

ASSEMBLY, No. 3902

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JUNE 16, 2016

Sponsored by:

Assemblyman TROY SINGLETON

District 7 (Burlington)

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman SHEILA Y. OLIVER

District 34 (Essex and Passaic)

Co-Sponsored by:

Assemblyman S.Kean

SYNOPSIS

Requires disclosure by independent expenditure committees; raises certain campaign contribution limits; repeals ban on certain intraparty fund transfers.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/1/2017)

A3902 SINGLETON, ZWICKER

2

1 AN ACT concerning campaign finance disclosures and limits,
2 amending various parts of the statutory law and repealing section
3 13 of P.L.2004, c.19.

4

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

7

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

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

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

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

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

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

37 e. The term "election" means any election described in section
38 4 of this act.

39 f. The term "paid personal services" means personal, clerical,
40 administrative or professional services of every kind and nature
41 including, without limitation, public relations, research, legal,
42 canvassing, telephone, speech writing or other such services,
43 performed other than on a voluntary basis, the salary, cost or
44 consideration for which is paid, borne or provided by someone
45 other than the committee, candidate or organization for whom such

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

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

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

37 i. The term "political committee" means any two or more
38 persons acting jointly, or any corporation, partnership, or any other
39 incorporated or unincorporated association which is organized to, or
40 does, aid or promote the nomination, election or defeat of any
41 candidate or candidates for public office, or which is organized to,
42 or does, aid or promote the passage or defeat of a public question in
43 any election, if the persons, corporation, partnership or incorporated
44 or unincorporated association raises or expends ~~【\$1,000.00】~~ \$2,400
45 or more to so aid or promote the nomination, election or defeat of a
46 candidate or candidates or the passage or defeat of a public
47 question; provided that for the purposes of this act, the term
48 "political committee" shall not include a "continuing political

1 committee," as defined by subsection n. of this section, a "political
2 party committee," as defined by subsection p. of this section, a
3 "candidate committee," as defined by subsection q. of this section, a
4 "joint candidates committee," as defined by subsection r. of this
5 section **[or]**, a "legislative leadership committee," as defined by
6 subsection s. of this section, or an "independent expenditure
7 committee," as defined by subsection t. of this section.

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

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

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

39 m. The term "qualified candidate" means:

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

1 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)
2 sign a statement of agreement, in a form to be prescribed by the
3 commission, to participate in interactive gubernatorial election
4 debates under the provisions of sections 9 through 11 of P.L.1989,
5 c.4 (C.19:44A-45 through C.19:44A-47); or

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

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

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

1 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
2 45 through C.19:44A-47).

3 n. The term "continuing political committee" means any group
4 of two or more persons acting jointly, or any corporation,
5 partnership, or any other incorporated or unincorporated
6 association, including a political club, political action committee,
7 civic association or other organization, which in any calendar year
8 contributes or expects to contribute at least ~~【\$2,500.00】~~ \$5,500 to
9 the aid or promotion of the candidacy of an individual, or of the
10 candidacies of individuals, for elective public office, or the passage
11 or defeat of a public question or public questions, and which may be
12 expected to make contributions toward such aid or promotion or
13 passage or defeat during a subsequent election, provided that the
14 group, corporation, partnership, association or other organization
15 has been determined to be a continuing political committee under
16 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided
17 that for the purposes of this act, the term "continuing political
18 committee" shall not include a "political party committee," as
19 defined by subsection p. of this section, **【or】** a "legislative
20 leadership committee," as defined by subsection s. of this section,
21 or an "independent expenditure committee," as defined by
22 subsection t. of this section.

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

44 p. The term "political party committee" means the State
45 committee of a political party, as organized pursuant to R.S.19:5-4,
46 any county committee of a political party, as organized pursuant to
47 R.S.19:5-3, or any municipal committee of a political party, as
48 organized pursuant to R.S.19:5-2.

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

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

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

27 t. The term "independent expenditure committee" means a
28 person, a group of two or more persons, or an organization
29 organized under section 527 of the federal Internal Revenue Code
30 (26 U.S.C. s.527) or under paragraph (4) of subsection c. of section
31 501 of the federal Internal Revenue Code (26 U.S.C. s.501) that
32 does not fall within the definition of any other organization subject
33 to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.), that
34 engages in influencing or attempting to influence the outcome of
35 any election or the nomination, election, or defeat of any person to
36 any State or local elective public office, or the passage or defeat of
37 any public question, or in providing political information on any
38 candidate or public question, and raises or expends \$3,000 or more
39 in the aggregate for any such purpose annually, but does not
40 coordinate its activities with any candidate or political party.

41 u. The term "electioneering communication" means any
42 communication that has a value of at least \$10,000 and refers to: (1)
43 a clearly identified candidate for office and promotes or supports a
44 candidate for that office or opposes a candidate for that office,
45 regardless of whether the communication expressly advocates a
46 vote for or against a candidate; or (2) a public question and
47 promotes or supports the passage or defeat of that question,
48 regardless of whether the communication expressly advocates a

1 vote for or against the passage of the question. The term includes
2 communications published in any newspaper or periodical;
3 broadcast on radio, television, or the Internet, or any public address
4 system; placed on any billboard, outdoor facility, button, motor
5 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or
6 other circular; or contained in any direct mailing, robotic phone
7 calls, or mass e-mails.

8 v. The term “independent expenditure” means an expenditure
9 by a person expressly advocating, or the functional equivalent
10 thereof, the election or defeat of: (1) a clearly identified candidate
11 that is not made in concert or cooperation with or at the request or
12 suggestion of the candidate, the candidate’s committee, a political
13 party committee, or an agent thereof; or (2) a public question that is
14 not made in concert or cooperation with or at the request or
15 suggestion of the sponsors, organizers, or committee supporting or
16 opposing the question, a political party, or agents thereof. The
17 “functional equivalent” of expressly advocating means specific
18 advocacy that can be interpreted by a reasonable person as
19 advocating the election or defeat of a candidate, or the passage or
20 defeat of a public question, taking into account whether the
21 communication involved mentions a candidate, a political party, or
22 a challenger to a candidate, or takes a position on a candidate’s
23 character, qualifications, or fitness for office, or that can be
24 interpreted by a reasonable person as taking a position on the merits
25 of a public question or taking a position in favor or against the
26 passage or defeat of a public question.

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

28

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

31 8. a. (1) Each political committee shall make a full cumulative
32 report, upon a form prescribed by the Election Law Enforcement
33 Commission, of all contributions in the form of moneys, loans, paid
34 personal services, or other things of value made to it and all
35 expenditures made, incurred, or authorized by it in furtherance of
36 the nomination, election, or defeat of any candidate, or in aid of the
37 passage or defeat of any public question, or to provide political
38 information on any candidate or public question, during the period
39 ending 48 hours preceding the date of the report and beginning on
40 the date on which the first of those contributions was received or
41 the first of those expenditures was made, whichever occurred first.
42 The cumulative report, except as hereinafter provided, shall contain
43 the name and mailing address of each person or group from whom
44 moneys, loans, paid personal services or other things of value have
45 been contributed since 48 hours preceding the date on which the
46 previous such report was made and the amount contributed by each
47 person or group, and where the contributor is an individual, the
48 report shall indicate the occupation of the individual and the name

1 and mailing address of the individual's employer. In the case of any
2 loan reported pursuant to this subsection, the report shall contain
3 the name and mailing address of each person who has cosigned such
4 loan since 48 hours preceding the date on which the previous such
5 report was made, and where an individual has cosigned such loans,
6 the report shall indicate the occupation of the individual and the
7 name and mailing address of the individual's employer. The
8 cumulative report shall also contain the name and address of each
9 person, firm or organization to whom expenditures have been paid
10 since 48 hours preceding the date on which the previous such report
11 was made and the amount and purpose of each such expenditure.
12 The cumulative report shall be filed with the Election Law
13 Enforcement Commission on the dates designated in section 16
14 hereof.

15 The campaign treasurer of the political committee reporting shall
16 certify to the correctness of each report.

17 Each campaign treasurer of a political committee shall file
18 written notice with the commission of a contribution in excess of
19 ~~[\$500]~~ \$1,400 received during the period between the 13th day
20 prior to the election and the date of the election, and of an
21 expenditure of money or other thing of value in excess of ~~[\$500]~~
22 \$1,400 made, incurred or authorized by the political committee to
23 support or defeat a candidate in an election, or to aid the passage or
24 defeat of any public question, during the period between the 13th
25 day prior to the election and the date of the election. The notice of
26 a contribution shall be filed in writing or by ~~[telegram]~~ electronic
27 transmission within 48 hours of the receipt of the contribution and
28 shall set forth the amount and date of the contribution, the name and
29 mailing address of the contributor, and where the contributor is an
30 individual, the individual's occupation and the name and mailing
31 address of the individual's employer. The notice of an expenditure
32 shall be filed in writing or by ~~[telegram]~~ electronic transmission
33 within 48 hours of the making, incurring or authorization of the
34 expenditure and shall set forth the name and mailing address of the
35 person, firm or organization to whom or which the expenditure was
36 paid and the amount and purpose of the expenditure.

37 (2) When a political committee or an individual seeking party
38 office makes or authorizes an expenditure on behalf of a candidate,
39 it shall provide immediate written notification to the candidate of
40 the expenditure.

41 b. (1) A group of two or more persons acting jointly, or any
42 corporation, partnership, or any other incorporated or
43 unincorporated association including a political club, political
44 action committee, civic association or other organization, which in
45 any calendar year contributes or expects to contribute at least
46 ~~[\$2,500.00]~~ \$5,500 to the aid or promotion of the candidacy of an
47 individual, or of the candidacies of individuals, for elective public
48 office or the passage or defeat of a public question or public

1 questions and which expects to make contributions toward such aid
2 or promotion, or toward such passage or defeat, during a subsequent
3 election shall certify that fact to the commission, and the
4 commission, upon receiving that certification and on the basis of
5 any information as it may require of the group, corporation,
6 partnership, association or other organization, shall determine
7 whether the group, corporation, partnership, association or other
8 organization is a continuing political committee for the purposes of
9 this act. If the commission determines that the group, corporation,
10 partnership, association or other organization is a continuing
11 political committee, it shall so notify that continuing political
12 committee.

13 No person serving as the chairman of a political party committee
14 or a legislative leadership committee shall be eligible to be
15 appointed or to serve as the chairman of a continuing political
16 committee.

17 (2) A continuing political committee shall file with the Election
18 Law Enforcement Commission, not later than April 15, July 15,
19 October 15 and January 15 of each calendar year, a cumulative
20 quarterly report of all moneys, loans, paid personal services or other
21 things of value contributed to it during the period ending on the
22 15th day preceding that date and commencing on January 1 of that
23 calendar year or, in the case of the cumulative quarterly report to be
24 filed not later than January 15, of the previous calendar year, and all
25 expenditures made, incurred, or authorized by it during the period,
26 whether or not such expenditures were made, incurred or authorized
27 in furtherance of the election or defeat of any candidate, or in aid of
28 the passage or defeat of any public question or to provide
29 information on any candidate or public question.

