

ASSEMBLY, No. 2009

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JON M. BRAMNICK

District 21 (Morris, Somerset and Union)

SYNOPSIS

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

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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

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

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

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

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

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

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

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

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

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

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

Matter underlined thus is new matter.

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

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

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

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

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

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

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

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

41 m. The term "qualified candidate" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

44

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 and the name and mailing address of the individual's employer; the
2 expenses incurred; and the disposition of the proceeds of such
3 testimonial affair.

4 The \$300 limit established in this subsection shall remain as
5 stated in this subsection without further adjustment by the
6 commission in the manner prescribed by section 22 of P.L.1993,
7 c.65 (C.19:44A-7.2).
8 (cf: P.L.2004, c.33, s.1)
9

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

46 Each organizational treasurer of a State political party committee
47 or a legislative leadership committee shall be a trained treasurer,
48 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-

6), or shall acquire such training within 90 days of appointment as an organizational treasurer. An organizational treasurer of any other political party committee or a continuing political committee and a campaign treasurer of a political committee or independent expenditure group may be a trained treasurer.

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

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

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

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

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

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

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

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

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

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

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

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

46 No person, partnership or association, either directly or through
47 an agent, shall make any loan or advance, the proceeds of which
48 that person, partnership or association knows or has reason to know

1 or believe are intended to be used by the recipient thereof to make a
2 contribution or expenditure, except by check or money order
3 identifying the name, mailing address and occupation or business of
4 the maker of the loan, and, if the maker is an individual, the name
5 and mailing address of that individual's employer; provided,
6 however, that such loans or advances to a single individual, up to a
7 cumulative amount of \$50 in any calendar year, may be made in
8 currency.

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

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

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

16 (1) the payment of campaign expenses;

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

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

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

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

35 (6) the payment of ordinary and necessary expenses of holding
36 public office.

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

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

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

13
14 7. Section 18 of P.L.1993, c.65 (C.19:44A-11.3) is amended to
15 read as follows:

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

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

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

1 from any such source any contribution of money or other thing of
2 value which in the aggregate exceeds **[\$8,200]** \$9,200 per election.

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

25 The limitation upon the knowing acceptance by a candidate,
26 campaign treasurer, deputy campaign treasurer, candidate
27 committee or joint candidates committee of any contribution of
28 money or other thing of value from a political committee or
29 continuing political committee under the provisions of paragraph
30 (1) of this subsection, except that the amount of any contribution of
31 money or other thing of value shall be in an amount which in the
32 aggregate does not exceed \$25,000, shall also be applicable to the
33 knowing acceptance of any such contribution from the county
34 committee of a political party by a candidate, or the campaign
35 treasurer, deputy campaign treasurer, candidate committee or joint
36 candidates committee 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, at least 20% but less than 40% of the population resides
41 within the county of that county committee. In addition, all
42 contributor reporting requirements and other restrictions and
43 regulations applicable to a contribution of money or other thing of
44 value by a political committee or continuing political committee
45 under the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall
46 likewise be applicable to the making or payment of such a
47 contribution by such a county committee.

1 With respect to the limitations in this paragraph, the Legislature
2 finds and declares that:

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

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

12 (c) Furthermore, the risk of actual or perceived corruption is
13 raised by the potential for contributors to circumvent limits on
14 contributions to candidates by funneling money to candidates
15 through county committees;

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

21 (e) It is, therefore, reasonable for the State to promote this
22 compelling interest by limiting the amount a county committee may
23 give to a legislative candidate based upon the degree to which the
24 population of the legislative district overlaps with the population of
25 that county.

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

1 offices of the Governor and Lieutenant Governor, shall knowingly
2 accept from another candidate who has established only a candidate
3 committee, his campaign treasurer, deputy campaign treasurer or
4 candidate committee, any contribution of money or other thing of
5 value which in the aggregate exceeds **[\$8,200]** \$9,200 per election,
6 and no candidates who have established only a joint candidates
7 committee, their campaign treasurer, deputy campaign treasurer, or
8 joint candidates committee, shall knowingly accept from any such
9 source any contribution of money or other thing of value which in
10 the aggregate exceeds **[\$8,200]** \$9,200 per election per candidate in
11 the recipient committee, and no candidate who has established both
12 a candidate committee and a joint candidates committee, the
13 campaign treasurers, deputy campaign treasurers, or candidate
14 committee or joint candidates committee, shall knowingly accept
15 from any such source any contribution of money or other thing of
16 value which in the aggregate exceeds **[\$8,200]** \$9,200 per election.

