

ASSEMBLY, No. 1064

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

Assemblywoman Murphy and Assemblyman Calabrese

SYNOPSIS

Permits use of campaign funds up to \$25,000 for child care expenses when incurred as direct result of campaign activity.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the use of campaign funds and amending
2 P.L.1993, c.65.

3

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

6

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

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

12 (1) the payment of campaign expenses;

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

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

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

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

31 (6) the payment of ordinary and necessary expenses of holding
32 public office.

33 As used in this subsection, "campaign expenses" means any
34 expense incurred or expenditure made by a candidate, candidate
35 committee, joint candidates committee or legislative leadership
36 committee for the purpose of paying for or leasing items or services
37 used in connection with an election campaign, other than those
38 items or services which may reasonably be considered to be for the
39 personal use of the candidate, any person associated with the
40 candidate or any of the members of a legislative leadership
41 committee; and "member of the candidate's immediate family"
42 means the candidate's spouse, child, parent, or sibling, and the
43 child, parent, or sibling of the candidate's spouse; except that
44 "campaign expenses" shall include child care expenses up to
45 \$25,000 incurred by a candidate after the effective date of P.L. , c.

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 (pending before the Legislature as this bill) as the direct result of
2 campaign activity and which would not exist irrespective of a
3 campaign, as determined by the New Jersey Election Law
4 Enforcement Commission.

5 b. No contribution received by a candidate or by the candidate
6 committee or joint candidates committee of a candidate may be
7 used for the payment of the expenses arising from the furnishing,
8 staffing or operation of an office used in connection with that
9 person's official duties as an elected public official.

10 c. Any funds remaining in the campaign depository of a
11 candidate's candidate committee or joint candidates committee upon
12 the death of the candidate shall be used only for one or more of the
13 purposes established in subsection a. of this section by the
14 committee's organizational treasurer or deputy treasurer or whoever
15 has control of the depository upon the death of the candidate.
16 (cf: P.L.2007, c.202, s.1)

17
18 2. This act shall take effect immediately.

19

20

21

STATEMENT

22

23 This bill permits the use of campaign funds up to \$25,000 to pay
24 for child care expenses incurred by a candidate as the direct result
25 of campaign activity.

26 Current law permits the use of campaign contributions to pay for
27 campaign expenses, make a charitable contribution, contribute to
28 another campaign committee, pay for committee overhead and
29 administrative expenses, repay contributions, and pay for the
30 ordinary and necessary expenses of holding public office.

31 This bill explicitly includes within the definition of "campaign
32 expenses" payment for child care expenses up to \$25,000 incurred
33 by a candidate after the effective date of the bill that were incurred
34 as the direct result of campaign activity and that would not
35 otherwise exist. The bill grants authority to the New Jersey
36 Election Law Enforcement Commission to determine when child
37 care expenses are incurred as the direct result of campaign activity
38 and whether those expenses would exist irrespective of a campaign.