 commission in the manner prescribed by section 22 of P.L.1993,
6 c.65 (C.19:44A-7.2).
7 (cf: P.L.2004, c.33, s.1)

8
9 3. Section 21 of P.L.1993, c.65 (C.19:44A-8.1) is amended to
10 read as follows:

11 21. a. Each political committee, as defined in subsection i. of
12 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes
13 the nomination for election or the election of a candidate or the
14 passage or defeat of a public question, each independent
15 expenditure group, as defined in subsection t. of section 3 of
16 P.L.1973, c.83 (C.19:44A-3), each continuing political committee
17 as defined in subsection n. of section 3 of P.L.1973, c.83, and each
18 legislative leadership committee as defined in subsection s. of
19 section 3 of P.L.1973, c.83, shall submit to the commission a
20 statement of registration which includes:

21 (1) the complete name or identifying title of the committee or
22 group and the general category of entity or entities, including but
23 not limited to business organizations, labor organizations,
24 professional or trade associations, candidate for or holder of public
25 office, political party, ideological grouping or civic association, the
26 interests of which are shared by the leadership, members, or
27 financial supporters of the committee or group;

28 (2) the mailing address of the committee or group and the name
29 and resident address of a resident of this State who shall have been
30 designated by the committee or group as its agent to accept service
31 of process; and

32 (3) a descriptive statement prepared by the organizers or officers
33 of the committee or group that identifies (a) the names and mailing
34 addresses of the persons having control over the affairs of the
35 committee or group, including but not limited to persons in whose
36 name or at whose direction or suggestion the committee or group
37 solicits funds, and persons participating in any decision to make a
38 contribution of such funds to any candidate, political committee or
39 continuing political committee or, in the case of an independent
40 expenditure group, any decision to expend funds for the purpose of
41 influencing or attempting to influence the outcome of any election
42 or the nomination, election, or defeat of any person to State or local
43 elective public office or the passage or defeat of any public
44 question, or in providing political information on any candidate or
45 public question; (b) the name and mailing address of any person not
46 included among the persons identified under subparagraph (a) of
47 this paragraph who, directly or through an agent, participated in the
48 initial organization of the committee or group; (c) in the case of any

1 person identified under subparagraph (a) or subparagraph (b) who is
2 an individual, the occupation of that individual, the individual's
3 home address, and the name and mailing address of the individual's
4 employer, or, in the case of any such person which is a corporation,
5 partnership, unincorporated association, or other organization, the
6 name and mailing address of the organization; and (d) any other
7 information which the Election Law Enforcement Commission may,
8 under such regulations as it shall adopt pursuant to the provisions of
9 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
10 seq.), require as being material to the fullest possible disclosure of
11 the economic, political and other particular interests and objectives
12 which the committee or group has been organized to or does
13 advance. The commission shall be informed, in writing, of any
14 change in the information required by this paragraph within three
15 days of the occurrence of the change. Legislative leadership
16 committees shall be exempt from the requirements of subparagraphs
17 (a), (b) and (c) of this paragraph.

18 b. After submission of a statement of registration to the
19 commission pursuant to this section, the committee or group shall
20 use the complete name or identifying title on all documents
21 submitted to the commission, in all solicitations for contributions,
22 in all paid media advertisements purchased or paid for by the
23 committee in support of or in opposition to any candidate or public
24 question, and in all contributions made by the committee to
25 candidates or other committees or, in the case of an independent
26 expenditure group, any decision to expend funds for the purpose of
27 influencing or attempting to influence the outcome of any election
28 or the nomination, election, or defeat of any person to State or local
29 elective public office or the passage or defeat of any public
30 question, or in providing political information on any candidate or
31 public question.

32 c. Each report of contributions under section 8 of P.L.1973,
33 c.83 (C.19:44A-8) by a political committee, independent
34 expenditure group, continuing political committee or legislative
35 leadership committee required under subsection a. of this section to
36 submit a statement of registration shall include, in the case of each
37 contributor who is an individual, the home address of the individual
38 if different from the individual's mailing address, or, in the case of
39 any contributor which is an organization, any information, in
40 addition to that otherwise required, which the Election Law
41 Enforcement Commission may, under such regulations as it shall
42 adopt pursuant to the provisions of the "Administrative Procedure
43 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being
44 material to the fullest possible disclosure of the economic, political
45 and other particular interests and objectives which the contributing
46 organization has been organized to or does advance.

47 d. Any political committee, independent expenditure group,
48 continuing political committee or legislative leadership committee

1 may at any time apply to the commission for approval of an
2 abbreviation or acronym of its complete, official name or title for
3 its exclusive use on documents which it shall submit to the
4 commission. Upon verification that the abbreviation or acronym has
5 not been approved for such use by any other political committee,
6 independent expenditure group, continuing political committee or
7 legislative leadership committee, the commission shall approve the
8 abbreviation or acronym for such use by the applicant committee or
9 group, and the committee, and any individual, corporation,
10 partnership, membership organization or incorporated or
11 unincorporated association which, under the provisions of P.L.1973,
12 c.83 (C.19:44A-1 et al.), submits any documents to the commission
13 containing a reference to that committee or group, shall thereafter
14 use that approved abbreviation or acronym in documents submitted
15 to the commission. The commission shall, during its regular office
16 hours, maintain for public inspection in its offices a current
17 alphabetically arranged list of all such approved abbreviations and
18 acronyms, indicating for each the name of the committee or group
19 for which it stands, and shall make copies of the list available upon
20 request.

21 (cf: P.L.1993, c.65, s.21)

22

23 4. Section 10 of P.L.1973, c.83 (C.19:44A-10) is amended to
24 read as follows:

25 10. Each political party committee shall, on or before July 1 in
26 each year, designate a single organizational treasurer and an
27 organizational depository and shall, not later than the tenth day after
28 the designation of the organizational depository file the name and
29 address of that depository, and of the organizational treasurer, with
30 the Election Law Enforcement Commission.

31 Every political committee may designate a chairman of the
32 committee, but no person serving as the chairman of a political
33 party committee or a legislative leadership committee shall be
34 eligible to be appointed or to serve as the chairman of a political
35 committee. Every political committee shall, not later than the date
36 on which it first receives any contribution or makes or incurs any
37 expenditure in the furtherance or aid of the election or defeat of any
38 candidate or the passage or defeat of any public question, appoint a
39 single campaign treasurer and designate a campaign depository, but
40 no person serving as the chairman of a political party committee or
41 a legislative leadership committee shall be eligible to be appointed
42 or to serve as the campaign treasurer of a political committee. Not
43 later than the tenth day after the initial designation of the campaign
44 depository, the committee shall file the name and address of the
45 depository, and of the campaign treasurer, with the Election Law
46 Enforcement Commission.

47 Every independent expenditure group may designate a chairman,
48 but no person serving as the chairman of a political party committee

1 or a legislative leadership committee shall be eligible to be
2 appointed or to serve as the chairman of an independent expenditure
3 group. No candidate, directly or indirectly, shall establish,
4 authorize the establishment of, maintain, or participate in the
5 management or control of any independent expenditure group.
6 Every independent expenditure group shall, not later than the date
7 on which it first receives any contribution or makes or incurs any
8 expenditure for the purpose of influencing or attempting to
9 influence the outcome of any election or the nomination, election,
10 or defeat of any person to State or local elective public office or the
11 passage or defeat of any public question or providing political
12 information on any candidate or public question, appoint a single
13 campaign treasurer and designate a campaign depository, but no
14 person serving as the chairman of a political party committee or a
15 legislative leadership committee shall be eligible to be appointed or
16 to serve as the campaign treasurer of an independent expenditure
17 group. Not later than the tenth day after the initial designation of
18 the campaign depository, the group shall file the name and address
19 of the depository, and of the campaign treasurer, with the Election
20 Law Enforcement Commission.

21 Every continuing political committee shall, not later than the
22 date on which it first receives any contribution or makes or incurs
23 any expenditure in the furtherance or aid of the election or defeat of
24 any candidate or the passage or defeat of any public question,
25 appoint a single organizational treasurer and designate an
26 organizational depository, provided that no person who is the
27 chairman of a political party committee or a legislative leadership
28 committee shall be eligible to be appointed or to serve as the
29 organizational treasurer of a continuing political committee. Not
30 later than the tenth day after the initial designation of the
31 organizational depository, the committee shall file the name and
32 address of the depository, and of the organizational treasurer, with
33 the Election Law Enforcement Commission.

34 Every legislative leadership committee shall, not later than the
35 date on which it first receives any contribution or makes or incurs
36 any expenditure in the furtherance or aid of the election or defeat of
37 any candidate or the passage or defeat of any public question,
38 appoint a single organizational treasurer and designate an
39 organizational depository. Not later than the tenth day after the
40 initial designation of the organizational depository, the committee
41 shall file the name and address of the depository, and of the
42 organizational treasurer, with the Election Law Enforcement
43 Commission.

44 Each organizational treasurer of a State political party committee
45 or a legislative leadership committee shall be a trained treasurer,
46 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-
47 6), or shall acquire such training within 90 days of appointment as
48 an organizational treasurer. An organizational treasurer of any

1 other political party committee or a continuing political committee
2 and a campaign treasurer of a political committee or independent
3 expenditure group may be a trained treasurer.

4 An organizational treasurer of a political party committee, a
5 continuing political committee, an independent expenditure group,
6 or a legislative leadership committee and a campaign treasurer of a
7 political committee may appoint deputy organizational or campaign
8 treasurers as may be required and may designate additional
9 organizational or campaign depositories. Such committees shall file
10 the names and addresses of such deputy treasurers and additional
11 depositories with the Election Law Enforcement Commission not
12 later than the fifth day after their appointment or designation,
13 respectively.