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

1 any contribution of money or other thing of value which in the
2 aggregate exceeds, on the basis of each candidate in the
3 contributing committee, **【\$8,200】** \$9,200 per election, and no
4 candidates who have established only a joint candidates committee,
5 their campaign treasurer, deputy campaign treasurer, or joint
6 candidates committee, shall knowingly accept from any such source
7 any contribution of money or other thing of value which in the
8 aggregate exceeds, on the basis of each candidate in the
9 contributing joint candidates committee, **【\$8,200】** \$9,200 per
10 election per candidate in the recipient joint candidates committee,
11 and no candidate who has established both a candidate committee
12 and a joint candidates committee, the campaign treasurers, deputy
13 campaign treasurers, or candidate committee or joint candidates
14 committee, shall knowingly accept from any such source any
15 contribution of money or other thing of value which in the
16 aggregate exceeds, on the basis of each candidate in the
17 contributing joint candidates committee, **【\$8,200】** \$9,200 per
18 election.

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

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

15 (4) Expenditures by a candidate for nomination for election or
16 for election to the office of member of the Legislature or to an
17 office of a political subdivision of the State, or by the campaign
18 treasurer, deputy treasurer, candidate committee or joint candidates
19 committee of such a candidate, which are made in furtherance of the
20 nomination or election, respectively, of another candidate for the
21 same office in the same legislative district or the same political
22 subdivision shall not be construed to be subject to any limitation
23 under this subsection; for the purposes of this sentence, the offices
24 of member of the State Senate and member of the General
25 Assembly shall be deemed to be the same office.

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

31 e. For the purpose of determining the amount of a contribution
32 to be attributed as given to or by each candidate in a joint
33 candidates committee, the amount of the contribution to or by such
34 a committee shall be divided equally among all the candidates in the
35 committee.

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

37

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

40 19. a. (1) Except as otherwise provided in paragraph (2) of this
41 subsection, no individual, no corporation of any kind organized and
42 incorporated under the laws of this State or any other state or any
43 country other than the United States, no labor organization of any
44 kind which exists or is constituted for the purpose, in whole or in
45 part, of collective bargaining, or of dealing with employers
46 concerning the grievances, terms or conditions of employment, or
47 of other mutual aid or protection in connection with employment,
48 no political committee, continuing political committee, candidate

1 committee or joint candidates committee or any other group, shall
2 pay or make any contribution of money or other thing of value to
3 the campaign treasurer, deputy treasurer or other representative of
4 the State committee of a political party or the campaign treasurer,
5 deputy campaign treasurer or other representative of any legislative
6 leadership committee, which in the aggregate exceeds **【\$25,000】**
7 \$28,000 per year, or in the case of a joint candidates committee
8 when that is the only committee established by the candidates,
9 **【\$25,000】** \$28,000 per year per candidate in the joint candidates
10 committee, or in the case of a candidate committee and a joint
11 candidates committee when both are established by a candidate,
12 **【\$25,000】** \$28,000 per year from that candidate. No campaign
13 treasurer, deputy campaign treasurer or other representative of the
14 State committee of a political party or campaign treasurer, deputy
15 campaign treasurer or other representative of any legislative
16 leadership committee shall knowingly accept from an individual, a
17 corporation of any kind organized and incorporated under the laws
18 of this State or any other state or any country other than the United
19 States, a labor organization of any kind which exists or is
20 constituted for the purpose, in whole or in part, of collective
21 bargaining, or of dealing with employers concerning the grievances,
22 terms or conditions of employment, or of other mutual aid or
23 protection in connection with employment, a political committee, a
24 continuing political committee, a candidate committee or a joint
25 candidates committee or any other group, any contribution of
26 money or other thing of value which in the aggregate exceeds
27 **【\$25,000】** \$28,000 per year, or in the case of a joint candidates
28 committee when that is the only committee established by the
29 candidates, **【\$25,000】** \$28,000 per year per candidate in the joint
30 candidates committee, or in the case of a candidate committee and a
31 joint candidates committee when both are established by a
32 candidate, **【\$25,000】** \$28,000 per year from that candidate.