30 The cumulative quarterly report shall contain the name and
31 mailing address of each person or group from whom moneys, loans,
32 paid personal services or other things of value have been
33 contributed and the amount contributed by each person or group,
34 and where an individual has made such contributions, the report
35 shall indicate the occupation of the individual and the name and
36 mailing address of the individual's employer. In the case of any
37 loan reported pursuant to this subsection, the report shall contain
38 the name and address of each person who cosigns such loan, and
39 where an individual has cosigned such loans, the report shall
40 indicate the occupation of the individual and the name and mailing
41 address of the individual's employer. The report shall also contain
42 the name and address of each person, firm or organization to whom
43 expenditures have been paid and the amount and purpose of each
44 such expenditure. The treasurer of the continuing political
45 committee reporting shall certify to the correctness of each
46 cumulative quarterly report.

1 Each continuing political committee shall provide immediate
2 written notification to each candidate of all expenditures made or
3 authorized on behalf of the candidate.

4 If any continuing political committee submitting cumulative
5 quarterly reports as provided under this subsection receives a
6 contribution from a single source of more than ~~[\$500]~~ \$1,400 after
7 the final day of a quarterly reporting period and on or before a
8 primary, general, municipal, school or special election which occurs
9 after that final day but prior to the final day of the next reporting
10 period it shall, in writing or by ~~[telegram]~~ electronic transmission,
11 report that contribution to the commission within 48 hours of the
12 receipt thereof, including in that report the amount and date of the
13 contribution; the name and mailing address of the contributor; and
14 where the contributor is an individual, the individual's occupation
15 and the name and mailing address of the individual's employer. If
16 any continuing political committee makes or authorizes an
17 expenditure of money or other thing of value in excess of ~~[\$500]~~
18 \$1,400, or incurs any obligation therefor, to support or defeat a
19 candidate in an election, or to aid the passage or defeat of any
20 public question, after March 31 and on or before the day of the
21 primary election, or after September 30 and on or before the day of
22 the general election, it shall, in writing or by ~~[telegram]~~ electronic
23 transmission, report that expenditure to the commission within 48
24 hours of the making, authorizing or incurring thereof.

25 A continuing political committee which ceases making
26 contributions toward the aiding or promoting of the candidacy of an
27 individual, or of the candidacies of individuals, for elective public
28 office in this State or the passage or defeat of a public question or
29 public questions in this State shall certify that fact in writing to the
30 commission, and that certification shall be accompanied by a final
31 accounting of any fund relating to such aiding or promoting
32 including the final disposition of any balance in such fund at the
33 time of dissolution. Until that certification has been filed, the
34 committee shall continue to file the quarterly reports as provided
35 under this subsection.

36 c. Each political party committee ~~[and each]~~, legislative
37 leadership committee, and independent expenditure committee shall
38 file with the Election Law Enforcement Commission, not later than
39 April 15, July 15, October 15 and January 15 of each calendar year,
40 a cumulative quarterly report of all moneys, loans, paid personal
41 services or other things of value contributed to it during the period
42 ending on the 15th day preceding that date and commencing on
43 January 1 of that calendar year or, in the case of the cumulative
44 quarterly report to be filed not later than January 15, of the previous
45 calendar year, and all expenditures made, incurred, or authorized by
46 it during the period, whether or not such expenditures were made,
47 incurred or authorized in furtherance of the election or defeat of any

1 candidate, or in aid of the passage or defeat of any public question
2 or to provide information on any candidate or public question.

3 The cumulative quarterly report shall contain the name and
4 mailing address of each person or group from whom moneys, loans,
5 paid personal services or other things of value have been
6 contributed and the amount contributed by each person or group,
7 and where an individual has made such contributions, the report
8 shall indicate the occupation of the individual and the name and
9 mailing address of the individual's employer. In the case of any
10 loan reported pursuant to this subsection, the report shall contain
11 the name and address of each person who cosigns such loan, and
12 where an individual has cosigned such loans, the report shall
13 indicate the occupation of the individual and the name and mailing
14 address of the individual's employer. The report shall also contain
15 the name and address of each person, firm or organization to whom
16 expenditures have been paid and the amount and purpose of each
17 such expenditure. The treasurer of the political party committee or
18 legislative leadership committee reporting shall certify to the
19 correctness of each cumulative quarterly report.

20 **[If]** d. (1) Each independent expenditure committee shall
21 make a full cumulative report, upon a form prescribed by the
22 Election Law Enforcement Commission, of all contributions
23 received in excess of \$300 in the form of moneys, loans, paid
24 personal services, or other things of value made to it, and of all
25 expenditures in excess of \$300 made, incurred, or authorized by it
26 in influencing or attempting to influence the outcome of any
27 election or the nomination, election, or defeat of any person to State
28 or local elective public office or the passage or defeat of any public
29 question, or in providing political information on any candidate or
30 public question, during the period ending 48 hours preceding the
31 date of the report and beginning on the date on which the first of
32 those contributions was received or the first of those expenditures
33 was made, whichever occurred first. The cumulative report, except
34 as hereinafter provided, shall contain the name and mailing address
35 of each person or group from whom moneys, loans, paid personal
36 services or other things of value have been contributed since 48
37 hours preceding the date on which such previous report was made
38 and the amount contributed by each person or group in excess of
39 \$300, and when the contributor is an individual, the report shall
40 indicate the occupation of the individual and the name and mailing
41 address of the individual's employer. In the case of any loan
42 reported pursuant to this subsection, the report shall contain the
43 name and mailing address of each person who has cosigned such
44 loan since 48 hours preceding the date on which the previous such
45 report was made, and when an individual has cosigned such loans,
46 the report shall indicate the occupation of the individual and the
47 name and mailing address of the individual's employer. The
48 cumulative report shall also contain the name and address of each

1 person, firm, or organization to whom expenditures have been paid
2 since 48 hours preceding the date on which the previous such report
3 was made and the amount and purpose of each such expenditure.
4 The cumulative report shall be filed with the Election Law
5 Enforcement Commission on the dates designated in section 16 of
6 P.L.1973, c.83 (C.19:44A-16).

7 (2) An independent expenditure committee shall disclose all
8 expenditures made by it in excess of \$300, including, but not
9 limited to, for electioneering communications, voter registration,
10 get-out-the-vote efforts, polling, and research. The disclosures
11 required by this paragraph shall be reported to the Election Law
12 Enforcement Commission on the same schedule as required for
13 political committees and continuing political committees pursuant
14 to this section.

15 The treasurer of the reporting independent expenditure
16 committee shall certify the correctness of each report and shall
17 maintain all records of contributions and expenditures for a period
18 of not less than four years.

19 e. ~~When~~ a political party committee ~~or a~~, legislative
20 leadership committee ~~submitting cumulative quarterly reports as~~
21 provided under this subsection] ~~or independent expenditure~~
22 committee receives a contribution from a single source of more than
23 ~~[\$500] \$1,400~~ after the final day of a quarterly reporting period
24 and on or before a primary, general, municipal, school, or special
25 election which occurs after that final day but prior to the final day
26 of the next reporting period it shall, in writing or by ~~telegram~~
27 electronic transmission, report that contribution to the commission
28 within 48 hours of the receipt thereof, including in that report the
29 amount and date of the contribution; the name and mailing address
30 of the contributor; and where the contributor is an individual, the
31 individual's occupation and the name and mailing address of the
32 individual's employer. ~~If~~ ~~When~~ a political party committee ~~or~~
33 a], legislative leadership committee ~~submitting cumulative~~
34 quarterly reports as provided under this subsection] , ~~or an~~
35 independent expenditure committee makes or authorizes an
36 expenditure of money or other thing of value in excess of ~~[\$800]~~
37 \$1,400, or incurs any obligation therefor, to support or defeat a
38 candidate in an election, or to aid the passage or defeat of any
39 public question, after March 31 and on or before the day of the
40 primary election, or after September 30 and on or before the day of
41 the general election, it shall, in writing or by ~~telegram~~ ~~electronic~~
42 transmission, report that expenditure to the commission within 48
43 hours of the making, authorizing or incurring thereof.

44 ~~d.] f.~~ In any report filed pursuant to the provisions of this
45 section the organization or committee reporting may exclude from
46 the report the name of and other information relating to any
47 contributor whose contributions during the period covered by the

1 report did not exceed \$300, provided, however, that (1) such
2 exclusion is unlawful if any person responsible for the preparation
3 or filing of the report knew that it was made with respect to any
4 person whose contributions relating to the same election or issue
5 and made to the reporting organization or committee aggregate, in
6 combination with the contribution in respect of which such
7 exclusion is made, more than \$300 and (2) any person who
8 knowingly prepares, assists in preparing, files or acquiesces in the
9 filing of any report from which the identification of a contributor
10 has been excluded contrary to the provisions of this section is
11 subject to the provisions of section 21 of **[this act]** P.L.1973, c.83
12 (C.19:44A-21), but (3) nothing in this proviso shall be construed as
13 requiring any committee or organization reporting pursuant to this
14 act to report the amounts, dates or other circumstantial data
15 regarding contributions made to any other organization or political
16 committee, political party committee or campaign organization of a
17 candidate.

18 g. Any report filed pursuant to the provisions of this section
19 shall include an itemized accounting of all receipts and
20 expenditures relative to any testimonial affairs held since the date
21 of the most recent report filed, which accounting shall include the
22 name and mailing address of each contributor in excess of \$300 to
23 such testimonial affair and the amount contributed by each; in the
24 case of an individual contributor, the occupation of the individual
25 and the name and mailing address of the individual's employer; the
26 expenses incurred; and the disposition of the proceeds of such
27 testimonial affair.

28 The \$300 limit established in this subsection shall remain as
29 stated in this subsection without further adjustment by the
30 commission in the manner prescribed by section 22 of P.L.1993,
31 c.65 (C.19:44A-7.2).