14 Any political party committee, any political committee, any
15 independent expenditure group, any continuing political committee
16 and any legislative leadership committee may remove its
17 organizational or campaign treasurer or deputy treasurer. In the
18 case of the death, resignation or removal of its organizational or
19 campaign treasurer, the committee or group shall appoint a
20 successor as soon as practicable and shall file his name and address
21 with the Election Law Enforcement Commission within three days.
22 (cf: P.L.2004, c.22, s.3)

23

24 5. Section 11 of P.L.1973, c.83 (C.19:44A-11) is amended to
25 read as follows:

26 11. No contribution of money or other thing of value, nor
27 obligation therefor, including but not limited to contributions, loans
28 or obligations of a candidate himself or of his family, shall be made
29 or received, and no expenditure of money or other thing of value,
30 nor obligation therefor, including expenditures, loans or obligations
31 of a candidate himself or of his family, shall be made or incurred,
32 directly or indirectly, to support or defeat a candidate in any
33 election, or to aid the passage or defeat of any public question,
34 except through:

35 a. The duly appointed campaign treasurer or deputy campaign
36 treasurers of the candidate committee or joint candidates
37 committee;

38 b. The duly appointed organizational treasurer or deputy
39 organizational treasurers of a political party committee or a
40 continuing political committee;

41 c. The duly appointed campaign treasurer or deputy campaign
42 treasurers of a political committee; **【or】**

43 d. The duly appointed organizational treasurer or deputy
44 organizational treasurer of a legislative leadership committee; or

45 e. The duly appointed organizational treasurer or deputy
46 organizational treasurer of an independent expenditure group.

47 It shall be lawful, however, for any person, not acting in concert
48 with any other person or group, to expend personally from his own

1 funds a sum which is not to be repaid to him for any purpose not
2 prohibited by law, or to contribute his own personal services and
3 personal traveling expenses, to support or defeat a candidate or to
4 aid the passage or defeat of a public question; provided, however,
5 that any person making such expenditure shall be required to report
6 his or her name and mailing address and the amount of all such
7 expenditures and expenses, except personal traveling expenses, if
8 the total of the money so expended, exclusive of such traveling
9 expenses, exceeds \$500, and also, where the person is an individual,
10 to report the individual's occupation and the name and mailing
11 address of the individual's employer, to the Election Law
12 Enforcement Commission at the same time and in the same manner
13 as a political committee subject to the provisions of section 8 of this
14 act. Such expenditure made during the period between the 13th day
15 prior to the election and the date of the election shall be filed in
16 writing or by telegram within 48 hours of the making, incurring or
17 authorization of the expenditure and shall set forth the name and
18 mailing address of the person, firm or organization to whom or
19 which the expenditure was paid and the amount and purpose of the
20 expenditure.

21 No contribution of money shall be made in currency, except
22 contributions in response to a public solicitation, provided that
23 cumulative currency contributions of up to \$200 may be made to a
24 candidate committee or joint candidates committee, a political
25 committee, a continuing political committee, a legislative
26 leadership committee, independent expenditure group, or a political
27 party committee if the contributor submits with the currency
28 contribution a written statement of a form as prescribed by the
29 commission, indicating the contributor's name, mailing address and
30 occupation and the amount of the contribution, including the
31 contributor's signature and the name and mailing address of the
32 contributor's employer. Adjustments to the \$200 limit established
33 in this paragraph which have been made by the Election Law
34 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
35 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
36 rescinded. The \$200 limit established in this paragraph shall
37 remain as stated in this paragraph without further adjustment by the
38 commission in the manner prescribed by section 22 of P.L.1993,
39 c.65 (C.19:44A-7.2).

40 Any anonymous contribution received by a campaign treasurer
41 or deputy campaign treasurer shall not be used or expended, but
42 shall be returned to the donor, if his identity is known, and if no
43 donor is found, the contribution shall escheat to the State.

44 No person, partnership or association, either directly or through
45 an agent, shall make any loan or advance, the proceeds of which
46 that person, partnership or association knows or has reason to know
47 or believe are intended to be used by the recipient thereof to make a
48 contribution or expenditure, except by check or money order

1 identifying the name, mailing address and occupation or business of
2 the maker of the loan, and, if the maker is an individual, the name
3 and mailing address of that individual's employer; provided,
4 however, that such loans or advances to a single individual, up to a
5 cumulative amount of \$50 in any calendar year, may be made in
6 currency.

7 (cf: P.L.2004, c.33, s.2)

8

9 6. Section 17 of P.L.1993, c.65 (C.19:44A-11.2) is amended to
10 read as follows:

11 17. a. All contributions received by a candidate, candidate
12 committee, a joint candidates committee or a legislative leadership
13 committee shall be used only for the following purposes:

14 (1) the payment of campaign expenses;

15 (2) contributions to any charitable organization described in
16 section 170(c) of the Internal Revenue Code of 1954, as amended or
17 modified, or nonprofit organization which is exempt from taxation
18 under section 501(c) of the Internal Revenue Code of 1954, except
19 any charitable organization of which the candidate or a member of
20 the candidate's immediate family is a paid officer, director or
21 employee or receives compensation for goods or services provided
22 to the organization;

23 (3) transmittal to another candidate, candidate committee, or
24 joint candidates committee, or to a political committee, continuing
25 political committee, independent expenditure group, legislative
26 leadership committee or political party committee, for the lawful
27 use by such other candidate or committee;

28 (4) the payment of the overhead and administrative expenses
29 related to the operation of the candidate committee or joint
30 candidates committee of a candidate or a legislative leadership
31 committee;

32 (5) the pro rata repayment of contributors; or

33 (6) the payment of ordinary and necessary expenses of holding
34 public office.

35 As used in this subsection, "campaign expenses" means any
36 expense incurred or expenditure made by a candidate, candidate
37 committee, joint candidates committee or legislative leadership
38 committee for the purpose of paying for or leasing items or services
39 used in connection with an election campaign, other than those
40 items or services which may reasonably be considered to be for the
41 personal use of the candidate, any person associated with the
42 candidate or any of the members of a legislative leadership
43 committee; and "member of the candidate's immediate family"
44 means the candidate's spouse, child, parent, or sibling, and the
45 child, parent, or sibling of the candidate's spouse.

46 b. No contribution received by a candidate or by the candidate
47 committee or joint candidates committee of a candidate may be
48 used for the payment of the expenses arising from the furnishing,

1 staffing or operation of an office used in connection with that
2 person's official duties as an elected public official.

3 c. Any funds remaining in the campaign depository of a
4 candidate's candidate committee or joint candidates committee upon
5 the death of the candidate shall be used only for one or more of the
6 purposes established in subsection a. of this section by the
7 committee's organizational treasurer or deputy treasurer or whoever
8 has control of the depository upon the death of the candidate.

9 (cf: P.L.2007, c.202, s.1)

10

11 7. Section 18 of P.L.1993, c.65 (C.19:44A-11.3) is amended to
12 read as follows:

13 18. a. No individual, other than an individual who is a candidate,
14 no corporation of any kind organized and incorporated under the
15 laws of this State or any other state or any country other than the
16 United States, no labor organization of any kind which exists or is
17 constituted for the purpose, in whole or in part, of collective
18 bargaining, or of dealing with employers concerning the grievances,
19 terms or conditions of employment, or of other mutual aid or
20 protection in connection with employment, or any group shall: (1)
21 pay or make any contribution of money or other thing of value to a
22 candidate who has established only a candidate committee, his
23 campaign treasurer, deputy campaign treasurer or candidate
24 committee which in the aggregate exceeds ~~【\$2,600】~~ \$3,000 per
25 election, or (2) pay or make any contribution of money or other
26 thing of value to candidates who have established only a joint
27 candidates committee, their campaign treasurer, deputy campaign
28 treasurer, or joint candidates committee, which in the aggregate
29 exceeds ~~【\$2,600】~~ \$3,000 per election per candidate, or (3) pay or
30 make any contribution of money or other thing of value to a
31 candidate who has established both a candidate committee and a
32 joint candidates committee, the campaign treasurers, deputy
33 campaign treasurers, or candidate committee or joint candidates
34 committee, which in the aggregate exceeds ~~【\$2,600】~~ \$3,000 per
35 election. No candidate who has established only a candidate
36 committee, his campaign treasurer, deputy campaign treasurer or
37 candidate committee shall knowingly accept from an individual,
38 other than an individual who is a candidate, a corporation of any
39 kind organized and incorporated under the laws of this State or any
40 other state or any country other than the United States, a labor
41 organization of any kind which exists or is constituted for the
42 purpose, in whole or in part, of collective bargaining, or of dealing
43 with employers concerning the grievances, terms or conditions of
44 employment, or of other mutual aid or protection in connection with
45 employment, or any group any contribution of money or other thing
46 of value which in the aggregate exceeds ~~【\$2,600】~~ \$3,000 per
47 election, and no candidates who have established only a joint
48 candidates committee, or their campaign treasurer, deputy campaign

1 treasurer, or joint candidates committee, shall knowingly accept
2 from any such source any contribution of money or other thing of
3 value which in the aggregate exceeds ~~【\$2,600】~~ \$3,000 per election
4 per candidate, and no candidate who has established both a
5 candidate committee and a joint candidates committee, the
6 campaign treasurers, deputy campaign treasurers, or candidate
7 committee or joint candidates committee shall knowingly accept
8 from any such source any contribution of money or other thing of
9 value which in the aggregate exceeds ~~【\$2,600】~~ \$3,000 per election.