33 (2) No national committee of a political party shall pay or make
34 any contribution of money or other thing of value to the campaign
35 treasurer, deputy treasurer or other representative of the State
36 committee of a political party which in the aggregate exceeds
37 **【\$72,000】** \$81,000 per year, and no campaign treasurer, deputy
38 campaign treasurer or other representative of the State committee of
39 a political party shall knowingly accept from the national committee
40 of a political party any contribution of money or other thing of
41 value which in the aggregate exceeds **【\$72,000】** \$81,000 per year.

42 b. No individual, no corporation of any kind organized and
43 incorporated under the laws of this State or any other state or any
44 country other than the United States, no labor organization of any
45 kind which exists or is constituted for the purpose, in whole or in
46 part, of collective bargaining, or of dealing with employers
47 concerning the grievances, terms or conditions of employment, or

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

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

1 campaign treasurer, deputy campaign treasurer or other
2 representative of a municipal committee of a political party shall
3 knowingly accept from an individual, a corporation of any kind
4 organized and incorporated under the laws of this State or any other
5 state or any country other than the United States, a labor
6 organization of any kind which exists or is constituted for the
7 purpose, in whole or in part, of collective bargaining, or of dealing
8 with employers concerning the grievances, terms or conditions of
9 employment, or of other mutual aid or protection in connection with
10 employment, a political committee, a continuing political
11 committee, a candidate committee or a joint candidates committee
12 or any other group, any contribution of money or other thing of
13 value which in the aggregate exceeds **[\$7,200]** \$8,100 per year, or
14 in the case of a joint candidates committee when that is the only
15 committee established by the candidates, **[\$7,200]** \$8,100 per year
16 per candidate in the joint candidates committee, or in the case of a
17 candidate committee and a joint candidates committee when both
18 are established by a candidate, **[\$7,200]** \$8,100 per year from that
19 candidate.

20 No county committee of a political party in any county shall pay
21 or make any contribution of money or other thing of value to a
22 municipal committee of a political party in a municipality not
23 located in that county which in the aggregate exceeds the amount of
24 aggregate contributions which, under this subsection, a continuing
25 political committee is permitted to pay or make to a municipal
26 committee of a political party. No campaign treasurer, deputy
27 campaign treasurer or other representative of a municipal committee
28 of a political party in any municipality shall knowingly accept from
29 any county committee of a political party in any county other than
30 the county in which the municipality is located any contribution of
31 money or other thing of value which in the aggregate exceeds the
32 amount of contributions permitted to be so paid or made under that
33 subsection.

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

39
40 9. Section 20 of P.L.1993, c.65 (C.19:44A-11.5) is amended to
41 read as follows:

42 20. a. No candidate who has established only a candidate
43 committee, his campaign treasurer, deputy treasurer or candidate
44 committee shall pay or make any contribution of money or other
45 thing of value to a political committee, other than a political
46 committee which is organized to, or does, aid or promote the
47 passage or defeat of a public question in any election, or a
48 continuing political committee, which in the aggregate exceeds, in