32 (cf: P.L.2004, c.33, s.1)

33

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

36 21. a. Each political committee, as defined in subsection i. of
37 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes
38 the nomination for election or the election of a candidate or the
39 passage or defeat of a public question, each independent
40 expenditure committee, as defined in subsection t. of section 3 of
41 P.L.1973, c.83 (C.19:44A-3), each continuing political committee
42 as defined in subsection n. of section 3 of P.L.1973, c.83, and each
43 legislative leadership committee as defined in subsection s. of
44 section 3 of P.L.1973, c.83, shall submit to the commission a
45 statement of registration which includes:

46 (1) the complete name or identifying title of the committee and
47 the general category of entity or entities, including but not limited
48 to business organizations, labor organizations, professional or trade

1 associations, candidate for or holder of public office, political party,
2 ideological grouping or civic association, the interests of which are
3 shared by the leadership, members, or financial supporters of the
4 committee;

5 (2) the mailing address of the committee and the name and
6 resident address of a resident of this State who shall have been
7 designated by the committee as its agent to accept service of
8 process; and

9 (3) a descriptive statement prepared by the organizers or officers
10 of the committee that identifies (a) the names and mailing addresses
11 of the persons having control over the affairs of the committee,
12 including but not limited to persons in whose name or at whose
13 direction or suggestion the committee solicits funds, and persons
14 participating in any decision to make a contribution of such funds to
15 any candidate, political committee or continuing political
16 committee and, in the case of an independent expenditure
17 committee, any decision to expend funds for the purpose of
18 influencing or attempting to influence the outcome of any election
19 or the nomination, election, or defeat of any person to State or local
20 elective public office or the passage or defeat of any public
21 question, or in providing political information on any candidate or
22 public question; (b) the name and mailing address of any person not
23 included among the persons identified under subparagraph (a) of
24 this paragraph who, directly or through an agent, participated in the
25 initial organization of the committee; (c) in the case of any person
26 identified under subparagraph (a) or subparagraph (b) who is an
27 individual, the occupation of that individual, the individual's home
28 address, and the name and mailing address of the individual's
29 employer, or, in the case of any such person which is a corporation,
30 partnership, unincorporated association, or other organization, the
31 name and mailing address of the organization; and (d) any other
32 information which the Election Law Enforcement Commission may,
33 under such regulations as it shall adopt pursuant to the provisions of
34 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.), require as being material to the fullest possible disclosure of
36 the economic, political and other particular interests and objectives
37 which the committee has been organized to or does advance. The
38 commission shall be informed, in writing, of any change in the
39 information required by this paragraph within three days of the
40 occurrence of the change. Legislative leadership committees shall
41 be exempt from the requirements of subparagraphs (a), (b) and (c)
42 of this paragraph.

43 b. After submission of a statement of registration to the
44 commission pursuant to this section, the committee shall use the
45 complete name or identifying title on all documents submitted to
46 the commission, in all solicitations for contributions, in all paid
47 media advertisements purchased or paid for by the committee in
48 support of or in opposition to any candidate or public question, and

1 in all contributions made by the committee to candidates or other
2 committees and, in the case of an independent expenditure
3 committee, any decision to expend funds for the purpose of
4 influencing or attempting to influence the outcome of any election
5 or the selection, nomination, election, or defeat of any person to
6 State or local elective public office or the passage or defeat of any
7 public question, or in providing political information on any
8 candidate or public question.

9 c. Each report of contributions under section 8 of P.L.1973,
10 c.83 (C.19:44A-8) by a political committee, continuing political
11 committee, independent expenditure committee, or legislative
12 leadership committee required under subsection a. of this section to
13 submit a statement of registration shall include, in the case of each
14 contributor who is an individual, the home address of the individual
15 if different from the individual's mailing address, or, in the case of
16 any contributor which is an organization, any information, in
17 addition to that otherwise required, which the Election Law
18 Enforcement Commission may, under such regulations as it shall
19 adopt pursuant to the provisions of the "Administrative Procedure
20 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being
21 material to the fullest possible disclosure of the economic, political
22 and other particular interests and objectives which the contributing
23 organization has been organized to or does advance.

24 d. Any political committee, continuing political committee,
25 independent expenditure committee, or legislative leadership
26 committee may at any time apply to the commission for approval of
27 an abbreviation or acronym of its complete, official name or title for
28 its exclusive use on documents which it shall submit to the
29 commission. Upon verification that the abbreviation or acronym
30 has not been approved for such use by any other political
31 committee, continuing political committee, independent expenditure
32 committee, or legislative leadership committee, the commission
33 shall approve the abbreviation or acronym for such use by the
34 applicant committee, and the committee, and any individual,
35 corporation, partnership, membership organization or incorporated
36 or unincorporated association which, under the provisions of
37 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the
38 commission containing a reference to that committee, shall
39 thereafter use that approved abbreviation or acronym in documents
40 submitted to the commission. The commission shall, during its
41 regular office hours, maintain for public inspection in its offices a
42 current alphabetically arranged list of all such approved
43 abbreviations and acronyms, indicating for each the name of the
44 committee for which it stands, and shall make copies of the list
45 available upon request.

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

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

3 10. Each political party committee shall, on or before July 1 in
4 each year, designate a single organizational treasurer and an
5 organizational depository and shall, not later than the tenth day after
6 the designation of the organizational depository file the name and
7 address of that depository, and of the organizational treasurer, with
8 the Election Law Enforcement Commission.

9 Every political committee may designate a chairman of the
10 committee, but no person serving as the chairman of a political
11 party committee or a legislative leadership committee shall be
12 eligible to be appointed or to serve as the chairman of a political
13 committee. Every political committee shall, not later than the date
14 on which it first receives any contribution or makes or incurs any
15 expenditure in the furtherance or aid of the election or defeat of any
16 candidate or the passage or defeat of any public question, appoint a
17 single campaign treasurer and designate a campaign depository, but
18 no person serving as the chairman of a political party committee or
19 a legislative leadership committee shall be eligible to be appointed
20 or to serve as the campaign treasurer of a political committee. Not
21 later than the tenth day after the initial designation of the campaign
22 depository, the committee shall file the name and address of the
23 depository, and of the campaign treasurer, with the Election Law
24 Enforcement Commission.

25 Every independent expenditure committee may designate a
26 chairman of the committee, but no person serving as the chairman
27 of a political party committee or a legislative leadership committee
28 shall be eligible to be appointed or to serve as the chairman of an
29 independent expenditure committee. No candidate, directly or
30 indirectly, shall establish, authorize the establishment of, maintain,
31 or participate in the management or control of any independent
32 expenditure committee. Every independent expenditure committee,
33 not later than the date on which it first receives any contribution or
34 makes or incurs any expenditure for the purpose of influencing or
35 attempting to influence the outcome of any election or the
36 nomination, election, or defeat of any person to State or local
37 elective public office or the passage or defeat of any public question
38 or providing political information on any candidate or public
39 question, shall appoint a single organizational treasurer and
40 designate an organizational depository, but no person serving as the
41 chairman of a political party committee or a legislative leadership
42 committee shall be eligible to be appointed or to serve as the
43 organizational treasurer of an independent expenditure committee.
44 Not later than the 10th day after the initial designation of the
45 organizational depository, the committee shall file the name and
46 address of the depository, and of the organizational treasurer, with
47 the Election Law Enforcement Commission.

1 Every continuing political committee shall, not later than the
2 date on which it first receives any contribution or makes or incurs
3 any expenditure in the furtherance or aid of the election or defeat of
4 any candidate or the passage or defeat of any public question,
5 appoint a single organizational treasurer and designate an
6 organizational depository, provided that no person who is the
7 chairman of a political party committee or a legislative leadership
8 committee shall be eligible to be appointed or to serve as the
9 organizational treasurer of a continuing political committee. Not
10 later than the tenth day after the initial designation of the
11 organizational depository, the committee shall file the name and
12 address of the depository, and of the organizational treasurer, with
13 the Election Law Enforcement Commission.

14 Every legislative leadership committee shall, not later than the
15 date on which it first receives any contribution or makes or incurs
16 any expenditure in the furtherance or aid of the election or defeat of
17 any candidate or the passage or defeat of any public question,
18 appoint a single organizational treasurer and designate an
19 organizational depository. Not later than the tenth day after the
20 initial designation of the organizational depository, the committee
21 shall file the name and address of the depository, and of the
22 organizational treasurer, with the Election Law Enforcement
23 Commission.

24 Each organizational treasurer of a State political party committee
25 or a legislative leadership committee shall be a trained treasurer,
26 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-
27 6), or shall acquire such training within 90 days of appointment as
28 an organizational treasurer. An organizational treasurer of any
29 other political party committee or a continuing political committee
30 or an independent expenditure committee and a campaign treasurer
31 of a political committee may be a trained treasurer.

32 An organizational treasurer of a political party committee, a
33 continuing political committee, an independent expenditure
34 committee, or a legislative leadership committee and a campaign
35 treasurer of a political committee may appoint deputy
36 organizational or campaign treasurers as may be required and may
37 designate additional organizational or campaign depositories. Such
38 committees shall file the names and addresses of such deputy
39 treasurers and additional depositories with the Election Law
40 Enforcement Commission not later than the fifth day after their
41 appointment or designation, respectively.

42 Any political party committee, any political committee, any
43 independent expenditure committee, any continuing political
44 committee, and any legislative leadership committee may remove
45 its organizational or campaign treasurer or deputy treasurer. In the
46 case of the death, resignation or removal of its organizational or
47 campaign treasurer, the committee shall appoint a successor as soon

1 as practicable and shall file his name and address with the Election
2 Law Enforcement Commission within three days.

3 (cf: P.L.2004, c.22, s.3)

4

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

7 11. No contribution of money or other thing of value, nor
8 obligation therefor, including but not limited to contributions, loans
9 or obligations of a candidate himself or of his family, shall be made
10 or received, and no expenditure of money or other thing of value,
11 nor obligation therefor, including expenditures, loans or obligations
12 of a candidate himself or of his family, shall be made or incurred,
13 directly or indirectly, to support or defeat a candidate in any
14 election, or to aid the passage or defeat of any public question,
15 except through:

16 a. The duly appointed campaign treasurer or deputy campaign
17 treasurers of the candidate committee or joint candidates
18 committee;

19 b. The duly appointed organizational treasurer or deputy
20 organizational treasurers of a political party committee or a
21 continuing political committee;

22 c. The duly appointed campaign treasurer or deputy campaign
23 treasurers of a political committee; **[or]**

24 d. The duly appointed organizational treasurer or deputy
25 organizational treasurer of a legislative leadership committee; or

26 e. The duly appointed organizational treasurer or deputy
27 organizational treasurer of an independent expenditure committee.

28 It shall be lawful, however, for any person, not acting in concert
29 with any other person or group, to expend personally from his own
30 funds a sum which is not to be repaid to him for any purpose not
31 prohibited by law, or to contribute his own personal services and
32 personal traveling expenses, to support or defeat a candidate or to
33 aid the passage or defeat of a public question; provided, however,
34 that any person making such expenditure shall be required to report
35 his or her name and mailing address and the amount of all such
36 expenditures and expenses, except personal traveling expenses, if
37 the total of the money so expended, exclusive of such traveling
38 expenses, exceeds \$500, and also, where the person is an individual,
39 to report the individual's occupation and the name and mailing
40 address of the individual's employer, to the Election Law
41 Enforcement Commission at the same time and in the same manner
42 as a political committee subject to the provisions of section 8 of
43 **[this act]** P.L.1973, c.83 (C.19:44A-8). Such expenditure made
44 during the period between the 13th day prior to the election and the
45 date of the election shall be filed in writing or by telegram within
46 48 hours of the making, incurring or authorization of the
47 expenditure and shall set forth the name and mailing address of the

1 person, firm or organization to whom or which the expenditure was
2 paid and the amount and purpose of the expenditure.