10 b. (1) No political committee or continuing political committee
11 shall: (a) pay or make any contribution of money or other thing of
12 value to a candidate who has established only a candidate
13 committee, his campaign treasurer, deputy campaign treasurer or
14 candidate committee, other than a candidate for nomination for
15 election for the office of Governor or candidates for election for the
16 offices of Governor and Lieutenant Governor, which in the
17 aggregate exceeds ~~【\$8,200】~~ \$9,200 per election, or (b) pay or make
18 any contribution of money or other thing of value to candidates who
19 have established only a joint candidates committee, their campaign
20 treasurer or deputy campaign treasurer, or the joint candidates
21 committee, which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per
22 election per candidate, or (c) pay or make any contribution of
23 money or other thing of value to a candidate who has established
24 both a candidate committee and a joint candidates committee, the
25 campaign treasurers, deputy campaign treasurers, or candidate
26 committee or joint candidates committee, which in the aggregate
27 exceeds ~~【\$8,200】~~ \$9,200 per election. No candidate who has
28 established only a candidate committee, his campaign treasurer,
29 deputy campaign treasurer or candidate committee, other than a
30 candidate for nomination for election for the office of Governor or
31 candidates for election for the offices of Governor and Lieutenant
32 Governor, shall knowingly accept from any political committee or
33 continuing political committee any contribution of money or other
34 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per
35 election, and no candidates who have established only a joint
36 candidates committee, their campaign treasurer, deputy campaign
37 treasurer, or joint candidates committee, shall knowingly accept
38 from any such source any contribution of money or other thing of
39 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per election
40 per candidate, and no candidate who has established both a
41 candidate committee and a joint candidates committee, the
42 campaign treasurers, deputy campaign treasurers, or candidate
43 committee or joint candidates committee shall knowingly accept
44 from any such source any contribution of money or other thing of
45 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per election.

46 (2) The limitation upon the knowing acceptance by a candidate,
47 campaign treasurer, deputy campaign treasurer, candidate
48 committee or joint candidates committee of any contribution of

1 money or other thing of value from a political committee or
2 continuing political committee under the provisions of paragraph
3 (1) of this subsection shall also be applicable to the knowing
4 acceptance of any such contribution from the county committee of a
5 political party by a candidate or the campaign treasurer, deputy
6 campaign treasurer, candidate committee or joint candidates
7 committee of a candidate for any elective public office in another
8 county or, in the case of a candidate for nomination for election or
9 for election to the office of member of the Legislature, in a
10 legislative district in which, according to the federal decennial
11 census upon the basis of which legislative districts shall have been
12 established, less than 20% of the population resides within the
13 county of that county committee. In addition, all contributor
14 reporting requirements and other restrictions and regulations
15 applicable to a contribution of money or other thing of value by a
16 political committee or continuing political committee under the
17 provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be
18 applicable to the making or payment of such a contribution by such
19 a county committee.

20 The limitation upon the knowing acceptance by a candidate,
21 campaign treasurer, deputy campaign treasurer, candidate
22 committee or joint candidates committee of any contribution of
23 money or other thing of value from a political committee or
24 continuing political committee under the provisions of paragraph
25 (1) of this subsection, except that the amount of any contribution of
26 money or other thing of value shall be in an amount which in the
27 aggregate does not exceed \$25,000, shall also be applicable to the
28 knowing acceptance of any such contribution from the county
29 committee of a political party by a candidate, or the campaign
30 treasurer, deputy campaign treasurer, candidate committee or joint
31 candidates committee of a candidate, for nomination for election or
32 for election to the office of member of the Legislature in a
33 legislative district in which, according to the federal decennial
34 census upon the basis of which legislative districts shall have been
35 established, at least 20% but less than 40% of the population resides
36 within the county of that county committee. In addition, all
37 contributor reporting requirements and other restrictions and
38 regulations applicable to a contribution of money or other thing of
39 value by a political committee or continuing political committee
40 under the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall
41 likewise be applicable to the making or payment of such a
42 contribution by such a county committee.

43 With respect to the limitations in this paragraph, the Legislature
44 finds and declares that:

45 (a) Persons making contributions to the county committee of a
46 political party have a right to expect that their money will be used,
47 for the most part, to support candidates for elective office who will
48 most directly represent the interest of that county;

1 (b) The practice of allowing a county committee to use funds
2 raised with this expectation to make unlimited contributions to
3 candidates for the Legislature who may have a limited, or even
4 nonexistent, connection with that county serves to undermine public
5 confidence in the integrity of the electoral process;

6 (c) Furthermore, the risk of actual or perceived corruption is
7 raised by the potential for contributors to circumvent limits on
8 contributions to candidates by funneling money to candidates
9 through county committees;

10 (d) The State has a compelling interest in preventing the
11 actuality or appearance of corruption and in protecting public
12 confidence in democratic institutions by limiting amounts which a
13 county committee may contribute to legislative candidates whose
14 districts are not located in close proximity to that county; and

15 (e) It is, therefore, reasonable for the State to promote this
16 compelling interest by limiting the amount a county committee may
17 give to a legislative candidate based upon the degree to which the
18 population of the legislative district overlaps with the population of
19 that county.

20 c. (1) No candidate who has established only a candidate
21 committee, his campaign treasurer, deputy treasurer or candidate
22 committee shall (a) pay or make any contribution of money or other
23 thing of value to another candidate who has established only a
24 candidate committee, his campaign treasurer, deputy campaign
25 treasurer or candidate committee, other than a candidate for
26 nomination for election for the office of Governor or candidates for
27 election for the offices of Governor and Lieutenant Governor,
28 which in the aggregate exceeds **[\$8,200]** \$9,200 per election, or (b)
29 pay or make any contribution of money or other thing of value to
30 candidates who have established only a joint candidates committee,
31 their campaign treasurer, deputy campaign treasurer, or joint
32 candidates committee, which in the aggregate exceeds **[\$8,200]**
33 \$9,200 per election per candidate in the recipient committee, or (c)
34 pay or make any contribution of money or other thing of value to a
35 candidate who has established both a candidate committee and a
36 joint candidates committee, the campaign treasurers, deputy
37 campaign treasurers, or candidate committee or joint candidates
38 committee, which in the aggregate exceeds **[\$8,200]** \$9,200 per
39 election. No candidate who has established only a candidate
40 committee, his campaign treasurer, deputy campaign treasurer or
41 candidate committee, other than a candidate for nomination for
42 election for the office of Governor or candidates for election to the
43 offices of the Governor and Lieutenant Governor, shall knowingly
44 accept from another candidate who has established only a candidate
45 committee, his campaign treasurer, deputy campaign treasurer or
46 candidate committee, any contribution of money or other thing of
47 value which in the aggregate exceeds **[\$8,200]** \$9,200 per election,
48 and no candidates who have established only a joint candidates

1 committee, their campaign treasurer, deputy campaign treasurer, or
2 joint candidates committee, shall knowingly accept from any such
3 source any contribution of money or other thing of value which in
4 the aggregate exceeds ~~【\$8,200】~~ \$9,200 per election per candidate in
5 the recipient committee, and no candidate who has established both
6 a candidate committee and a joint candidates committee, the
7 campaign treasurers, deputy campaign treasurers, or candidate
8 committee or joint candidates committee, shall knowingly accept
9 from any such source any contribution of money or other thing of
10 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per election.

11 (2) No candidates who have established only a joint candidates
12 committee, their campaign treasurer, deputy campaign treasurer, or
13 joint candidates committee shall (a) pay or make any contribution
14 of money or other thing of value to another candidate who has
15 established only a candidate committee, his campaign treasurer,
16 deputy campaign treasurer or candidate committee, other than a
17 candidate for nomination for election for the office of Governor or
18 candidates for election for the offices of Governor and Lieutenant
19 Governor, which in the aggregate exceeds, on the basis of each
20 candidate in the contributing joint candidates committee, ~~【\$8,200】~~
21 \$9,200 per election, or (b) pay or make any contribution of money
22 or other thing of value to candidates who have established only a
23 joint candidates committee, their campaign treasurer, deputy
24 campaign treasurer or joint candidates committee, which in the
25 aggregate exceeds, on the basis of each candidate in the
26 contributing joint candidates committee, ~~【\$8,200】~~ \$9,200 per
27 election per candidate in the recipient joint candidates committee,
28 or (c) pay or make any contribution of money or other thing of
29 value to a candidate who has established both a candidate
30 committee and a joint candidates committee, the campaign
31 treasurers, deputy campaign treasurers or candidate committee or
32 joint candidates committee, which in the aggregate exceeds, on the
33 basis of each candidate in the contributing joint candidates
34 committee, ~~【\$8,200】~~ \$9,200 per election. No candidate who has
35 established only a candidate committee, his campaign treasurer,
36 deputy campaign treasurer, or candidate committee, other than a
37 candidate for nomination for election for the office of Governor or
38 candidates for election for the offices of Governor and Lieutenant
39 Governor, shall knowingly accept from other candidates who have
40 established only a joint candidates committee, their campaign
41 treasurer, deputy campaign treasurer or joint candidates committee,
42 any contribution of money or other thing of value which in the
43 aggregate exceeds, on the basis of each candidate in the
44 contributing committee, ~~【\$8,200】~~ \$9,200 per election, and no
45 candidates who have established only a joint candidates committee,
46 their campaign treasurer, deputy campaign treasurer, or joint
47 candidates committee, shall knowingly accept from any such source
48 any contribution of money or other thing of value which in the

1 aggregate exceeds, on the basis of each candidate in the
2 contributing joint candidates committee, **[\$8,200]** \$9,200 per
3 election per candidate in the recipient joint candidates committee,
4 and no candidate who has established both a candidate committee
5 and a joint candidates committee, the campaign treasurers, deputy
6 campaign treasurers, or candidate committee or joint candidates
7 committee, shall knowingly accept from any such source any
8 contribution of money or other thing of value which in the
9 aggregate exceeds, on the basis of each candidate in the
10 contributing joint candidates committee, **[\$8,200]** \$9,200 per
11 election.