1 the case of such a political committee, **[\$7,200]** \$8,100 per
2 election, or in the case of a continuing political committee,
3 **[\$7,200]** \$8,100 per year, and no candidates who have established
4 only a joint candidates committee, their campaign treasurer, deputy
5 campaign treasurer or joint candidates committee shall pay or make
6 any contribution of money or other thing of value to such a political
7 committee or continuing political committee which in the aggregate
8 exceeds, in the case of such a political committee, **[\$7,200]** \$8,100
9 per election per candidate in the joint candidates committee, or in
10 the case of a continuing political committee, **[\$7,200]** \$8,100 per
11 year per candidate in the joint candidates committee, and no
12 candidate who has established both a candidate committee and a
13 joint candidates committee shall pay or make any contribution of
14 money or other thing of value which in the aggregate exceeds, in
15 the case of such a political committee, **[\$7,200]** \$8,100 per election
16 from that candidate, or in the case of a continuing political
17 committee, **[\$7,200]** \$8,100 per year from that candidate. No
18 political committee, other than a political committee which is
19 organized to, or does, aid or promote the passage or defeat of a
20 public question in any election, or a continuing political committee,
21 shall knowingly accept from a candidate who has established only a
22 candidate committee, his campaign treasurer, deputy treasurer or
23 candidate committee, any contribution of money or other thing of
24 value which in the aggregate exceeds, in the case of such a political
25 committee, **[\$7,200]** \$8,100 per election, or in the case of a
26 continuing political committee, **[\$7,200]** \$8,100 per year, and no
27 such political committee or continuing political committee shall
28 knowingly accept from candidates who have established only a joint
29 candidates committee, their campaign treasurer, deputy campaign
30 treasurer, or joint candidates committee, any contribution of money
31 or other thing of value which in the aggregate exceeds, in the case
32 of such a political committee, **[\$7,200]** \$8,100 per election per
33 candidate in the joint candidates committee, or in the case of a
34 continuing political committee, **[\$7,200]** \$8,100 per year per
35 candidate in the joint candidates committee, and no such political
36 committee or continuing political committee shall knowingly accept
37 from a candidate who has established both a candidate committee
38 and a joint candidates committee any contribution of money or
39 other thing of value which in the aggregate exceeds, in the case of
40 such a political committee, **[\$7,200]** \$8,100 per election from that
41 candidate, or in the case of a continuing political committee,
42 **[\$7,200]** \$8,100 per year from that candidate. For the purpose of
43 determining the amount of a contribution to be attributed as given
44 by each candidate in a joint candidates committee, the amount of
45 the contribution by such a committee shall be divided equally
46 among all the candidates in the committee.

1 b. No political committee, other than a political committee
2 which is organized to, or does, aid or promote the passage or defeat
3 of a public question in any election, and no continuing political
4 committee shall pay or make any contribution of money or other
5 thing of value to another political committee, other than a political
6 committee which is organized to, or does, aid or promote the
7 passage or defeat of a public question in any election, or another
8 continuing political committee which in the aggregate exceeds, in
9 the case of a recipient continuing political committee, **[\$7,200]**
10 \$8,100 per year, or in the case of a recipient political committee,
11 **[\$7,200]** \$8,100 per election. No political committee, other than a
12 political committee which is organized to, or does, aid or promote
13 the passage or defeat of a public question in any election, and no
14 continuing political committee shall knowingly accept from another
15 political committee, other than a political committee which is
16 organized to, or does, aid or promote the passage or defeat of a
17 public question in any election, or another continuing political
18 committee any contribution of money or other thing of value which
19 in the aggregate exceeds, in the case of a recipient continuing
20 political committee, **[\$7,200]** \$8,100 per year, or in the case of a
21 recipient political committee, **[\$7,200]** \$8,100 per election.

22 c. No individual, no corporation of any kind organized and
23 incorporated under the laws of this State or any other state or any
24 country other than the United States, no labor organization of any
25 kind which exists or is constituted for the purpose, in whole or in
26 part, of collective bargaining, or of dealing with employees
27 concerning the grievances, terms or conditions of employment, or
28 of other mutual aid or protection in connection with employment,
29 nor any other group, shall pay or make any contribution of money
30 or other thing of value to a political committee, other than a
31 political committee which is organized to, or does, aid or promote
32 the passage or defeat of a public question in any election, or a
33 continuing political committee, which in the aggregate exceeds, in
34 the case of such a political committee, **[\$7,200]** \$8,100 per
35 election, or in the case of a continuing political committee,
36 **[\$7,200]** \$8,100 per year, and no such political committee or
37 continuing political committee shall knowingly accept any
38 contribution in excess of those amounts from an individual or from
39 such corporation, labor organization, or other group.
40 (cf: P.L.2001, c.384, s.3)

41
42 10. Section 12 of P.L.1973, c.83 (C.19:44A-12) is amended to
43 read as follows:

44 12. An organizational or campaign treasurer or deputy
45 organizational or campaign treasurer of a candidate committee or
46 joint candidates committee, a political committee, a continuing
47 political committee, an independent expenditure group, a political