3 No contribution of money shall be made in currency, except
4 contributions in response to a public solicitation, provided that
5 cumulative currency contributions of up to \$200 may be made to a
6 candidate committee or joint candidates committee, a political
7 committee, a continuing political committee, an independent
8 expenditure committee, a legislative leadership committee or a
9 political party committee if the contributor submits with the
10 currency contribution a written statement of a form as prescribed by
11 the commission, indicating the contributor's name, mailing address
12 and occupation and the amount of the contribution, including the
13 contributor's signature and the name and mailing address of the
14 contributor's employer. Adjustments to the \$200 limit established
15 in this paragraph which have been made by the Election Law
16 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
17 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
18 rescinded. The \$200 limit established in this paragraph shall
19 remain as stated in this paragraph without further adjustment by the
20 commission in the manner prescribed by section 22 of P.L.1993,
21 c.65 (C.19:44A-7.2).

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

26 No person, partnership or association, either directly or through
27 an agent, shall make any loan or advance, the proceeds of which
28 that person, partnership or association knows or has reason to know
29 or believe are intended to be used by the recipient thereof to make a
30 contribution or expenditure, except by check or money order
31 identifying the name, mailing address and occupation or business of
32 the maker of the loan, and, if the maker is an individual, the name
33 and mailing address of that individual's employer; provided,
34 however, that such loans or advances to a single individual, up to a
35 cumulative amount of \$50 in any calendar year, may be made in
36 currency.

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

38

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

41 18. a. No individual, other than an individual who is a
42 candidate, no corporation of any kind organized and incorporated
43 under the laws of this State or any other state or any country other
44 than the United States, no labor organization of any kind which
45 exists or is constituted for the purpose, in whole or in part, of
46 collective bargaining, or of dealing with employers concerning the
47 grievances, terms or conditions of employment, or of other mutual
48 aid or protection in connection with employment, or any group

1 shall: (1) pay or make any contribution of money or other thing of
2 value to a candidate who has established only a candidate
3 committee, his campaign treasurer, deputy campaign treasurer or
4 candidate committee which in the aggregate exceeds **【\$2,600】**
5 \$3,000 per election, or (2) pay or make any contribution of money
6 or other thing of value to candidates who have established only a
7 joint candidates committee, their campaign treasurer, deputy
8 campaign treasurer, or joint candidates committee, which in the
9 aggregate exceeds **【\$2,600】** \$3,000 per election per candidate, or
10 (3) pay or make any contribution of money or other thing of value
11 to a candidate who has established both a candidate committee and
12 a joint candidates committee, the campaign treasurers, deputy
13 campaign treasurers, or candidate committee or joint candidates
14 committee, which in the aggregate exceeds **【\$2,600】** \$3,000 per
15 election. No candidate who has established only a candidate
16 committee, his campaign treasurer, deputy campaign treasurer or
17 candidate committee shall knowingly accept from an individual,
18 other than an individual who is a candidate, a corporation of any
19 kind organized and incorporated under the laws of this State or any
20 other state or any country other than the United States, a labor
21 organization of any kind which exists or is constituted for the
22 purpose, in whole or in part, of collective bargaining, or of dealing
23 with employers concerning the grievances, terms or conditions of
24 employment, or of other mutual aid or protection in connection with
25 employment, or any group any contribution of money or other thing
26 of value which in the aggregate exceeds **【\$2,600】** \$3,000 per
27 election, and no candidates who have established only a joint
28 candidates committee, or their campaign treasurer, deputy campaign
29 treasurer, or joint candidates committee, shall knowingly accept
30 from any such source any contribution of money or other thing of
31 value which in the aggregate exceeds **【\$2,600】** \$3,000 per election
32 per candidate, and no candidate who has established both a
33 candidate committee and a joint candidates committee, the
34 campaign treasurers, deputy campaign treasurers, or candidate
35 committee or joint candidates committee shall knowingly accept
36 from any such source any contribution of money or other thing of
37 value which in the aggregate exceeds **【\$2,600】** \$3,000 per election.

38 b. (1) No political committee or continuing political
39 committee shall: (a) pay or make any contribution of money or
40 other thing of value to a candidate who has established only a
41 candidate committee, his campaign treasurer, deputy campaign
42 treasurer or candidate committee, other than a candidate for
43 nomination for election for the office of Governor or candidates for
44 election for the offices of Governor and Lieutenant Governor,
45 which in the aggregate exceeds **【\$8,200】** \$9,300 per election, or (b)
46 pay or make any contribution of money or other thing of value to
47 candidates who have established only a joint candidates committee,
48 their campaign treasurer or deputy campaign treasurer, or the joint

1 candidates committee, which in the aggregate exceeds ~~【\$8,200】~~
2 \$9,300 per election per candidate, or (c) pay or make any
3 contribution of money or other thing of value to a candidate who
4 has established both a candidate committee and a joint candidates
5 committee, the campaign treasurers, deputy campaign treasurers, or
6 candidate committee or joint candidates committee, which in the
7 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election. No candidate who
8 has established only a candidate committee, his campaign treasurer,
9 deputy campaign treasurer or candidate committee, other than a
10 candidate for nomination for election for the office of Governor or
11 candidates for election for the offices of Governor and Lieutenant
12 Governor, shall knowingly accept from any political committee or
13 continuing political committee any contribution of money or other
14 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per
15 election, and no candidates who have established only a joint
16 candidates committee, their campaign treasurer, deputy campaign
17 treasurer, or joint candidates committee, shall knowingly accept
18 from any such source any contribution of money or other thing of
19 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election
20 per candidate, and no candidate who has established both a
21 candidate committee and a joint candidates committee, the
22 campaign treasurers, deputy campaign treasurers, or candidate
23 committee or joint candidates committee shall knowingly accept
24 from any such source any contribution of money or other thing of
25 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election.

26 (2) The limitation upon the knowing acceptance by a candidate,
27 campaign treasurer, deputy campaign treasurer, candidate
28 committee or joint candidates committee of any contribution of
29 money or other thing of value from a political committee or
30 continuing political committee under the provisions of paragraph
31 (1) of this subsection shall also be applicable to the knowing
32 acceptance of any such contribution from the county committee of a
33 political party by a candidate or the campaign treasurer, deputy
34 campaign treasurer, candidate committee or joint candidates
35 committee of a candidate for any elective public office in another
36 county or, in the case of a candidate for nomination for election or
37 for election to the office of member of the Legislature, in a
38 legislative district in which, according to the federal decennial
39 census upon the basis of which legislative districts shall have been
40 established, less than 20% of the population resides within the
41 county of that county committee. In addition, all contributor
42 reporting requirements and other restrictions and regulations
43 applicable to a contribution of money or other thing of value by a
44 political committee or continuing political committee under the
45 provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be
46 applicable to the making or payment of such a contribution by such
47 a county committee.

1 The limitation upon the knowing acceptance by a candidate,
2 campaign treasurer, deputy campaign treasurer, candidate
3 committee or joint candidates committee of any contribution of
4 money or other thing of value from a political committee or
5 continuing political committee under the provisions of paragraph
6 (1) of this subsection, except that the amount of any contribution of
7 money or other thing of value shall be in an amount which in the
8 aggregate does not exceed \$25,000, shall also be applicable to the
9 knowing acceptance of any such contribution from the county
10 committee of a political party by a candidate, or the campaign
11 treasurer, deputy campaign treasurer, candidate committee or joint
12 candidates committee of a candidate, for nomination for election or
13 for election to the office of member of the Legislature in a
14 legislative district in which, according to the federal decennial
15 census upon the basis of which legislative districts shall have been
16 established, at least 20% but less than 40% of the population resides
17 within the county of that county committee. In addition, all
18 contributor reporting requirements and other restrictions and
19 regulations applicable to a contribution of money or other thing of
20 value by a political committee or continuing political committee
21 under the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall
22 likewise be applicable to the making or payment of such a
23 contribution by such a county committee.

24 With respect to the limitations in this paragraph, the Legislature
25 finds and declares that:

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

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

35 (c) Furthermore, the risk of actual or perceived corruption is
36 raised by the potential for contributors to circumvent limits on
37 contributions to candidates by funneling money to candidates
38 through county committees;

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

44 (e) It is, therefore, reasonable for the State to promote this
45 compelling interest by limiting the amount a county committee may
46 give to a legislative candidate based upon the degree to which the
47 population of the legislative district overlaps with the population of
48 that county.

1 c. (1) No candidate who has established only a candidate
2 committee, his campaign treasurer, deputy treasurer or candidate
3 committee shall (a) pay or make any contribution of money or other
4 thing of value to another candidate who has established only a
5 candidate committee, his campaign treasurer, deputy campaign
6 treasurer or candidate committee, other than a candidate for
7 nomination for election for the office of Governor or candidates for
8 election for the offices of Governor and Lieutenant Governor,
9 which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election, or (b)
10 pay or make any contribution of money or other thing of value to
11 candidates who have established only a joint candidates committee,
12 their campaign treasurer, deputy campaign treasurer, or joint
13 candidates committee, which in the aggregate exceeds ~~【\$8,200】~~
14 \$9,300 per election per candidate in the recipient committee, or (c)
15 pay or make any contribution of money or other thing of value to a
16 candidate who has established both a candidate committee and a
17 joint candidates committee, the campaign treasurers, deputy
18 campaign treasurers, or candidate committee or joint candidates
19 committee, which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per
20 election. No candidate who has established only a candidate
21 committee, his campaign treasurer, deputy campaign treasurer or
22 candidate committee, other than a candidate for nomination for
23 election for the office of Governor or candidates for election to the
24 offices of the Governor and Lieutenant Governor, shall knowingly
25 accept from another candidate who has established only a candidate
26 committee, his campaign treasurer, deputy campaign treasurer or
27 candidate committee, any contribution of money or other thing of
28 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election,
29 and no candidates who have established only a joint candidates
30 committee, their campaign treasurer, deputy campaign treasurer, or
31 joint candidates committee, shall knowingly accept from any such
32 source any contribution of money or other thing of value which in
33 the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election per candidate in
34 the recipient committee, and no candidate who has established both
35 a candidate committee and a joint candidates committee, the
36 campaign treasurers, deputy campaign treasurers, or candidate
37 committee 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】~~ \$9,300 per election.