12 (3) No candidate who has established both a candidate
13 committee and a joint candidates committee, the campaign
14 treasurers, deputy campaign treasurers, or candidate committee or
15 joint candidates committee shall (a) pay or make any contribution
16 of money or other thing of value to another candidate who has
17 established only a candidate committee, his campaign treasurer,
18 deputy campaign treasurer or candidate committee, other than a
19 candidate for nomination for election for the office of Governor or
20 candidates for election for the offices of Governor and Lieutenant
21 Governor, which in the aggregate exceeds **[\$8,200]** \$9,200 per
22 election, or (b) pay or make any contribution of money or other
23 thing of value to candidates who have established only a joint
24 candidates committee, their campaign treasurer, deputy campaign
25 treasurer or joint candidates committee, which in the aggregate
26 exceeds **[\$8,200]** \$9,200 per election per candidate in the recipient
27 joint candidates committee, or (c) pay or make any contribution of
28 money or other thing of value to a candidate who has established
29 both a candidate committee and a joint candidates committee, the
30 campaign treasurers, deputy campaign treasurers, or candidate
31 committee or joint candidates committee, which in the aggregate
32 exceeds **[\$8,200]** \$9,200 per election. No candidate who has
33 established only a candidate committee, his campaign treasurer,
34 deputy campaign treasurer, or candidate committee, other than a
35 candidate for nomination for election for the office of Governor or
36 candidates for election for the offices of Governor and Lieutenant
37 Governor, shall knowingly accept from a candidate who has
38 established both a candidate committee and a joint candidates
39 committee, the campaign treasurers, deputy campaign treasurers, or
40 candidate committee or joint candidates committee, any
41 contribution of money or other thing of value which in the
42 aggregate exceeds **[\$8,200]** \$9,200 per election, and no candidates
43 who have established only a joint candidates committee, their
44 campaign treasurer, deputy campaign treasurer, or joint candidates
45 committee, shall knowingly accept from any such source any
46 contribution of money or other thing of value which in the
47 aggregate exceeds **[\$8,200]** \$9,200 per election per candidate in the
48 recipient joint candidates committee, and no candidate who has

1 established both a candidate committee and a joint candidates
2 committee, the campaign treasurers, deputy campaign treasurers, or
3 candidate committee or joint candidates committee shall knowingly
4 accept from any such source any contribution of money or other
5 thing of value which in the aggregate exceeds **[\$8,200]** \$9,200 per
6 election.

7 (4) Expenditures by a candidate for nomination for election or
8 for election to the office of member of the Legislature or to an
9 office of a political subdivision of the State, or by the campaign
10 treasurer, deputy treasurer, candidate committee or joint candidates
11 committee of such a candidate, which are made in furtherance of the
12 nomination or election, respectively, of another candidate for the
13 same office in the same legislative district or the same political
14 subdivision shall not be construed to be subject to any limitation
15 under this subsection; for the purposes of this sentence, the offices
16 of member of the State Senate and member of the General
17 Assembly shall be deemed to be the same office.

18 d. Nothing contained in this section shall be construed to
19 impose any limitation on contributions by a candidate, or by a
20 corporation, 100% of the stock in which is owned by a candidate or
21 the candidate's spouse, child, parent or sibling residing in the same
22 household, to that candidate's campaign.

23 e. For the purpose of determining the amount of a contribution
24 to be attributed as given to or by each candidate in a joint
25 candidates committee, the amount of the contribution to or by such
26 a committee shall be divided equally among all the candidates in the
27 committee.

28 (cf: P.L.2009, c.66, s.12)

29

30 8. Section 19 of P.L.1993, c.65 (C.19:44A-11.4) is amended to
31 read as follows:

32 19. a. (1) Except as otherwise provided in paragraph (2) of this
33 subsection, no individual, no corporation of any kind organized and
34 incorporated under the laws of this State or any other state or any
35 country other than the United States, no labor organization of any
36 kind which exists or is constituted for the purpose, in whole or in
37 part, of collective bargaining, or of dealing with employers
38 concerning the grievances, terms or conditions of employment, or
39 of other mutual aid or protection in connection with employment,
40 no political committee, continuing political committee, candidate
41 committee or joint candidates committee or any other group, shall
42 pay or make any contribution of money or other thing of value to
43 the campaign treasurer, deputy treasurer or other representative of
44 the State committee of a political party or the campaign treasurer,
45 deputy campaign treasurer or other representative of any legislative
46 leadership committee, which in the aggregate exceeds **[\$25,000]**
47 \$28,000 per year, or in the case of a joint candidates committee
48 when that is the only committee established by the candidates,

1 **[\$25,000]** \$28,000 per year per candidate in the joint candidates
2 committee, or in the case of a candidate committee and a joint
3 candidates committee when both are established by a candidate,
4 **[\$25,000]** \$28,000 per year from that candidate. No campaign
5 treasurer, deputy campaign treasurer or other representative of the
6 State committee of a political party or campaign treasurer, deputy
7 campaign treasurer or other representative of any legislative
8 leadership committee shall knowingly accept from an individual, a
9 corporation of any kind organized and incorporated under the laws
10 of this State or any other state or any country other than the United
11 States, a labor organization of any kind which exists or is
12 constituted for the purpose, in whole or in part, of collective
13 bargaining, or of dealing with employers concerning the grievances,
14 terms or conditions of employment, or of other mutual aid or
15 protection in connection with employment, a political committee, a
16 continuing political committee, a candidate committee or a joint
17 candidates committee or any other group, any contribution of
18 money or other thing of value which in the aggregate exceeds
19 **[\$25,000]** \$28,000 per year, or in the case of a joint candidates
20 committee when that is the only committee established by the
21 candidates, **[\$25,000]** \$28,000 per year per candidate in the joint
22 candidates committee, or in the case of a candidate committee and a
23 joint candidates committee when both are established by a
24 candidate, **[\$25,000]** \$28,000 per year from that candidate.

25 (2) No national committee of a political party shall pay or make
26 any contribution of money or other thing of value to the campaign
27 treasurer, deputy treasurer or other representative of the State
28 committee of a political party which in the aggregate exceeds
29 **[\$72,000]** \$81,000 per year, and no campaign treasurer, deputy
30 campaign treasurer or other representative of the State committee of
31 a political party shall knowingly accept from the national committee
32 of a political party any contribution of money or other thing of
33 value which in the aggregate exceeds **[\$72,000]** \$81,000 per year.

34 b. No individual, no corporation of any kind organized and
35 incorporated under the laws of this State or any other state or any
36 country other than the United States, no labor organization of any
37 kind which exists or is constituted for the purpose, in whole or in
38 part, of collective bargaining, or of dealing with employers
39 concerning the grievances, terms or conditions of employment, or
40 of other mutual aid or protection in connection with employment,
41 no political committee, continuing political committee, candidate
42 committee or joint candidates committee or any other group, shall
43 pay or make any contribution of money or other thing of value to
44 any county committee of a political party, which in the aggregate
45 exceeds **[\$37,000]** \$42,000 per year, or in the case of a joint
46 candidates committee when that is the only committee established
47 by the candidates, **[\$37,000]** \$42,000 per year per candidate in the
48 joint candidates committee, or in the case of a candidate committee

1 and a joint candidates committee when both are established by a
2 candidate, ~~【\$37,000】~~ \$42,000 per year from that candidate. No
3 campaign treasurer, deputy campaign treasurer or other
4 representative of a county committee of a political party shall
5 knowingly accept from an individual, a corporation of any kind
6 organized and incorporated under the laws of this State or any other
7 state or any country other than the United States, a labor
8 organization of any kind which exists or is constituted for the
9 purpose, in whole or in part, of collective bargaining, or of dealing
10 with employers concerning the grievances, terms or conditions of
11 employment, or of other mutual aid or protection in connection with
12 employment, a political committee, a continuing political
13 committee, a candidate committee or a joint candidates committee
14 or any other group, any contribution of money or other thing of
15 value which in the aggregate exceeds ~~【\$37,000】~~ \$42,000 per year,
16 or in the case of a joint candidates committee when that is the only
17 committee established by the candidates, ~~【\$37,000】~~ \$42,000 per
18 year per candidate in the joint candidates committee, or in the case
19 of a candidate committee and a joint candidates committee when
20 both are established by a candidate, ~~【\$37,000】~~ \$42,000 per year
21 from that candidate.