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

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

40
41 11. Section 18 of P.L.1973, c.83 (C.19:44A-18) is amended to
42 read as follows:

43 18. If any former candidate or any political committee or any
44 person or association of persons in behalf of such political
45 committee, continuing political committee, independent expenditure
46 group, legislative leadership committee, or political party
47 committee or former candidate shall receive any contributions or
48 make any expenditures with relation to any election after the date

1 set in section 16 of **【this act】** P.L.1973, c.83 (C.19:44A-16) for the
2 final report subsequent to such election, or shall conduct any
3 testimonial affair or public solicitation for the purpose of raising
4 funds to cover any part of the expenses of a candidate or political
5 committee, continuing political committee, independent expenditure
6 group, legislative leadership committee, or political party
7 committee or organization in such election, all such contributions,
8 expenditures, testimonial affairs or public solicitations shall be
9 reported to the Election Law Enforcement Commission by the
10 person or persons receiving such contributions or making such
11 expenditures or conducting such testimonial affairs or public
12 solicitations. Such report shall be made by any person receiving
13 any such contribution or contributions, or making any such
14 expenditure or expenditures, which in the aggregate total more than
15 \$100.00, or conducting any testimonial affair or public solicitation
16 of which the net proceeds exceed \$100.00; and shall be made
17 within 20 days from the date upon which the aggregate of such
18 contributions, expenditures or proceeds exceed \$100.00 for the
19 period commencing with the 19th day following such election or
20 with the date upon which any previous report was made pursuant to
21 this section, whichever is sooner. Such report shall be made in the
22 same form and shall contain the same detail prescribed for any other
23 report made pursuant to section 8 or 16 of **【this act】** P.L.1973, c.83
24 (C.19:44A-1 et seq.).
25 (cf: P.L.1983, c.579, s.17)
26

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

29 20. No contribution of money or other thing of value, nor
30 obligation therefor, shall be made, and no expenditure of money or
31 other thing of value, nor obligation therefor, shall be made or
32 incurred whether anonymously, in a fictitious name, or by one
33 person or group in the name of another, to support or defeat a
34 candidate in an election or to aid the passage or defeat of any public
35 question or to provide political information on any candidate or
36 public question or to seek to influence the content, introduction,
37 passage or defeat of legislation.

38 No individual, either alone or jointly with one or more other
39 individuals, and no corporation, partnership, membership
40 organization or other incorporated or unincorporated association
41 shall loan or advance to any individual, group of individuals,
42 corporation, partnership, membership organization or other
43 incorporated or unincorporated association any money or other
44 thing of value expressly for the purpose of inducing the recipient
45 thereof, or any other individual, group, corporation, partnership,
46 organization or association, to make a contribution, either directly
47 or indirectly, of money or other thing of value to a candidate or the
48 candidate committee or joint candidates committee of a candidate.

1 No person shall contribute, or purport to contribute, to any
2 candidate, candidate committee or joint candidates committee,
3 political committee, continuing political committee, independent
4 expenditure group, political party committee, or legislative
5 leadership committee funds or property which does not actually
6 belong to him and is not in his full custody and control; which has
7 been given or furnished to him by any other person or group for the
8 purpose of making a contribution thereof, except in the case of
9 group contributions by persons who are members of the
10 contributing group; or which has been loaned or advanced expressly
11 for the purpose of inducing the making of a contribution to a
12 candidate, candidate committee or joint candidates committee.

13 No treasurer, candidate or member of a candidate committee,
14 joint candidates committee, political committee, continuing political
15 committee, independent expenditure group, political party
16 committee or legislative leadership committee shall solicit or
17 knowingly accept, agree to accept or concur in or abet the
18 solicitation or acceptance of any contribution contrary to the
19 provisions of this section.
20 (cf: P.L.1993, c.65, s.11)

21

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

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

32 a business entity that has entered into a contract having an
33 anticipated value in excess of \$17,500 with a State agency in the
34 Executive Branch shall not make a contribution to any candidate
35 committee of the Governor and the Lieutenant Governor serving when
36 the contract is awarded, or to an independent expenditure group, a
37 political committee or a continuing political committee, during the
38 term of that contract.