40 (2) No candidates who have established only a joint candidates
41 committee, their campaign treasurer, deputy campaign treasurer, or
42 joint candidates committee shall (a) pay or make any contribution
43 of money or other thing of value to another candidate who has
44 established only a candidate committee, his campaign treasurer,
45 deputy campaign treasurer or candidate committee, other than a
46 candidate for nomination for election for the office of Governor or
47 candidates for election for the offices of Governor and Lieutenant
48 Governor, which in the aggregate exceeds, on the basis of each

1 candidate in the contributing joint candidates committee, **[\$8,200]**
2 \$9,300 per election, or (b) pay or make any contribution of money
3 or other thing of value to candidates who have established only a
4 joint candidates committee, their campaign treasurer, deputy
5 campaign treasurer or joint candidates committee, which in the
6 aggregate exceeds, on the basis of each candidate in the
7 contributing joint candidates committee, **[\$8,200]** \$9,300 per
8 election per candidate in the recipient joint candidates committee,
9 or (c) pay or make any contribution of money or other thing of
10 value to a candidate who has established both a candidate
11 committee and a joint candidates committee, the campaign
12 treasurers, deputy campaign treasurers or candidate committee or
13 joint candidates committee, which in the aggregate exceeds, on the
14 basis of each candidate in the contributing joint candidates
15 committee, **[\$8,200]** \$9,300 per election. No candidate who has
16 established only a candidate committee, his campaign treasurer,
17 deputy campaign treasurer, or candidate committee, other than a
18 candidate for nomination for election for the office of Governor or
19 candidates for election for the offices of Governor and Lieutenant
20 Governor, shall knowingly accept from other candidates who have
21 established only a joint candidates committee, their campaign
22 treasurer, deputy campaign treasurer or joint candidates committee,
23 any contribution of money or other thing of value which in the
24 aggregate exceeds, on the basis of each candidate in the
25 contributing committee, **[\$8,200]** \$9,300 per election, and no
26 candidates who have established only a joint candidates committee,
27 their campaign treasurer, deputy campaign treasurer, or joint
28 candidates committee, shall knowingly accept from any such source
29 any contribution of money or other thing of value which in the
30 aggregate exceeds, on the basis of each candidate in the
31 contributing joint candidates committee, **[\$8,200]** \$9,300 per
32 election per candidate in the recipient joint candidates committee,
33 and no candidate who has established both a candidate committee
34 and a joint candidates committee, the campaign treasurers, deputy
35 campaign treasurers, or candidate committee or joint candidates
36 committee, shall knowingly accept from any such source any
37 contribution of money or other thing of value which in the
38 aggregate exceeds, on the basis of each candidate in the
39 contributing joint candidates committee, **[\$8,200]** \$9,300 per
40 election.

41 (3) No candidate who has established both a candidate
42 committee and a joint candidates committee, the campaign
43 treasurers, deputy campaign treasurers, or candidate committee or
44 joint candidates committee shall (a) pay or make any contribution
45 of money or other thing of value to another candidate who has
46 established only a candidate committee, his campaign treasurer,
47 deputy campaign treasurer or candidate committee, other than a
48 candidate for nomination for election for the office of Governor or

1 candidates for election for the offices of Governor and Lieutenant
2 Governor, which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per
3 election, or (b) pay or make any contribution of money or other
4 thing of value to candidates who have established only a joint
5 candidates committee, their campaign treasurer, deputy campaign
6 treasurer or joint candidates committee, which in the aggregate
7 exceeds ~~【\$8,200】~~ \$9,300 per election per candidate in the recipient
8 joint candidates committee, or (c) pay or make any contribution of
9 money or other thing of value to a candidate who has established
10 both a candidate committee and a joint candidates committee, the
11 campaign treasurers, deputy campaign treasurers, or candidate
12 committee or joint candidates committee, which in the aggregate
13 exceeds ~~【\$8,200】~~ \$9,300 per election. No candidate who has
14 established only a candidate committee, his campaign treasurer,
15 deputy campaign treasurer, or candidate committee, other than a
16 candidate for nomination for election for the office of Governor or
17 candidates for election for the offices of Governor and Lieutenant
18 Governor, shall knowingly accept from a candidate who has
19 established both a candidate committee and a joint candidates
20 committee, the campaign treasurers, deputy campaign treasurers, or
21 candidate committee or joint candidates committee, any
22 contribution of money or other thing of value which in the
23 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election, and no candidates
24 who have established only a joint candidates committee, their
25 campaign treasurer, deputy campaign treasurer, or joint candidates
26 committee, shall knowingly accept from any such source any
27 contribution of money or other thing of value which in the
28 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election per candidate in the
29 recipient joint candidates committee, and no candidate who has
30 established both a candidate committee and a joint candidates
31 committee, the campaign treasurers, deputy campaign treasurers, or
32 candidate committee or joint candidates committee shall knowingly
33 accept from any such source any contribution of money or other
34 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per
35 election.

36 (4) Expenditures by a candidate for nomination for election or
37 for election to the office of member of the Legislature or to an
38 office of a political subdivision of the State, or by the campaign
39 treasurer, deputy treasurer, candidate committee or joint candidates
40 committee of such a candidate, which are made in furtherance of the
41 nomination or election, respectively, of another candidate for the
42 same office in the same legislative district or the same political
43 subdivision shall not be construed to be subject to any limitation
44 under this subsection; for the purposes of this sentence, the offices
45 of member of the State Senate and member of the General
46 Assembly shall be deemed to be the same office.

47 d. Nothing contained in this section shall be construed to
48 impose any limitation on contributions by a candidate, or by a

1 corporation, 100% of the stock in which is owned by a candidate or
2 the candidate's spouse, child, parent or sibling residing in the same
3 household, to that candidate's campaign.

4 e. For the purpose of determining the amount of a contribution
5 to be attributed as given to or by each candidate in a joint
6 candidates committee, the amount of the contribution to or by such
7 a committee shall be divided equally among all the candidates in the
8 committee.

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

10

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

13 19. a. (1) Except as otherwise provided in paragraph (2) of this
14 subsection, no individual, no corporation of any kind organized and
15 incorporated under the laws of this State or any other state or any
16 country other than the United States, no labor organization of any
17 kind which exists or is constituted for the purpose, in whole or in
18 part, of collective bargaining, or of dealing with employers
19 concerning the grievances, terms or conditions of employment, or
20 of other mutual aid or protection in connection with employment,
21 no political committee, continuing political committee, candidate
22 committee or joint candidates committee or any other group, shall
23 pay or make any contribution of money or other thing of value to
24 the campaign treasurer, deputy treasurer or other representative of
25 the State committee of a political party or the campaign treasurer,
26 deputy campaign treasurer or other representative of any legislative
27 leadership committee, which in the aggregate exceeds **[\$25,000]**
28 \$28,000 per year, or in the case of a joint candidates committee
29 when that is the only committee established by the candidates,
30 **[\$25,000]** \$28,000 per year per candidate in the joint candidates
31 committee, or in the case of a candidate committee and a joint
32 candidates committee when both are established by a candidate,
33 **[\$25,000]** \$28,000 per year from that candidate. No campaign
34 treasurer, deputy campaign treasurer or other representative of the
35 State committee of a political party or campaign treasurer, deputy
36 campaign treasurer or other representative of any legislative
37 leadership committee shall knowingly accept from an individual, a
38 corporation of any kind organized and incorporated under the laws
39 of this State or any other state or any country other than the United
40 States, a labor organization of any kind which exists or is
41 constituted for the purpose, in whole or in part, of collective
42 bargaining, or of dealing with employers concerning the grievances,
43 terms or conditions of employment, or of other mutual aid or
44 protection in connection with employment, a political committee, a
45 continuing political committee, a candidate committee or a joint
46 candidates committee or any other group, any contribution of
47 money or other thing of value which in the aggregate exceeds
48 **[\$25,000]** \$28,000 per year, or in the case of a joint candidates

1 committee when that is the only committee established by the
2 candidates, **[\$25,000]** \$28,000 per year per candidate in the joint
3 candidates committee, or in the case of a candidate committee and a
4 joint candidates committee when both are established by a
5 candidate, **[\$25,000]** \$28,000 per year from that candidate.

6 (2) No national committee of a political party shall pay or make
7 any contribution of money or other thing of value to the campaign
8 treasurer, deputy treasurer or other representative of the State
9 committee of a political party which in the aggregate exceeds
10 **[\$72,000]** \$82,000 per year, and no campaign treasurer, deputy
11 campaign treasurer or other representative of the State committee of
12 a political party shall knowingly accept from the national committee
13 of a political party any contribution of money or other thing of
14 value which in the aggregate exceeds **[\$72,000]** \$82,000 per year.

15 b. No individual, no corporation of any kind organized and
16 incorporated under the laws of this State or any other state or any
17 country other than the United States, no labor organization of any
18 kind which exists or is constituted for the purpose, in whole or in
19 part, of collective bargaining, or of dealing with employers
20 concerning the grievances, terms or conditions of employment, or
21 of other mutual aid or protection in connection with employment,
22 no political committee, continuing political committee, candidate
23 committee or joint candidates committee or any other group, shall
24 pay or make any contribution of money or other thing of value to
25 any county committee of a political party, which in the aggregate
26 exceeds **[\$37,000]** \$42,000 per year, or in the case of a joint
27 candidates committee when that is the only committee established
28 by the candidates, **[\$37,000]** \$42,000 per year per candidate in the
29 joint candidates committee, or in the case of a candidate committee
30 and a joint candidates committee when both are established by a
31 candidate, **[\$37,000]** \$42,000 per year from that candidate. No
32 campaign treasurer, deputy campaign treasurer or other
33 representative of a county committee of a political party shall
34 knowingly accept from an individual, a corporation of any kind
35 organized and incorporated under the laws of this State or any other
36 state or any country other than the United States, a labor
37 organization of any kind which exists or is constituted for the
38 purpose, in whole or in part, of collective bargaining, or of dealing
39 with employers concerning the grievances, terms or conditions of
40 employment, or of other mutual aid or protection in connection with
41 employment, a political committee, a continuing political
42 committee, a candidate committee or a joint candidates committee
43 or any other group, any contribution of money or other thing of
44 value which in the aggregate exceeds **[\$37,000]** \$42,000 per year,
45 or in the case of a joint candidates committee when that is the only
46 committee established by the candidates, **[\$37,000]** \$42,000 per
47 year per candidate in the joint candidates committee, or in the case
48 of a candidate committee and a joint candidates committee when

1 both are established by a candidate, **【\$37,000】** \$42,000 per year
2 from that candidate.