22 c. No individual, no corporation of any kind organized and
23 incorporated under the laws of this State or any other state or any
24 country other than the United States, no labor organization of any
25 kind which exists or is constituted for the purpose, in whole or in
26 part, of collective bargaining, or of dealing with employers
27 concerning the grievances, terms or conditions of employment, or
28 of other mutual aid or protection in connection with employment,
29 no political committee, continuing political committee, candidate
30 committee or joint candidates committee or any other group shall
31 pay or make any contribution of money or other thing of value to
32 any municipal committee of a political party, which in the aggregate
33 exceeds ~~【\$7,200】~~ \$8,100 per year, or in the case of a joint
34 candidates committee when that is the only committee established
35 by the candidates, ~~【\$7,200】~~ \$8,100 per year per candidate in the
36 joint candidates committee, or in the case of a candidate committee
37 and a joint candidates committee when both are established by a
38 candidate, ~~【\$7,200】~~ \$8,100 per year from that candidate. No
39 campaign treasurer, deputy campaign treasurer or other
40 representative of a municipal committee of a political party shall
41 knowingly accept from an individual, a corporation of any kind
42 organized and incorporated under the laws of this State or any other
43 state or any country other than the United States, a labor
44 organization of any kind which exists or is constituted for the
45 purpose, in whole or in part, of collective bargaining, or of dealing
46 with employers concerning the grievances, terms or conditions of
47 employment, or of other mutual aid or protection in connection with
48 employment, a political committee, a continuing political

1 committee, a candidate committee or a joint candidates committee
2 or any other group, any contribution of money or other thing of
3 value which in the aggregate exceeds ~~【\$7,200】~~ \$8,100 per year, or
4 in the case of a joint candidates committee when that is the only
5 committee established by the candidates, ~~【\$7,200】~~ \$8,100 per year
6 per candidate in the joint candidates committee, or in the case of a
7 candidate committee and a joint candidates committee when both
8 are established by a candidate, ~~【\$7,200】~~ \$8,100 per year from that
9 candidate.

10 No county committee of a political party in any county shall pay
11 or make any contribution of money or other thing of value to a
12 municipal committee of a political party in a municipality not
13 located in that county which in the aggregate exceeds the amount of
14 aggregate contributions which, under this subsection, a continuing
15 political committee is permitted to pay or make to a municipal
16 committee of a political party. No campaign treasurer, deputy
17 campaign treasurer or other representative of a municipal committee
18 of a political party in any municipality shall knowingly accept from
19 any county committee of a political party in any county other than
20 the county in which the municipality is located any contribution of
21 money or other thing of value which in the aggregate exceeds the
22 amount of contributions permitted to be so paid or made under that
23 subsection.

24 d. For the purpose of determining the amount of a contribution
25 to be attributed as given by each candidate in a joint candidates
26 committee, the amount of the contribution by such a committee
27 shall be divided equally among all the candidates in the committee.
28 (cf: P.L.2004, c.174, s.4)

29

30 9. Section 20 of P.L.1993, c.65 (C.19:44A-11.5) is amended to
31 read as follows:

32 20. a. No candidate who has established only a candidate
33 committee, his campaign treasurer, deputy treasurer or candidate
34 committee shall pay or make any contribution of money or other
35 thing of value to a political committee, other than a political
36 committee which is organized to, or does, aid or promote the
37 passage or defeat of a public question in any election, or a
38 continuing political committee, which in the aggregate exceeds, in
39 the case of such a political committee, ~~【\$7,200】~~ \$8,100 per
40 election, or in the case of a continuing political committee,
41 ~~【\$7,200】~~ \$8,100 per year, and no candidates who have established
42 only a joint candidates committee, their campaign treasurer, deputy
43 campaign treasurer or joint candidates committee shall pay or make
44 any contribution of money or other thing of value to such a political
45 committee or continuing political committee which in the aggregate
46 exceeds, in the case of such a political committee, ~~【\$7,200】~~ \$8,100
47 per election per candidate in the joint candidates committee, or in
48 the case of a continuing political committee, ~~【\$7,200】~~ \$8,100 per

1 year per candidate in the joint candidates committee, and no
2 candidate who has established both a candidate committee and a
3 joint candidates committee shall pay or make any contribution of
4 money or other thing of value which in the aggregate exceeds, in
5 the case of such a political committee, **[\$7,200]** \$8,100 per election
6 from that candidate, or in the case of a continuing political
7 committee, **[\$7,200]** \$8,100 per year from that candidate. No
8 political committee, other than a political committee which is
9 organized to, or does, aid or promote the passage or defeat of a
10 public question in any election, or a continuing political committee,
11 shall knowingly accept from a candidate who has established only a
12 candidate committee, his campaign treasurer, deputy treasurer or
13 candidate committee, any contribution of money or other thing of
14 value which in the aggregate exceeds, in the case of such a political
15 committee, **[\$7,200]** \$8,100 per election, or in the case of a
16 continuing political committee, **[\$7,200]** \$8,100 per year, and no
17 such political committee or continuing political committee shall
18 knowingly accept from candidates who have established only a joint
19 candidates committee, their campaign treasurer, deputy campaign
20 treasurer, or joint candidates committee, any contribution of money
21 or other thing of value which in the aggregate exceeds, in the case
22 of such a political committee, **[\$7,200]** \$8,100 per election per
23 candidate in the joint candidates committee, or in the case of a
24 continuing political committee, **[\$7,200]** \$8,100 per year per
25 candidate in the joint candidates committee, and no such political
26 committee or continuing political committee shall knowingly accept
27 from a candidate who has established both a candidate committee
28 and a joint candidates committee any contribution of money or
29 other thing of value which in the aggregate exceeds, in the case of
30 such a political committee, **[\$7,200]** \$8,100 per election from that
31 candidate, or in the case of a continuing political committee,
32 **[\$7,200]** \$8,100 per year from that candidate. For the purpose of
33 determining the amount of a contribution to be attributed as given
34 by each candidate in a joint candidates committee, the amount of
35 the contribution by such a committee shall be divided equally
36 among all the candidates in the committee.

37 b. No political committee, other than a political committee
38 which is organized to, or does, aid or promote the passage or defeat
39 of a public question in any election, and no continuing political
40 committee shall pay or make any contribution of money or other
41 thing of value to another political committee, other than a political
42 committee which is organized to, or does, aid or promote the
43 passage or defeat of a public question in any election, or another
44 continuing political committee which in the aggregate exceeds, in
45 the case of a recipient continuing political committee, **[\$7,200]**
46 \$8,100 per year, or in the case of a recipient political committee,
47 **[\$7,200]** \$8,100 per election. No political committee, other than a

1 political committee which is organized to, or does, aid or promote
2 the passage or defeat of a public question in any election, and no
3 continuing political committee shall knowingly accept from another
4 political committee, other than a political committee which is
5 organized to, or does, aid or promote the passage or defeat of a
6 public question in any election, or another continuing political
7 committee any contribution of money or other thing of value which
8 in the aggregate exceeds, in the case of a recipient continuing
9 political committee, ~~[\$7,200]~~ \$8,100 per year, or in the case of a
10 recipient political committee, ~~[\$7,200]~~ \$8,100 per election.

11 c. No individual, no corporation of any kind organized and
12 incorporated under the laws of this State or any other state or any
13 country other than the United States, no labor organization of any
14 kind which exists or is constituted for the purpose, in whole or in
15 part, of collective bargaining, or of dealing with employees
16 concerning the grievances, terms or conditions of employment, or
17 of other mutual aid or protection in connection with employment,
18 nor any other group, shall pay or make any contribution of money
19 or other thing of value to a political committee, other than a
20 political committee which is organized to, or does, aid or promote
21 the passage or defeat of a public question in any election, or a
22 continuing political committee, which in the aggregate exceeds, in
23 the case of such a political committee, ~~[\$7,200]~~ \$8,100 per
24 election, or in the case of a continuing political committee,
25 ~~[\$7,200]~~ \$8,100 per year, and no such political committee or
26 continuing political committee shall knowingly accept any
27 contribution in excess of those amounts from an individual or from
28 such corporation, labor organization, or other group.

29 (cf: P.L.2001, c.384, s.3)

30

31 10. Section 12 of P.L.1973, c.83 (C.19:44A-12) is amended to
32 read as follows:

33 12. An organizational or campaign treasurer or deputy
34 organizational or campaign treasurer of a candidate committee or
35 joint candidates committee, a political committee, a continuing
36 political committee, an independent expenditure group, a political
37 party committee or a legislative leadership committee shall make a
38 written record of all funds which he receives as contributions to the
39 candidate committee, joint candidates committee, political
40 committee, continuing political committee, independent expenditure
41 group, political party committee or legislative leadership
42 committee, including in that record the name and mailing address of
43 the contributor, the amount and date of the contribution, and where
44 the contributor is an individual, the occupation of the individual and
45 the name and mailing address of the individual's employer. The
46 organizational or campaign treasurer shall retain that record for a
47 period of not less than four years. All funds so received shall be
48 deposited by the campaign or organizational treasurer or deputy

1 campaign or organizational treasurer in a campaign depository of
2 the candidate committee or joint candidates committee, the
3 continuing political committee, political committee, independent
4 expenditure group, political party committee or legislative
5 leadership committee no later than the tenth calendar day following
6 receipt of such funds; except that any such treasurer or deputy
7 treasurer may, when authorized by the candidate, candidates **[or]**,
8 committee, or group of which he is the campaign or organizational
9 treasurer or deputy campaign or organizational treasurer, transfer
10 any such funds to the duly designated campaign or organizational
11 treasurer or deputy campaign or organizational treasurer of another
12 candidate or committee, for inclusion in the campaign depository
13 thereof, without first so depositing them; provided, however, that
14 the amount so transferred shall not be in excess of the amount that
15 may be contributed by one candidate to another candidate in an
16 election pursuant to section 18 of P.L.1993, c.65 (C.19:44A-11.3),
17 but this proviso shall not be construed to prohibit a county or
18 municipal committee of a political party from making a contribution
19 or contributions, or from transferring funds as hereinabove
20 authorized, to any candidate, candidate committee, joint candidates
21 committee, political committee, continuing political committee,
22 independent expenditure group, political party committee, or
23 legislative leadership committee. A record of all nondeposited
24 funds so transferred shall be attached to the statement required
25 under this section, identifying them as to source and amount in the
26 same manner as deposited funds.