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

42

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

45 2. Notwithstanding the provisions of any other law to the
46 contrary:

47 a State agency in the Legislative Branch shall not enter into a
48 contract having an anticipated value in excess of \$17,500, as

1 determined in advance and certified in writing by the State agency,
2 with a business entity, that requires approval by a presiding officer
3 of either or both houses of the Legislature【, except a contract that is
4 awarded pursuant to a fair and open process,】 if, during the
5 preceding one-year period, that business entity has made a
6 contribution, reportable by the recipient under P.L.1973, c.83
7 (C.19:44A-1 et seq.), to the State committee of the political party of
8 which that presiding officer, serving when the contract is awarded,
9 is a member, or to a legislative leadership committee or any
10 candidate committee established by that presiding officer or to an
11 independent expenditure group, a political committee or continuing
12 political committee; and

13 a business entity that has entered into a contract having an
14 anticipated value in excess of \$17,500 with a State agency in the
15 Legislative Branch, that requires approval by a presiding officer of
16 either or both houses of the Legislature, 【except a contract that is
17 awarded pursuant to a fair and open process,】 shall not make a
18 contribution, reportable by the recipient under P.L.1973, c.83
19 (C.19:44A-1 et seq.), to the State committee of the political party of
20 which that presiding officer is a member, or to a legislative
21 leadership committee or any candidate committee established by
22 that presiding officer or to an independent expenditure group, a
23 political committee or continuing political committee, during the
24 term of that contract.

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

28 (cf: P.L.2004, c.19, s.2)

29

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

32 3. Notwithstanding the provisions of any other law to the
33 contrary:

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

1 a business entity that has entered into a contract having an
2 anticipated value in excess of \$17,500 with a county, or any agency
3 or instrumentality thereof, [except a contract that is awarded
4 pursuant to a fair and open process,] shall not make such a
5 contribution, reportable by the recipient under P.L.1973, c.83
6 (C.19:44A-1 et seq.), to any county committee of a political party in
7 that county if a member of that political party is serving in an
8 elective public office of that county when the contract is awarded or
9 to any candidate committee of any person serving in an elective
10 public office of that county when the contract is awarded or to an
11 independent expenditure group, a political committee or continuing
12 political committee, during the term of that contract.

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

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

17

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

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

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

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

1 political committee or continuing political committee, during the
2 term of that contract.

3 No such committee or group shall accept such a contribution
4 from a business entity during the term of its contract with the
5 municipality.

6 (cf: P.L.2004, c.19, s.4)
7

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

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

19 a business entity that has entered into a contract having an
20 anticipated value in excess of \$17,500 with a local board of
21 education, or any agency or instrumentality thereof, shall not make
22 such a contribution to any candidate committee of any person
23 serving on that board when the contract is awarded or to an
24 independent expenditure group, a political committee or continuing
25 political committee, during the term of that contract.

26 No such committee or group shall accept such a contribution
27 from a business entity during the term of its contract with the local
28 board of education.
29

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

32 a board of fire commissioners of a fire district, or any agency or
33 instrumentality thereof, shall not enter into a contract having an
34 anticipated value in excess of \$17,500, as determined in advance
35 and certified in writing by the board, agency or instrumentality,
36 with a business entity if, during the preceding one-year period, that
37 business entity has made a contribution to any candidate committee
38 of any person serving on that board when the contract is awarded or
39 to an independent expenditure group, a political committee or
40 continuing political committee; and

41 a business entity that has entered into a contract having an
42 anticipated value in excess of \$17,500 with a board of fire
43 commissioners of a fire district, or any agency or instrumentality
44 thereof, shall not make such a contribution to any candidate
45 committee of any person serving on that board when the contract is
46 awarded or to an independent expenditure group, a political
47 committee or continuing political committee, during the term of that
48 contract.

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

3
4 19. Section 5 of P.L.2004, c.19 (C.19:44A-20.6) is amended to
5 read as follows:

6 5. When a business entity is a natural person, a contribution by
7 that person's spouse, domestic partner, civil union partner, or child,
8 residing therewith, shall be deemed to be a contribution by the
9 business entity. When a business entity is other than a natural
10 person, a contribution by any person or other business entity having
11 an interest therein shall be deemed to be a contribution by the
12 business entity. A contribution that has been made by the
13 employees of a business entity and that is funded, directed, and
14 administered in its entirety by such employees shall not be
15 considered a contribution by the business entity.