3 c. No individual, no corporation of any kind organized and
4 incorporated under the laws of this State or any other state or any
5 country other than the United States, no labor organization of any
6 kind which exists or is constituted for the purpose, in whole or in
7 part, of collective bargaining, or of dealing with employers
8 concerning the grievances, terms or conditions of employment, or
9 of other mutual aid or protection in connection with employment,
10 no political committee, continuing political committee, candidate
11 committee or joint candidates committee or any other group shall
12 pay or make any contribution of money or other thing of value to
13 any municipal committee of a political party, which in the aggregate
14 exceeds **【\$7,200】** \$8,200 per year, or in the case of a joint
15 candidates committee when that is the only committee established
16 by the candidates, **【\$7,200】** \$8,200 per year per candidate in the
17 joint candidates committee, or in the case of a candidate committee
18 and a joint candidates committee when both are established by a
19 candidate, **【\$7,200】** \$8,200 per year from that candidate. No
20 campaign treasurer, deputy campaign treasurer or other
21 representative of a municipal committee of a political party shall
22 knowingly accept from an individual, a corporation of any kind
23 organized and incorporated under the laws of this State or any other
24 state or any country other than the United States, a labor
25 organization of any kind which exists or is constituted for the
26 purpose, in whole or in part, of collective bargaining, or of dealing
27 with employers concerning the grievances, terms or conditions of
28 employment, or of other mutual aid or protection in connection with
29 employment, a political committee, a continuing political
30 committee, a candidate committee or a joint candidates committee
31 or any other group, any contribution of money or other thing of
32 value which in the aggregate exceeds **【\$7,200】** \$8,200 per year, or
33 in the case of a joint candidates committee when that is the only
34 committee established by the candidates, **【\$7,200】** \$8,200 per year
35 per candidate in the joint candidates committee, or in the case of a
36 candidate committee and a joint candidates committee when both
37 are established by a candidate, **【\$7,200】** \$8,200 per year from that
38 candidate.

39 No county committee of a political party in any county shall pay
40 or make any contribution of money or other thing of value to a
41 municipal committee of a political party in a municipality not
42 located in that county which in the aggregate exceeds the amount of
43 aggregate contributions which, under this subsection, a continuing
44 political committee is permitted to pay or make to a municipal
45 committee of a political party. No campaign treasurer, deputy
46 campaign treasurer or other representative of a municipal committee
47 of a political party in any municipality shall knowingly accept from
48 any county committee of a political party in any county other than

1 the county in which the municipality is located any contribution of
2 money or other thing of value which in the aggregate exceeds the
3 amount of contributions permitted to be so paid or made under that
4 subsection.

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

10

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

13 20. a. No candidate who has established only a candidate
14 committee, his campaign treasurer, deputy treasurer or candidate
15 committee shall pay or make any contribution of money or other
16 thing of value to a political committee, other than a political
17 committee which is organized to, or does, aid or promote the
18 passage or defeat of a public question in any election, or a
19 continuing political committee, which in the aggregate exceeds, in
20 the case of such a political committee, **[\$7,200]** \$8,200 per
21 election, or in the case of a continuing political committee,
22 **[\$7,200]** \$8,200 per year, and no candidates who have established
23 only a joint candidates committee, their campaign treasurer, deputy
24 campaign treasurer or joint candidates committee shall pay or make
25 any contribution of money or other thing of value to such a political
26 committee or continuing political committee which in the aggregate
27 exceeds, in the case of such a political committee, **[\$7,200]** \$8,200
28 per election per candidate in the joint candidates committee, or in
29 the case of a continuing political committee, **[\$7,200]** \$8,200 per
30 year per candidate in the joint candidates committee, and no
31 candidate who has established both a candidate committee and a
32 joint candidates committee shall pay or make any contribution of
33 money or other thing of value which in the aggregate exceeds, in
34 the case of such a political committee, **[\$7,200]** \$8,200 per election
35 from that candidate, or in the case of a continuing political
36 committee, **[\$7,200]** \$8,200 per year from that candidate. No
37 political committee, other than a political committee which is
38 organized to, or does, aid or promote the passage or defeat of a
39 public question in any election, or a continuing political committee,
40 shall knowingly accept from a candidate who has established only a
41 candidate committee, his campaign treasurer, deputy treasurer or
42 candidate committee, any contribution of money or other thing of
43 value which in the aggregate exceeds, in the case of such a political
44 committee, **[\$7,200]** \$8,200 per election, or in the case of a
45 continuing political committee, **[\$7,200]** \$8,200 per year, and no
46 such political committee or continuing political committee shall
47 knowingly accept from candidates who have established only a joint
48 candidates committee, their campaign treasurer, deputy campaign

1 treasurer, or joint candidates committee, any contribution of money
2 or other thing of value which in the aggregate exceeds, in the case
3 of such a political committee, **[\$7,200]** \$8,200 per election per
4 candidate in the joint candidates committee, or in the case of a
5 continuing political committee, **[\$7,200]** \$8,200 per year per
6 candidate in the joint candidates committee, and no such political
7 committee or continuing political committee shall knowingly accept
8 from a candidate who has established both a candidate committee
9 and a joint candidates committee any contribution of money or
10 other thing of value which in the aggregate exceeds, in the case of
11 such a political committee, **[\$7,200]** \$8,200 per election from that
12 candidate, or in the case of a continuing political committee,
13 **[\$7,200]** \$8,200 per year from that candidate. For the purpose of
14 determining the amount of a contribution to be attributed as given
15 by each candidate in a joint candidates committee, the amount of
16 the contribution by such a committee shall be divided equally
17 among all the candidates in the committee.

18 b. No political committee, other than a political committee
19 which is organized to, or does, aid or promote the passage or defeat
20 of a public question in any election, and no continuing political
21 committee shall pay or make any contribution of money or other
22 thing of value to another political committee, other than a political
23 committee which is organized to, or does, aid or promote the
24 passage or defeat of a public question in any election, or another
25 continuing political committee which in the aggregate exceeds, in
26 the case of a recipient continuing political committee, **[\$7,200]**
27 \$8,200 per year, or in the case of a recipient political committee,
28 **[\$7,200]** \$8,200 per election. No political committee, other than a
29 political committee which is organized to, or does, aid or promote
30 the passage or defeat of a public question in any election, and no
31 continuing political committee shall knowingly accept from another
32 political committee, other than a political committee which is
33 organized to, or does, aid or promote the passage or defeat of a
34 public question in any election, or another continuing political
35 committee any contribution of money or other thing of value which
36 in the aggregate exceeds, in the case of a recipient continuing
37 political committee, **[\$7,200]** \$8,200 per year, or in the case of a
38 recipient political committee, **[\$7,200]** \$8,200 per election.

39 c. No individual, no corporation of any kind organized and
40 incorporated under the laws of this State or any other state or any
41 country other than the United States, no labor organization of any
42 kind which exists or is constituted for the purpose, in whole or in
43 part, of collective bargaining, or of dealing with employees
44 concerning the grievances, terms or conditions of employment, or
45 of other mutual aid or protection in connection with employment,
46 nor any other group, shall pay or make any contribution of money
47 or other thing of value to a political committee, other than a
48 political committee which is organized to, or does, aid or promote

1 the passage or defeat of a public question in any election, or a
2 continuing political committee, which in the aggregate exceeds, in
3 the case of such a political committee, ~~[\$7,200]~~ \$8,200 per
4 election, or in the case of a continuing political committee,
5 ~~[\$7,200]~~ \$8,200 per year, and no such political committee or
6 continuing political committee shall knowingly accept any
7 contribution in excess of those amounts from an individual or from
8 such corporation, labor organization, or other group.

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

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

13 12. An organizational or campaign treasurer or deputy
14 organizational or campaign treasurer of a candidate committee or
15 joint candidates committee, a political committee, a continuing
16 political committee, an independent expenditure committee, a
17 political party committee or a legislative leadership committee shall
18 make a written record of all funds which he receives as
19 contributions to the candidate committee, joint candidates
20 committee, political committee, continuing political committee,
21 independent expenditure committee, political party committee or
22 legislative leadership committee, including in that record the name
23 and mailing address of the contributor, the amount and date of the
24 contribution, and where the contributor is an individual, the
25 occupation of the individual and the name and mailing address of
26 the individual's employer. The organizational or campaign treasurer
27 shall retain that record for a period of not less than four years. All
28 funds so received shall be deposited by the campaign or
29 organizational treasurer or deputy campaign or organizational
30 treasurer in a campaign depository of the candidate committee or
31 joint candidates committee, the continuing political committee,
32 political committee, independent expenditure committee, political
33 party committee or legislative leadership committee no later than
34 the tenth calendar day following receipt of such funds; except that
35 any such treasurer or deputy treasurer may, when authorized by the
36 candidate, candidates or committee of which he is the campaign or
37 organizational treasurer or deputy campaign or organizational
38 treasurer, transfer any such funds to the duly designated campaign
39 or organizational treasurer or deputy campaign or organizational
40 treasurer of another candidate or committee, for inclusion in the
41 campaign depository thereof, without first so depositing them;
42 provided, however, that the amount so transferred shall not be in
43 excess of the amount that may be contributed by one candidate to
44 another candidate in an election pursuant to section 18 of P.L.1993,
45 c.65 (C.19:44A-11.3), but this proviso shall not be construed to
46 prohibit a county or municipal committee of a political party from
47 making a contribution or contributions, or from transferring funds
48 as hereinabove authorized, to any candidate, candidate committee,

1 joint candidates committee, political committee, continuing political
2 committee, independent expenditure committee, political party
3 committee, or legislative leadership committee. A record of all
4 nondeposited funds so transferred shall be attached to the statement
5 required under this section, identifying them as to source and
6 amount in the same manner as deposited funds.
7 (cf: P.L.1995, c.178, s.1)

8
9 10. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to
10 read as follows:

11 16. a. The campaign treasurer of each candidate committee and
12 joint candidates committee shall make a full cumulative report,
13 upon a form prescribed by the Election Law Enforcement
14 Commission, of all contributions in the form of moneys, loans, paid
15 personal services or other things of value, made to him or to the
16 deputy campaign treasurers of the candidate committee or joint
17 candidates committee, and all expenditures paid out of the election
18 fund of the candidate or candidates, during the period ending with
19 the second day preceding the date of the cumulative report and
20 beginning on the date of the first of those contributions, the date of
21 the first of those expenditures, or the date of the appointment of the
22 campaign treasurer, whichever occurred first. The report shall also
23 contain the name and mailing address of each person or group from
24 whom moneys, loans, paid personal services or other things of value
25 were contributed after the second day preceding the date of the
26 previous cumulative report and the amount contributed by each
27 person or group, and where an individual has made such
28 contributions, the report shall indicate the occupation of the
29 individual and the name and mailing address of the individual's
30 employer. In the case of any loan reported pursuant to this section,
31 the report shall further contain the name and mailing address of
32 each person who cosigns such loan, the occupation of the person
33 and the name and mailing address of the person's employer. If no
34 moneys, loans, paid personal services or other things of value were
35 contributed, the report shall so indicate, and if no expenditures were
36 paid or incurred, the report shall likewise so indicate. The
37 campaign treasurer and the candidate or several candidates shall
38 certify the correctness of the report.