27 (cf: P.L.1995, c.178, s.1)

28

29 11. Section 18 of P.L.1973, c.83 (C.19:44A-18) is amended to
30 read as follows:

31 18. If any former candidate or any political committee or any
32 person or association of persons in behalf of such political
33 committee, continuing political committee, independent expenditure
34 group, legislative leadership committee, or political party
35 committee or former candidate shall receive any contributions or
36 make any expenditures with relation to any election after the date
37 set in section 16 of **[this act]** P.L.1973, c.83 (C.19:44A-16) for the
38 final report subsequent to such election, or shall conduct any
39 testimonial affair or public solicitation for the purpose of raising
40 funds to cover any part of the expenses of a candidate or political
41 committee, continuing political committee, independent expenditure
42 group, legislative leadership committee, or political party
43 committee or organization in such election, all such contributions,
44 expenditures, testimonial affairs or public solicitations shall be
45 reported to the Election Law Enforcement Commission by the
46 person or persons receiving such contributions or making such
47 expenditures or conducting such testimonial affairs or public
48 solicitations. Such report shall be made by any person receiving

1 any such contribution or contributions, or making any such
2 expenditure or expenditures, which in the aggregate total more than
3 \$100.00, or conducting any testimonial affair or public solicitation
4 of which the net proceeds exceed \$100.00; and shall be made
5 within 20 days from the date upon which the aggregate of such
6 contributions, expenditures or proceeds exceed \$100.00 for the
7 period commencing with the 19th day following such election or
8 with the date upon which any previous report was made pursuant to
9 this section, whichever is sooner. Such report shall be made in the
10 same form and shall contain the same detail prescribed for any other
11 report made pursuant to section 8 or 16 of **[this act]** P.L.1973, c.83
12 (C.19:44A-1 et seq.).
13 (cf: P.L.1983, c.579, s.17)
14

15 12. Section 20 of P.L.1973, c.83 (C.19:44A-20) is amended to
16 read as follows:

17 20. No contribution of money or other thing of value, nor
18 obligation therefor, shall be made, and no expenditure of money or
19 other thing of value, nor obligation therefor, shall be made or
20 incurred whether anonymously, in a fictitious name, or by one
21 person or group in the name of another, to support or defeat a
22 candidate in an election or to aid the passage or defeat of any public
23 question or to provide political information on any candidate or
24 public question or to seek to influence the content, introduction,
25 passage or defeat of legislation.

26 No individual, either alone or jointly with one or more other
27 individuals, and no corporation, partnership, membership
28 organization or other incorporated or unincorporated association
29 shall loan or advance to any individual, group of individuals,
30 corporation, partnership, membership organization or other
31 incorporated or unincorporated association any money or other
32 thing of value expressly for the purpose of inducing the recipient
33 thereof, or any other individual, group, corporation, partnership,
34 organization or association, to make a contribution, either directly
35 or indirectly, of money or other thing of value to a candidate or the
36 candidate committee or joint candidates committee of a candidate.

37 No person shall contribute, or purport to contribute, to any
38 candidate, candidate committee or joint candidates committee,
39 political committee, continuing political committee, independent
40 expenditure group, political party committee, or legislative
41 leadership committee funds or property which does not actually
42 belong to him and is not in his full custody and control; which has
43 been given or furnished to him by any other person or group for the
44 purpose of making a contribution thereof, except in the case of
45 group contributions by persons who are members of the
46 contributing group; or which has been loaned or advanced expressly
47 for the purpose of inducing the making of a contribution to a
48 candidate, candidate committee or joint candidates committee.

1 No treasurer, candidate or member of a candidate committee,
2 joint candidates committee, political committee, continuing political
3 committee, independent expenditure group, political party
4 committee or legislative leadership committee shall solicit or
5 knowingly accept, agree to accept or concur in or abet the
6 solicitation or acceptance of any contribution contrary to the
7 provisions of this section.

8 (cf: P.L.1993, c.65, s.11)

9

10 13. (New section) Notwithstanding the provisions of any other law
11 to the contrary:

12 a State agency in the Executive Branch shall not enter into a
13 contract having an anticipated value in excess of \$17,500, as
14 determined in advance and certified in writing by the State agency,
15 with a business entity if, during the preceding one-year period, that
16 business entity has made a contribution to any candidate committee of
17 the Governor and the Lieutenant Governor serving when the contract
18 is awarded, or to an independent expenditure group, a political
19 committee or continuing political committee; and

20 a business entity that has entered into a contract having an
21 anticipated value in excess of \$17,500 with a State agency in the
22 Executive Branch shall not make a contribution to any candidate
23 committee of the Governor and the Lieutenant Governor serving when
24 the contract is awarded, or to an independent expenditure group, a
25 political committee or a continuing political committee, during the
26 term of that contract.

27 No such committee or group shall accept such a contribution from a
28 business entity during the term of its contract with a State agency in
29 the Executive Branch.

30

31 14. Section 2 of P.L.2004, c.19 (C.19:44A-20.3) is amended to
32 read as follows:

33 2. Notwithstanding the provisions of any other law to the
34 contrary:

35 a State agency in the Legislative Branch shall not enter into a
36 contract having an anticipated value in excess of \$17,500, as
37 determined in advance and certified in writing by the State agency,
38 with a business entity, that requires approval by a presiding officer
39 of either or both houses of the Legislature **],** except a contract that is
40 awarded pursuant to a fair and open process, **]** if, during the
41 preceding one-year period, that business entity has made a
42 contribution, reportable by the recipient under P.L.1973, c.83
43 (C.19:44A-1 et seq.), to the State committee of the political party of
44 which that presiding officer, serving when the contract is awarded,
45 is a member, or to a legislative leadership committee or any
46 candidate committee established by that presiding officer or to an
47 independent expenditure group, a political committee or continuing
48 political committee; and

1 a business entity that has entered into a contract having an
2 anticipated value in excess of \$17,500 with a State agency in the
3 Legislative Branch, that requires approval by a presiding officer of
4 either or both houses of the Legislature, [except a contract that is
5 awarded pursuant to a fair and open process,] shall not make a
6 contribution, reportable by the recipient under P.L.1973, c.83
7 (C.19:44A-1 et seq.), to the State committee of the political party of
8 which that presiding officer is a member, or to a legislative
9 leadership committee or any candidate committee established by
10 that presiding officer or to an independent expenditure group, a
11 political committee or continuing political committee, during the
12 term of that contract.

13 No such committee or group shall accept such a contribution
14 from a business entity during the term of its contract with a State
15 agency in the Legislative Branch.
16 (cf: P.L.2004, c.19, s.2)

17

18 15. Section 3 of P.L.2004, c.19 (C.19:44A-20.4) is amended to
19 read as follows:

20 3. Notwithstanding the provisions of any other law to the
21 contrary:

22 a county, or any agency or instrumentality thereof, shall not enter
23 into a contract having an anticipated value in excess of \$17,500, as
24 determined in advance and certified in writing by the county,
25 agency or instrumentality, with a business entity[, except a contract
26 that is awarded pursuant to a fair and open process,] if, during the
27 preceding one-year period, that business entity has made a
28 contribution that is reportable by the recipient under P.L.1973, c.83
29 (C.19:44A-1 et seq.), to any county committee of a political party in
30 that county if a member of that political party is serving in an
31 elective public office of that county when the contract is awarded or
32 to any candidate committee of any person serving in an elective
33 public office of that county when the contract is awarded or to an
34 independent expenditure group, a political committee or continuing
35 political committee; and

36 a business entity that has entered into a contract having an
37 anticipated value in excess of \$17,500 with a county, or any agency
38 or instrumentality thereof, [except a contract that is awarded
39 pursuant to a fair and open process,] shall not make such a
40 contribution, reportable by the recipient under P.L.1973, c.83
41 (C.19:44A-1 et seq.), to any county committee of a political party in
42 that county if a member of that political party is serving in an
43 elective public office of that county when the contract is awarded or
44 to any candidate committee of any person serving in an elective
45 public office of that county when the contract is awarded or to an
46 independent expenditure group, a political committee or continuing
47 political committee, during the term of that contract.

1 No such committee or group shall accept such a contribution
2 from a business entity during the term of its contract with the
3 county.

4 (cf: P.L.2004, c.19, s.3)

5
6 16. Section 4 of P.L.2004, c.19 (C.44A-20.5) is amended to read
7 as follows:

8 4. Notwithstanding the provisions of any other law to the
9 contrary:

10 a municipality, or any agency or instrumentality thereof, shall
11 not enter into a contract having an anticipated value in excess of
12 \$17,500, as determined in advance and certified in writing by the
13 municipality, agency or instrumentality, with a business entity~~],~~
14 except a contract that is awarded pursuant to a fair and open
15 process,~~]~~ if, during the preceding one-year period, that business
16 entity has made a contribution that is reportable by the recipient
17 under P.L.1973, c.83 (C.19:44A-1 et seq.), to any municipal
18 committee of a political party in that municipality if a member of
19 that political party is serving in an elective public office of that
20 municipality when the contract is awarded or to any candidate
21 committee of any person serving in an elective public office of that
22 municipality when the contract is awarded or to an independent
23 expenditure group, a political committee or continuing political
24 committee; and

25 a business entity that has entered into a contract having an
26 anticipated value in excess of \$17,500 with a municipality, or any
27 agency or instrumentality thereof, ~~]~~ except a contract that is
28 awarded pursuant to a fair and open process,~~]~~ shall not make such a
29 contribution, reportable by the recipient under P.L.1973, c.83
30 (C.19:44A-1 et seq.), to any municipal committee of a political
31 party in that municipality if a member of that political party is
32 serving in an elective public office of that municipality when the
33 contract is awarded or to any candidate committee of any person
34 serving in an elective public office of that municipality when the
35 contract is awarded or to an independent expenditure group, a
36 political committee or continuing political committee, during the
37 term of that contract.