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

17
18 20. Section 6 of P.L.2004, c.19 (C.19:44A-20.7) is amended to
19 read as follows:

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

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

27 "business entity" means any natural or legal person, business
28 corporation, professional services corporation, limited liability
29 company, partnership, limited partnership, business trust,
30 association or any other legal commercial entity organized under
31 the laws of this State or of any other state or foreign jurisdiction;

32 "interest" means the ownership or control of more than 10% of
33 the profits or assets of a business entity or 10% of the stock in the
34 case of a business entity that is a corporation for profit, as
35 appropriate;

36 **【**"fair and open process" means, at a minimum, that the contract
37 shall be: publicly advertised in newspapers or on the Internet
38 website maintained by the public entity in sufficient time to give
39 notice in advance of the contract; awarded under a process that
40 provides for public solicitation of proposals or qualifications and
41 awarded and disclosed under criteria established in writing by the
42 public entity prior to the solicitation of proposals or qualifications;
43 and publicly opened and announced when awarded. The decision of
44 a public entity as to what constitutes a fair and open process shall
45 be final.**】**;

46 "State agency in the Executive Branch" means any of the principal
47 departments in the Executive Branch of the State Government, and any
48 division, board, bureau, office, commission or other instrumentality

1 within or created by such department and any independent State
2 authority, board, commission, instrumentality, or agency; and

3 "State agency in the Legislative Branch" means the Legislature
4 of the State and any office, board, bureau or commission within or
5 created by the Legislative Branch.

6 (cf: P.L.2005, c.51, s.14)
7

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

10 7. a. Prior to awarding any contract, **【except a contract that is**
11 **awarded pursuant to a fair and open process,】** a State agency in the
12 Executive Branch or Legislative Branch, or a county, 【or】 a
13 municipality, a local board of education, or a fire district shall
14 require the business entity to which the contract is to be awarded to
15 provide a written certification that it has not made a contribution
16 that would bar the award of a contract **【pursuant to this act】**.

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

21 (cf: P.L.2005, c.51, s.15)
22

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

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

34 (cf: P.L.2004, c.19, s.9)
35

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

38 10. Any person who is determined by the Election Law
39 Enforcement Commission to have willfully and intentionally
40 accepted a contribution in violation of the provisions of sections
41 **【1】** 2 through 4, inclusive, of 【this act】 P.L.2004, c.19 (C.19:44A-
42 20.3 through 19:44A-20.5), and sections 13, 17, and 18 of P.L. ,
43 c. (C.) (pending before the Legislature as this bill), shall be
44 liable to a penalty for each such violation equal to the penalties set
45 forth in subsection e. of section 22 of P.L.1973, c.83 (C.19:44A-
46 22).

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

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

11

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

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

43 The provisions of this section shall not apply to a contract when
44 a public emergency requires the immediate delivery of goods or
45 services.

46 b. When a business entity is a natural person, a contribution by
47 that person's spouse, domestic partner, civil union partner, or child,
48 residing therewith, shall be deemed to be a contribution by the

1 business entity. When a business entity is other than a natural
2 person, a contribution by any person or other business entity having
3 an interest therein shall be deemed to be a contribution by the
4 business entity. When a business entity is other than a natural
5 person, a contribution by: all principals, partners, officers, or
6 directors of the business entity or their spouses; any subsidiaries
7 directly or indirectly controlled by the business entity; or any
8 political committee, continuing political committee or independent
9 expenditure group, or any political organization organized under
10 section 527 of the Internal Revenue Code that is directly or
11 indirectly controlled by the business entity, other than a candidate
12 committee, election fund, or political party committee, shall be
13 deemed to be a contribution by the business entity. A contribution
14 by any political committee or continuing political committee that
15 has as its members the employees of a business entity and that is
16 funded, directed, and administered in its entirety by such employees
17 shall not be considered a contribution by the business entity.