39 b. During the period between the appointment of the campaign
40 treasurer and the election with respect to which contributions are
41 accepted or expenditures made by him, the campaign treasurer shall
42 file his cumulative campaign report (1) on the 29th day preceding
43 the election, and (2) on the 11th day preceding the election; and
44 after the election he shall file his report on the 20th day following
45 such election. Concurrent with the report filed on the 20th day
46 following an election, or at any time thereafter, the campaign
47 treasurer of a candidate committee or joint candidates committee
48 may certify to the Election Law Enforcement Commission that the

1 election fund of such candidate committee or joint candidates
2 committee has wound up its business and been dissolved, or that
3 business regarding the late election has been wound up but the
4 candidate committee or joint candidates committee will continue for
5 the deposit and use of contributions in accordance with section 17
6 of P.L.1993, c.65 (C.19:44A-11.2). Certification shall be
7 accompanied by a final accounting of such election fund, or of the
8 transactions relating to such election, including the final disposition
9 of any balance remaining in such fund at the time of dissolution or
10 the arrangements which have been made for the discharge of any
11 obligations remaining unpaid at the time of dissolution. Until the
12 candidate committee or joint candidates committee is dissolved,
13 each such treasurer shall continue to file reports in the form and
14 manner herein prescribed.

15 The Election Law Enforcement Commission shall promulgate
16 regulations providing for the termination of post-election campaign
17 reporting requirements applicable to political committees, candidate
18 committees and joint candidates committees. The requirements to
19 file quarterly reports after the first post-election report may be
20 waived by the commission, notwithstanding that the certification
21 has not been filed, if the commission determines under any
22 regulations so promulgated that the outstanding obligations of the
23 political committee, candidate committee or joint candidates
24 committee do not exceed 10% of the expenditures of the campaign
25 fund with respect to the election or \$1,000.00, whichever is less, or
26 are likely to be discharged or forgiven.

27 A candidate committee or joint candidates committee shall file
28 with the Election Law Enforcement Commission, not later than
29 April 15, July 15, October 15 of each calendar year in which the
30 candidate or candidates in control of the committee does or do not
31 run for election or reelection and January 15 of each calendar year
32 in which the candidate or candidates does or do run for election or
33 reelection, a cumulative quarterly report of all moneys, loans, paid
34 personal services or other things of value contributed to it or to the
35 candidate or candidates during the period ending on the 15th day
36 preceding that date and commencing on January 1 of that calendar
37 year or, in the case of the cumulative quarterly report to be filed not
38 later than January 15, of the previous calendar year, and all
39 expenditures made, incurred, or authorized by it or the candidate or
40 candidates during the period, whether or not such expenditures were
41 made, incurred or authorized in furtherance of the election or defeat
42 of any candidate, or in aid of the passage or defeat of any public
43 question or to provide information on any candidate or public
44 question. The commission may by regulation require any such
45 candidate committee or joint candidates committee to file during
46 any calendar year one or more additional cumulative reports of such
47 contributions received and expenditures made as may be necessary
48 to ensure that no more than five months shall elapse between the

1 last day of a period covered by one such report and the last day of
2 the period covered by the next such report.

3 The commission, on any form it shall prescribe for the reporting
4 of expenditures by a candidate committee or joint candidates
5 committee, shall provide for the grouping together of all
6 expenditures under the category of "campaign expenses" under
7 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
8 identified as such, and for the grouping together, separately, of all
9 other expenditures under the categories prescribed by paragraphs
10 (2) through (6) of that subsection. The cumulative quarterly report
11 due on April 15 in a year immediately after the year in which the
12 candidate or candidates does or do run for election or reelection
13 shall contain a report of all of the contributions received and
14 expenditures made by the candidate or candidates since the 18th day
15 after that election.

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

33 c. No candidate for elective public office shall be required to
34 file a duplicate copy of the campaign treasurer's report with the
35 county clerk of the county in which the candidate resides.

36 d. There shall be no obligation to file the reports required by
37 this section on behalf of a candidate if such candidate files with the
38 Election Law Enforcement Commission a sworn statement to the
39 effect that the total amount to be expended in behalf of his
40 candidacy by the candidate committee, by any political party
41 committee, by any political committee, or by any person shall not in
42 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
43 committee containing two candidates or \$6,000 for any joint
44 candidates committee containing three or more candidates. The
45 sworn statement may be submitted at the time when the name and
46 address of the campaign treasurer and depository is filed with the
47 Election Law Enforcement Commission, provided that in any case
48 the sworn statement is filed no later than the 29th day before an

1 election. If a candidate who has filed such a sworn statement
2 receives contributions from any one source aggregating more than
3 \$300 he shall forthwith make report of the same, including the name
4 and mailing address of the source and the aggregate total of
5 contributions therefrom, and where the source is an individual, the
6 occupation of the individual and the name and mailing address of
7 the individual's employer, to the Election Law Enforcement
8 Commission. The \$300 limit established in this subsection shall
9 remain as stated in this subsection without further adjustment by the
10 commission in the manner prescribed by section 22 of P.L.1993,
11 c.65 (C.19:44A-7.2).

12 e. There shall be no obligation imposed upon a candidate
13 seeking election to a public office of a school district to file either
14 the reports required under subsection b. of this section or the sworn
15 statement referred to in subsection d. of this section, if the total
16 amount expended and to be expended in behalf of his candidacy by
17 the candidate committee, any political committee, any continuing
18 political committee, or a political party committee or by any person,
19 does not in the aggregate exceed \$2,000.00 per election or \$4,000
20 for any joint candidates committee containing two candidates or
21 \$6,000 for any joint candidates committee containing three or more
22 candidates; provided, that if such candidate receives contributions
23 from any one source aggregating more than \$300, he shall forthwith
24 make a report of the same, including the name and mailing address
25 of the source, the aggregate total of contributions therefrom, and
26 where the source is an individual, the occupation of the individual
27 and the name and mailing address of the individual's employer, to
28 the commission.

29 The \$300 limit established in this subsection shall remain as
30 stated in this subsection without further adjustment by the
31 commission in the manner prescribed by section 22 of P.L.1993,
32 c.65 (C.19:44A-7.2).

33 f. In any report filed pursuant to the provisions of this section,
34 the names and addresses of contributors whose contributions during
35 the period covered by the report did not exceed \$300 may be
36 excluded; provided, however, that (1) such exclusion is unlawful if
37 any person responsible for the preparation or filing of the report
38 knew that such exclusion was made with respect to any person
39 whose total contributions relating to the same election and made to
40 the reporting candidate or to an allied campaign organization or
41 organizations aggregate, in combination with the total contributions
42 in respect of which such exclusion is made, more than \$300, and (2)
43 any person who knowingly prepares, assists in preparing, files or
44 acquiesces in the filing of any report from which the identity of any
45 contributor has been excluded contrary to the provisions of this
46 section is subject to the provisions of section 21 of this act, but (3)
47 nothing in this proviso shall be construed as requiring any candidate
48 committee or joint candidates committee reporting pursuant to this

1 act to report the amounts, dates or other circumstantial data
2 regarding contributions made to any other candidate committee,
3 joint candidates committee, political committee, continuing political
4 committee, political party committee or legislative leadership
5 committee.

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

10 g. Any report filed pursuant to the provisions of this section
11 shall include an itemized accounting of all receipts and
12 expenditures relative to any testimonial affair held since the date of
13 the most recent report filed, which accounting shall include the
14 name and mailing address of each contributor in excess of \$300 to
15 such testimonial affair and the amount contributed by each; in the
16 case of any individual contributor, the occupation of the individual
17 and the name and mailing address of the individual's employer; the
18 expenses incurred; and the disposition of the proceeds of such
19 testimonial affair.

20 The \$300 limit established in this subsection shall remain as
21 stated in this subsection without further adjustment by the
22 commission in the manner prescribed by section 22 of P.L.1993,
23 c.65 (C.19:44A-7.2).

24 h. (Deleted by amendment, P.L.1993, c.65.)

25 i. Each campaign treasurer of a candidate committee or joint
26 candidates committee shall file written notice with the commission
27 of a contribution in excess of ~~【\$500】~~ \$1,400 received during the
28 period between the 13th day prior to the election and the date of the
29 election and of an expenditure of money or other thing of value in
30 excess of ~~【\$800】~~ \$1,400 made, incurred or authorized by the
31 candidate committee or joint candidates committee to support or
32 defeat a candidate in an election, or to aid the passage or defeat of
33 any public question, during the period between the 13th day prior to
34 the election and the date of the election, provided that a candidate
35 shall not be required to file written notice pursuant to this
36 subsection of an expenditure made to support his or her own
37 candidacy, or to support or defeat a candidate for the same office in
38 an election. For the purposes of this subsection, the offices of
39 member of the Senate and member of the General Assembly shall
40 be deemed to be the same office in a legislative district; the offices
41 of member of the board of chosen freeholders and county executive
42 shall be deemed to be the same office in a county; and the offices of
43 mayor and member of the municipal governing body shall be
44 deemed to be the same office in a municipality.

45 The notice of a contribution shall be filed in writing or by
46 telegram within 48 hours of the receipt of the contribution and shall
47 set forth the amount and date of the contribution, the name and
48 mailing address of the contributor, and where the contributor is an

1 individual, the occupation of the individual and the name and
2 mailing address of the individual's employer. The notice of an
3 expenditure shall be filed in writing or by telegram within 48 hours
4 of the making, incurring or authorization of the expenditure and
5 shall set forth the name and mailing address of the person, firm or
6 organization to whom or which the expenditure was paid and the
7 amount and purpose of the expenditure.

8 j. Each county shall provide on its Internet site a link to the
9 Internet site for the Election Law Enforcement Commission for the
10 purpose of providing public access to the reports that are required to
11 be submitted to the commission pursuant to this section.

12 (cf: P.L.2014, c.58, s.1)

13

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

16 18. If any former candidate or any political committee or any
17 person or association of persons in behalf of such political
18 committee, or any independent expenditure committee, or former
19 candidate shall receive any contributions or make any expenditures
20 with relation to any election after the date set in section 16 of **[this**
21 **act]** P.L.1973, c.83 (C.19:44A-16) for the final report subsequent to
22 such election, or shall conduct any testimonial affair or public
23 solicitation for the purpose of raising funds to cover any part of the
24 expenses of a candidate **[or]**, political committee, independent
25 expenditure committee, or other organization in such election, all
26 such contributions, expenditures, testimonial affairs or public
27 solicitations shall be reported to the Election Law Enforcement
28 Commission by the person or persons receiving such contributions
29 or making such expenditures or conducting such testimonial affairs
30 or public solicitations. Such report shall be made by any person
31 receiving any such contribution or contributions, or making any
32 such expenditure or expenditures, which in the aggregate total
33 more than \$100.00, or conducting any testimonial affair or public
34 solicitation of which the net proceeds exceed \$100.00; and shall be
35 made within 20 days from the date upon which the aggregate of
36 such contributions, expenditures or proceeds exceed \$100.00 for
37 the period commencing with the 19th day following such election
38 or with the date upon which any previous report was made pursuant
39 to this section, whichever is sooner. Such report shall be made in
40 the same form and shall contain the same detail prescribed for any
41 other report made pursuant to section 8 or 16 of **[this act]**
42 P.L.1973, c.83 (C.19:44A-8 or C.19:44A-16).