38 No such committee or group shall accept such a contribution
39 from a business entity during the term of its contract with the
40 municipality.

41 (cf: P.L.2004, c.19, s.4)

42
43 17. (New section) Notwithstanding the provisions of any other
44 law to the contrary:

45 a local board of education, or any agency or instrumentality
46 thereof, shall not enter into a contract having an anticipated value in
47 excess of \$17,500, as determined in advance and certified in writing
48 by the board, agency or instrumentality, with a business entity if,

1 during the preceding one-year period, that business entity has made
2 a contribution to any candidate committee of any person serving on
3 that board when the contract is awarded or to an independent
4 expenditure group, a political committee or continuing political
5 committee; and

6 a business entity that has entered into a contract having an
7 anticipated value in excess of \$17,500 with a local board of
8 education, or any agency or instrumentality thereof, shall not make
9 such a contribution to any candidate committee of any person
10 serving on that board when the contract is awarded or to an
11 independent expenditure group, a political committee or continuing
12 political committee, during the term of that contract.

13 No such committee or group shall accept such a contribution
14 from a business entity during the term of its contract with the local
15 board of education.

16

17 18. (New section) Notwithstanding the provisions of any other
18 law to the contrary:

19 a board of fire commissioners of a fire district, or any agency or
20 instrumentality thereof, shall not enter into a contract having an
21 anticipated value in excess of \$17,500, as determined in advance
22 and certified in writing by the board, agency or instrumentality,
23 with a business entity if, during the preceding one-year period, that
24 business entity has made a contribution to any candidate committee
25 of any person serving on that board when the contract is awarded or
26 to an independent expenditure group, a political committee or
27 continuing political committee; and

28 a business entity that has entered into a contract having an
29 anticipated value in excess of \$17,500 with a board of fire
30 commissioners of a fire district, or any agency or instrumentality
31 thereof, shall not make such a contribution to any candidate
32 committee of any person serving on that board when the contract is
33 awarded or to an independent expenditure group, a political
34 committee or continuing political committee, during the term of that
35 contract.

36 No such committee or group shall accept such a contribution
37 from a business entity during the term of its contract with the board.

38

39 19. Section 5 of P.L.2004, c.19 (C.19:44A-20.6) is amended to
40 read as follows:

41 5. When a business entity is a natural person, a contribution by
42 that person's spouse, domestic partner, civil union partner, or child,
43 residing therewith, shall be deemed to be a contribution by the
44 business entity. When a business entity is other than a natural
45 person, a contribution by any person or other business entity having
46 an interest therein shall be deemed to be a contribution by the
47 business entity. A contribution that has been made by the
48 employees of a business entity and that is funded, directed, and

1 administered in its entirety by such employees shall not be
2 considered a contribution by the business entity.

3 (cf: P.L.2004, c.19, s.5)

4

5 20. Section 6 of P.L.2004, c.19 (C.19:44A-20.7) is amended to
6 read as follows:

7 6. As used in sections 2 through 11 of **【this act】** P.L.2004, c.19
8 (C.19:44A-20.3 through 19:44A-20.12) and sections 13, 17, and 18
9 of P.L. , c. (C.) (pending before the Legislature as this bill):

10 “contribution” means a contribution of more than \$1,000 in the
11 aggregate reportable by the recipient under “The New Jersey
12 Campaign Contributions and Expenditures Reporting Act,”
13 P.L.1973, c.83 (19:44A-1 et seq.).

14 "business entity" means any natural or legal person, business
15 corporation, professional services corporation, limited liability
16 company, partnership, limited partnership, business trust,
17 association or any other legal commercial entity organized under
18 the laws of this State or of any other state or foreign jurisdiction;

19 "interest" means the ownership or control of more than 10% of
20 the profits or assets of a business entity or 10% of the stock in the
21 case of a business entity that is a corporation for profit, as
22 appropriate;

23 **【**"fair and open process" means, at a minimum, that the contract
24 shall be: publicly advertised in newspapers or on the Internet
25 website maintained by the public entity in sufficient time to give
26 notice in advance of the contract; awarded under a process that
27 provides for public solicitation of proposals or qualifications and
28 awarded and disclosed under criteria established in writing by the
29 public entity prior to the solicitation of proposals or qualifications;
30 and publicly opened and announced when awarded. The decision of
31 a public entity as to what constitutes a fair and open process shall
32 be final.**】**;

33 "State agency in the Executive Branch" means any of the principal
34 departments in the Executive Branch of the State Government, and any
35 division, board, bureau, office, commission or other instrumentality
36 within or created by such department and any independent State
37 authority, board, commission, instrumentality, or agency; and

38 "State agency in the Legislative Branch" means the Legislature
39 of the State and any office, board, bureau or commission within or
40 created by the Legislative Branch.

41 (cf: P.L.2005, c.51, s.14)

42

43 21. Section 7 of P.L.2004, c.19 (C.19:44A-20.8) is amended to
44 read as follows:

45 7. a. Prior to awarding any contract, **【**except a contract that is
46 awarded pursuant to a fair and open process,**】** a State agency in the
47 Executive Branch or Legislative Branch, or a county, **【**or**】** a
48 municipality, a local board of education, or a fire district shall

1 require the business entity to which the contract is to be awarded to
2 provide a written certification that it has not made a contribution
3 that would bar the award of a contract **【pursuant to this act】**.

4 b. A business entity shall have a continuing duty to report to
5 the Election Law Enforcement Commission any contributions that
6 constitute a violation **【of this act】** that are made during the duration
7 of a contract.

8 (cf: P.L.2005, c.51, s.15)

9

10 22. Section 9 of P.L.2004, c.19 (C.19:44A-20.10) is amended to
11 read as follows:

12 9. A business entity which is determined by the Election Law
13 Enforcement Commission to have willfully and intentionally made
14 a contribution or failed to reveal such a contribution in violation of
15 **【this act】** P.L.2004, c.19 (C.19:44A-20.3 through 19:44A-20.5),
16 and sections 13, 17, and 18 of P.L. , c. (C.) (pending before
17 the Legislature as this bill) may be liable to a penalty of up to the
18 value of its contract with the public entity and may be debarred by
19 the State Treasurer from contracting with any public entity for up to
20 five years.

21 (cf: P.L.2004, c.19, s.9)

22

23 23. Section 10 of P.L.2004, c.19 (C.19:44A-20.11) is amended
24 to read as follows:

25 10. Any person who is determined by the Election Law
26 Enforcement Commission to have willfully and intentionally
27 accepted a contribution in violation of the provisions of sections
28 **【1】** 2 through 4, inclusive, of 【this act】 P.L.2004, c.19 (C.19:44A-
29 20.3 through 19:44A-20.5), and sections 13, 17, and 18 of P.L. ,
30 c. (C.) (pending before the Legislature as this bill), shall be
31 liable to a penalty for each such violation equal to the penalties set
32 forth in subsection e. of section 22 of P.L.1973, c.83 (C.19:44A-
33 22).

34 (cf: P.L.2004, c.19, s.10)

35

36 24. (New section) The provisions of sections 2 through 4,
37 inclusive, of P.L.2004, c.19 (C.19:44A-20.3 through 19:44A-20.5),
38 and sections 13, 17, and 18 of P.L. , c. (C.) (pending before
39 the Legislature as this bill), shall not: (1) apply in circumstances
40 when it is determined by the federal government or a court of
41 competent jurisdiction that its application would violate federal law
42 or regulation; or (2) prevent the State, its executive departments,
43 agencies or independent authorities from complying with all of the
44 requirements, conditions and obligations of the "Eminent Domain
45 Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.).

46

47 25. Section 2 of P.L.2005, c.271 (C.19:44A-20.26) is amended
48 to read as follows:

1 2. a. Not later than 10 days prior to entering into any contract
2 having an anticipated value in excess of \$17,500, except for a
3 contract that is required by law to be publicly advertised for bids, a
4 State agency, county, municipality, independent authority, board of
5 education, or fire district shall require any business entity bidding
6 thereon or negotiating therefor, to submit along with its bid or price
7 quote, a list of **[political]** contributions as set forth in this
8 subsection that are reportable by the recipient pursuant to the
9 provisions of P.L.1973, c.83 (C.19:44A-1 et al.) and that were made
10 by the business entity during the preceding 12-month period, along
11 with the date and amount of each contribution and the name of the
12 recipient of each contribution. A business entity contracting with a
13 State agency shall disclose contributions to any State, county, or
14 municipal committee of a political party, legislative leadership
15 committee, candidate committee of a candidate for, or holder of, a
16 State elective office, or any political committee, continuing political
17 committee, or independent expenditure group. A business entity
18 contracting with a county, municipality, independent authority,
19 other than an independent authority that is a State agency, board of
20 education, or fire district shall disclose contributions to: any State,
21 county, or municipal committee of a political party; any legislative
22 leadership committee; or any candidate committee of a candidate
23 for, or holder of, an elective office of that public entity, of that
24 county in which that public entity is located, of another public
25 entity within that county, or of a legislative district in which that
26 public entity is located or, when the public entity is a county, of any
27 legislative district which includes all or part of the county, or any
28 political committee, continuing political committee, or independent
29 expenditure group.

30 The provisions of this section shall not apply to a contract when
31 a public emergency requires the immediate delivery of goods or
32 services.

33 b. When a business entity is a natural person, a contribution by
34 that person's spouse, domestic partner, civil union partner, or child,
35 residing therewith, shall be deemed to be a contribution by the
36 business entity. When a business entity is other than a natural
37 person, a contribution by any person or other business entity having
38 an interest therein shall be deemed to be a contribution by the
39 business entity. When a business entity is other than a natural
40 person, a contribution by: all principals, partners, officers, or
41 directors of the business entity or their spouses; any subsidiaries
42 directly or indirectly controlled by the business entity; or any
43 political committee, continuing political committee or independent
44 expenditure group, or any political organization organized under
45 section 527 of the Internal Revenue Code that is directly or
46 indirectly controlled by the business entity, other than a candidate
47 committee, election fund, or political party committee, shall be
48 deemed to be a contribution by the business entity. A contribution

1 by any political committee or continuing political committee that
2 has as its members the employees of a business entity and that is
3 funded, directed, and administered in its entirety by such employees
4 shall not be considered a contribution by the business entity.

5 c. As used in this section:

6 "business entity" means a for-profit entity that is a natural or
7 legal person, business corporation, professional services
8 corporation, limited liability company, partnership, limited
9 partnership, business trust, association or any other legal
10 commercial entity organized under the laws of this State or of any
11 other state or foreign jurisdiction;

12 "contribution" means a contribution of any amount reportable by
13 the recipient under "The New Jersey Campaign Contributions and
14 Expenditures Reporting Act," P.L.1973, c.83 (19:44A-1 et seq.);

15 "interest" means the ownership or control of more than 10% of
16 the profits or assets of a business entity or 10% of the stock in the
17 case of a business entity that is a corporation for profit, as
18 appropriate; and

19 "State agency" means any of the principal departments in the
20 Executive Branch of the State Government, and any division, board,
21 bureau, office, commission or other instrumentality within or
22 created by such department, the Legislature of the State and any
23 office, board, bureau or commission within or created by the
24 Legislative Branch, and any independent State authority,
25 commission, instrumentality or agency.

26 d. Any business entity that fails to comply with the provisions
27 of this section shall be subject to a fine imposed by the New Jersey
28 Election Law Enforcement Commission in an amount to be
29 determined by the commission which may be based upon the
30 amount that the business entity failed to report.

31 (cf: P.L.2007, c.304, s.1)

32

33 26. Section 3 of P.L.2005, c.271 (C.19:44A-20.27) is amended
34 to read as follows:

35 3. a. Any business entity making a contribution of money or
36 any other thing of value, including an in-kind contribution, or
37 pledge to make a contribution of any kind to a candidate for or the
38 holder of any public office having ultimate responsibility for the
39 awarding of public contracts, or to a political party committee,
40 legislative leadership committee, political committee **[or]**,
41 continuing political committee, or independent expenditure group,
42 which has received in any calendar year **[\$50,000]** \$17,500 or more
43 in the aggregate through agreements or contracts with a single
44 public entity, shall file an annual disclosure statement with the New
45 Jersey Election Law Enforcement Commission, established
46 pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth
47 all such contributions made by the business entity during the 12
48 months prior to the reporting deadline.

1 b. The commission shall prescribe forms and procedures for the
2 reporting required in subsection a. of this section which shall
3 include, but not be limited to:

4 (1) the name and mailing address of the business entity making
5 the contribution, and the amount contributed during the 12 months
6 prior to the reporting deadline;

7 (2) the name of the candidate for or the holder of any public
8 office having ultimate responsibility for the awarding of public
9 contracts, candidate committee, joint candidates committee,
10 political party committee, legislative leadership committee,
11 independent expenditure group, political committee or continuing
12 political committee receiving the contribution; and

13 (3) the amount of money the business entity received from the
14 public entity through contract or agreement, the dates, and
15 information identifying each contract or agreement and describing
16 the goods, services or equipment provided or property sold.

17 No report required to be filed pursuant to this subsection shall
18 include proprietary information from the holder of the public
19 contract.

20 c. The commission shall maintain a list of such reports for
21 public inspection both at its office and through its Internet site.

22 d. When a business entity is a natural person, a contribution by
23 that person's spouse, domestic partner, civil union partner, or child,
24 residing therewith, shall be deemed to be a contribution by the
25 business entity. When a business entity is other than a natural
26 person, a contribution by any person or other business entity having
27 an interest therein shall be deemed to be a contribution by the
28 business entity. When a business entity is other than a natural
29 person, a contribution by: all principals, partners, officers, or
30 directors of the business entity, or their spouses; any subsidiaries
31 directly or indirectly controlled by the business entity; or any
32 political committee, continuing political committee, independent
33 expenditure group, or any political organization organized under
34 section 527 of the Internal Revenue Code that is directly or
35 indirectly controlled by the business entity, other than a candidate
36 committee, election fund, or political party committee, shall be
37 deemed to be a contribution by the business entity. A contribution
38 by any political committee or continuing political committee that
39 has as its members the employees of a business entity and that is
40 funded, directed, and administered in its entirety by such employees
41 shall not be considered a contribution by the business entity.

42 e. As used in this section:

43 "business entity" means a for-profit entity that is a natural or
44 legal person, business corporation, professional services
45 corporation, limited liability company, partnership, limited
46 partnership, business trust, association or any other legal
47 commercial entity organized under the laws of this State or of any
48 other state or foreign jurisdiction;

1 contribution limits, institute new reporting requirements on certain
2 groups, and modify the current law regulating the awarding of
3 public contracts to business entities that make campaign
4 contributions, referred to commonly as the “pay to play” law.

5 Specifically, the bill would require disclosure by any group
6 organized under section 527, or under paragraphs (4), (5), or (6) of
7 subsection c. of section 501, of the federal Internal Revenue Code
8 that engages in influencing or attempting to influence the outcome
9 of any election or the nomination, election or defeat of any person
10 to any State or local elective public office or the passage or defeat
11 of any public question, or in providing political information on any
12 candidate or public question, and raises or expends \$5,000 or more
13 for any such purpose. It would require each such group, identified
14 in the bill as an independent expenditure group, to report
15 contribution and expenditure information in excess of \$300 to the
16 Election Law Enforcement Commission and to include certain
17 information that identifies the group on any communication paid for
18 by the organization which attempts to influence a candidate’s
19 election or the adoption or defeat of a public question, or which
20 provides political information. The bill would prohibit a candidate
21 from establishing, authorizing the establishment of, maintaining, or
22 participating directly or indirectly in the management or control of,
23 any independent expenditure committee.

24 In addition, the bill would:

25 1) increase the amount of money that can be contributed by an
26 individual, a corporation or union, or a group to a candidate
27 committee from \$2,600 to \$3,000 per election;

28 2) increase the amount of money that can be contributed by a
29 political committee or a continuing political committee to a
30 candidate committee from \$8,200 to \$9,200 per election;

31 3) increase the amount of money that can be contributed by an
32 individual, a corporation or union, political committee, continuing
33 political committee, candidate committee or joint candidates
34 committee or any other group to: a) the State committee of a
35 political party from \$25,000 to \$28,000 per year; b) a county
36 committee of a political party from \$37,000 to \$42,000 per year;
37 and c) a municipal committee of a political party from \$7,200 to
38 \$8,100 per year;

39 4) increase the amount of money that the national committee of a
40 political party can contribute to the State committee of a political
41 party from \$72,000 to \$81,000 per year;

42 5) increase the amount of money that can be contributed by the
43 candidate committee of one candidate to the candidate committee of
44 another candidate from \$8,200 to \$9,200 per election; and

45 7) increase the amount of money that can be contributed to a
46 political committee, or that one political committee or continuing
47 political committee can contribute to another political committee or

1 continuing political committee, from \$7,200 to \$8,100 per election
2 or per year, as the case may be.

3 With regard to the current “pay to play” law, the bill would:

4 1) create one uniform law applicable at all levels of government,
5 including the Executive Branch, State authorities, the Legislative
6 Branch, counties, municipalities, local boards of education, and fire
7 districts, to the awarding of public contracts to business entities that
8 have made campaign contributions;

9 2) eliminate provisions of existing law that exclude contracts
10 awarded pursuant to a “fair and open process” from “pay-to-play”
11 proscriptions and provide instead that only contracts that are valued
12 at \$17,500 or less will be excluded;

13 3) increase the amount that may be contributed by business
14 entities from the current \$300 to \$1,000;

15 4) provide that contributions by a political committee or
16 continuing political committee that has as its members the
17 employees of a business entity and that is funded, directed, and
18 administered in its entirety by such employees will not be
19 considered contributions by the business entity; and

20 5) require any business entity that contracts in a calendar year
21 with a State agency, or a county, municipality, independent
22 authority, board of education, or fire district for \$17,500 or more
23 with a single public entity and makes a contribution of money or
24 other thing of value to a political committee, continuing political
25 committee, or an independent expenditure group to disclose all such
26 contributions.

27 To insure uniformity, the bill repeals sections of law that
28 currently address “pay to play” in the context of State Executive
29 Branch contracting and that allow local governments to adopt their
30 own “pay to play” policies.