43 (cf: P.L.1983, c.579, s.17)

44

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

47 19. a. No person shall conduct any public solicitation as defined
48 in this act except (1) upon written authorization of the campaign or

1 organizational treasurer of the candidate committee or joint
2 candidates committee, political committee, continuing political
3 committee, political party committee, independent expenditure
4 committee, or legislative leadership committee on whose behalf
5 such solicitation is conducted, or (2) in accordance with the
6 provisions of subsection c. of this section. A person with such
7 written authorization may employ and accept the services of others
8 as solicitors, and shall be responsible for reporting to the treasurer
9 the information required under subsection b. of this section and for
10 delivery to the treasurer the net proceeds of such solicitation in
11 compliance with section 11 of **[this act]** P.L.1973, c.83 (C.19:44A-
12 11). A contribution made through donation or purchase in response
13 to a public solicitation conducted pursuant to written authorization
14 of a treasurer shall be deemed to have been made through such
15 treasurer.

16 b. Whenever a public solicitation has been authorized by a
17 treasurer during a period covered by a report required to be filed
18 under sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8
19 and C.19:44A-16), there shall be filed with such report and as a part
20 thereof an itemized report on any such solicitation of which the net
21 proceeds exceed \$200, in such form and detail as required by the
22 rules of the Election Law Enforcement Commission, which report
23 shall include:

24 (1) The name and mailing address of the person authorized to
25 conduct such solicitation, the method of solicitation and, where the
26 person is an individual, the occupation of the individual and the
27 name and mailing address of the individual's employer;

28 (2) The gross receipts and expenses involved in the solicitation
29 including the actual amount paid for any items purchased for resale
30 in connection with the solicitation, or, if such items or any portion
31 of the cost thereof was donated, the estimated actual value thereof
32 and the actual amount paid therefor, and the names and addresses of
33 any such donors. If it is not practicable for such itemized report to
34 be completed in time to be included with the report due under
35 sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8 and
36 C.19:44A-16) for the period during which such solicitation was
37 held, then such itemized report may be omitted from said report and
38 if so omitted shall be included in the report for the next succeeding
39 period.

40 Adjustments to the \$200 limit established in this subsection
41 which have been made by the Election Law Enforcement
42 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
43 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The
44 \$200 limit established in this subsection shall remain as stated in
45 this subsection without further adjustment by the commission in the
46 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

47 c. Notwithstanding the provisions of subsection b. of this
48 section, it shall be lawful for any natural person, not acting in

1 concert with any other person or group, to make personally a public
2 solicitation the entire proceeds of which, without deduction for the
3 expenses of solicitation, are to be expended by him personally or
4 under his personal direction to finance any lawful activity in
5 support of or opposition to any candidate or public question or to
6 provide political information on any candidate or public question or
7 to seek to influence the content, introduction, passage or defeat of
8 legislation; provided, however, that any individual making such
9 solicitation who receives gross contributions exceeding \$200 in
10 respect to activities relating to any one election shall be required to
11 make a report stating (1) the amount so collected, (2) the method of
12 solicitation, (3) the purpose or purposes for which the funds so
13 collected were expended and the amount expended for each such
14 purpose and (4) the individual's name and mailing address, the
15 individual's occupation and the name and mailing address of the
16 individual's employer. Adjustments to the \$200 limit established in
17 this subsection which have been made by the Election Law
18 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
19 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
20 rescinded. The \$200 limit established in this subsection shall
21 remain as stated in this subsection without further adjustment by the
22 commission in the manner prescribed by section 22 of P.L.1993,
23 c.65 (C.19:44A-7.2).

24 Such report shall be made to the Election Law Enforcement
25 Commission at the same time and in the same manner as a political
26 committee, continuing political committee, political party
27 committee, independent expenditure committee, or a legislative
28 leadership committee subject to the provisions of section 8 of **[this**
29 **act]** P.L.1973, c.83 (C.19:44A-8).

30 d. Contributions or purchases made in response to a public
31 solicitation conducted in conformity with the requirements and
32 conditions of **[this act]** P.L.1973, c.83 (C.19:44A-1 et seq.) shall
33 not be deemed anonymous within the meaning of sections 11 and 20
34 of **[this]** the act.

35 e. No person contributing in good faith to a public solicitation
36 not duly authorized in compliance with the provisions of **[this act]**
37 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be liable to any penalty
38 under **[this]** the act by reason of having made such contribution.
39 (cf: P.L.2004, c.28, s.6)

40

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

43 20. No contribution of money or other thing of value, nor
44 obligation therefor, shall be made, and no expenditure of money or
45 other thing of value, nor obligation therefor, shall be made or
46 incurred whether anonymously, in a fictitious name, or by one
47 person or group in the name of another, to support or defeat a
48 candidate in an election or to aid the passage or defeat of any public

1 question or to provide political information on any candidate or
2 public question or to seek to influence the content, introduction,
3 passage or defeat of legislation.

4 No individual, either alone or jointly with one or more other
5 individuals, and no corporation, partnership, membership
6 organization or other incorporated or unincorporated association
7 shall loan or advance to any individual, group of individuals,
8 corporation, partnership, membership organization or other
9 incorporated or unincorporated association any money or other
10 thing of value expressly for the purpose of inducing the recipient
11 thereof, or any other individual, group, corporation, partnership,
12 organization or association, to make a contribution, either directly
13 or indirectly, of money or other thing of value to a candidate or the
14 candidate committee or joint candidates committee of a candidate.

15 No person shall contribute, or purport to contribute, to any
16 candidate, candidate committee or joint candidates committee,
17 political committee, continuing political committee, independent
18 expenditure committee, political party committee or legislative
19 leadership committee funds or property which does not actually
20 belong to him and is not in his full custody and control; which has
21 been given or furnished to him by any other person or group for the
22 purpose of making a contribution thereof, except in the case of
23 group contributions by persons who are members of the
24 contributing group; or which has been loaned or advanced expressly
25 for the purpose of inducing the making of a contribution to a
26 candidate, candidate committee or joint candidates committee.

27 No treasurer, candidate or member of a candidate committee,
28 joint candidates committee, political committee, continuing political
29 committee, independent expenditure committee, political party
30 committee or legislative leadership committee shall solicit or
31 knowingly accept, agree to accept or concur in or abet the
32 solicitation or acceptance of any contribution contrary to the
33 provisions of this section.

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

35

36 14. Section 13 of P.L.2004, c.19 (C.19:44A-11.3a) is repealed

37

38 15. This act shall take effect on the January 1 next following the
39 date of enactment.

40

41

42

STATEMENT

43

44 This bill revises "The New Jersey Campaign Contributions and
45 Expenditures Reporting Act" to institute new reporting
46 requirements on certain organizations, and increase the limits on the
47 amount of money that may be contributed by individuals,
48 candidates, and committees to other candidates and committees.

1 Specifically, the bill would require disclosure by any
2 independent expenditure committee. Such a committee is defined
3 as any organization organized under section 527, or under
4 paragraph (4) of subsection c. of section 501, of the federal Internal
5 Revenue Code that engages in influencing or attempting to
6 influence the outcome of any election or the nomination, election,
7 or defeat of any person to any State or local elective public office or
8 the passage or defeat of any public question, or in providing
9 political information on any candidate or public question, and raises
10 or expends \$3,000 or more for any such purpose. It would require
11 these committees to report contribution and expenditure information
12 in excess of \$300 to the Election Law Enforcement Commission
13 (ELEC). The bill would prohibit a candidate from establishing,
14 authorizing the establishment of, maintaining, or participating
15 directly or indirectly, in the management or control of any
16 independent expenditure committee.

17 The bill defines the term “electioneering communication” to
18 mean any communication that has a value of at least \$10,000 and
19 refers to: 1) a clearly identified candidate for office and promotes or
20 supports a candidate for that office or opposes a candidate for that
21 office, regardless of whether the communication expressly
22 advocates a vote for or against a candidate; or 2) a public question
23 and promotes or supports the passage or defeat of that question,
24 regardless of whether the communication expressly advocates a
25 vote for or against the passage of the question. The term includes
26 communications published in any newspaper or periodical; or
27 broadcast on radio, television, the Internet, or any public address
28 system; placed on any billboard, outdoor facility, button, motor
29 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or
30 other circular; or contained in any direct mailing, robotic phone
31 calls, or mass e-mails.

32 The term “independent expenditure” is defined in the bill to
33 mean an expenditure by a person expressly advocating, or the
34 functional equivalent thereof, the election or defeat of: 1) a clearly
35 identified candidate that is not made in concert or cooperation with
36 or at the request or suggestion of the candidate, the candidate’s
37 committee, a political party committee, or an agent thereof; or 2) a
38 public question that is not made in concert or cooperation with or at
39 the request or suggestion of the sponsors, organizers, or committee
40 supporting or opposing the question, a political party, or agents
41 thereof. The “functional equivalent” of expressly advocating means
42 specific advocacy that can be interpreted by a reasonable person as
43 advocating the election or defeat of a candidate, or the passage or
44 defeat of a public question, taking into account whether the
45 communication involved mentions a candidate, a political party, or
46 a challenger to a candidate, or takes a position on a candidate’s
47 character, qualifications, or fitness for office, or that can be
48 interpreted by a reasonable person as taking a position on the merits

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1 of a public question or taking a position in favor or against the
2 passage or defeat of the public question.

3 In addition the bill would:

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

7 2) increase the amount of money that can be contributed by a
8 political committee or a continuing political committee to a
9 candidate committee from \$8,200 to \$9,300 per election;

10 3) increase the amount of money that can be contributed by an
11 individual, a corporation or union, political committee, continuing
12 political committee, candidate committee or joint candidates
13 committee or any other group to: a) the State committee of a
14 political party from \$25,000 to \$28,000 per year; b) a county
15 committee of a political party from \$37,000 to \$42,000 per year;
16 and c) a municipal committee of a political party from \$7,200 to
17 \$8,200 per year;

18 4) increase the amount of money that the national committee of
19 a political party can contribute to the State committee of a political
20 party from \$72,000 to \$82,000 per year;

21 5) increase the amount of money that can be contributed by the
22 candidate committee of one candidate to the candidate committee of
23 another candidate from \$8,200 to \$9,300 per election; and

24 6) increase the amount of money that can be contributed to a
25 political committee, or that one political committee or continuing
26 political committee can contribute to another political committee or
27 continuing political committee, from \$7,200 to \$8,200 per election
28 or per year, as the case may be.

29 The bill also repeals the current prohibition on the transfer of
30 funds between county political party committees between January
31 1st and June 30th of each year.