18 c. As used in this section:

19 "business entity" means a for-profit entity that is a natural or
20 legal person, business corporation, professional services
21 corporation, limited liability company, partnership, limited
22 partnership, business trust, association or any other legal
23 commercial entity organized under the laws of this State or of any
24 other state or foreign jurisdiction;

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

28 "interest" means the ownership or control of more than 10% of
29 the profits or assets of a business entity or 10% of the stock in the
30 case of a business entity that is a corporation for profit, as
31 appropriate; and

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

39 d. Any business entity that fails to comply with the provisions
40 of this section shall be subject to a fine imposed by the New Jersey
41 Election Law Enforcement Commission in an amount to be
42 determined by the commission which may be based upon the
43 amount that the business entity failed to report.

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

45

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

1 3. a. Any business entity making a contribution of money or
2 any other thing of value, including an in-kind contribution, or
3 pledge to make a contribution of any kind to a candidate for or the
4 holder of any public office having ultimate responsibility for the
5 awarding of public contracts, or to a political party committee,
6 legislative leadership committee, political committee ~~【or】~~,
7 continuing political committee, or independent expenditure group,
8 which has received in any calendar year ~~【\$50,000】~~ \$17,500 or more
9 in the aggregate through agreements or contracts with a single
10 public entity, shall file an annual disclosure statement with the New
11 Jersey Election Law Enforcement Commission, established
12 pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth
13 all such contributions made by the business entity during the 12
14 months prior to the reporting deadline.

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

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

21 (2) the name of the candidate for or the holder of any public
22 office having ultimate responsibility for the awarding of public
23 contracts, candidate committee, joint candidates committee,
24 political party committee, legislative leadership committee,
25 independent expenditure group, political committee or continuing
26 political committee receiving the contribution; and

27 (3) the amount of money the business entity received from the
28 public entity through contract or agreement, the dates, and
29 information identifying each contract or agreement and describing
30 the goods, services or equipment provided or property sold.

31 No report required to be filed pursuant to this subsection shall
32 include proprietary information from the holder of the public
33 contract.

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

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

1 indirectly controlled by the business entity, other than a candidate
2 committee, election fund, or political party committee, shall be
3 deemed to be a contribution by the business entity. A contribution
4 by any political committee or continuing political committee that
5 has as its members the employees of a business entity and that is
6 funded, directed, and administered in its entirety by such employees
7 shall not be considered a contribution by the business entity.

8 e. As used in this section:

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

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

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

23 **[e.] f.** Any business entity that fails to comply with the
24 provisions of this section shall be subject to a fine imposed by the
25 New Jersey Election Law Enforcement Commission in an amount to
26 be determined by the commission which may be based upon the
27 amount that the business entity failed to report.

28 (cf: P.L.2007, c.304, s.2)

29
30 27. (New section) A county, municipality, local board of
31 education, or board of commissioners of a fire district, or any agency
32 or instrumentality thereof, shall not adopt any ordinance, resolution, or
33 regulation that limits the awarding of public contracts to business
34 entities based on contributions made pursuant to P.L.1973, c.83
35 (C.19:44A-1 et seq.), or that limits the contributions that business
36 entities awarded a contract can make during the term of the contract.
37 The provisions of P.L.2004, c.19 (C.19:44A-20.3 et seq.) and sections
38 17, 18, and 24 of P.L. , c. (C.) (pending before the
39 Legislature as this bill) shall supersede and preempt any such
40 ordinance, resolution, or regulation. Any such ordinance, resolution,
41 or regulation in effect on the effective date of this section as specified
42 in section 29 of P.L. , c. (pending before the Legislature as this
43 bill) shall be void.

44
45 28. Sections 1 through 13, inclusive, of P.L.2005, c.51
46 (C.19:44A-20.13 through 19:44A-20.25) and section 1 of P.L.2005,
47 c.271 (C.40A:11-51) are repealed.

1 political party from \$25,000 to \$28,000 per year; b) a county
2 committee of a political party from \$37,000 to \$42,000 per year;
3 and c) a municipal committee of a political party from \$7,200 to
4 \$8,100 per year;

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

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

11 7) increase the amount of money that can be contributed to a
12 political committee, or that one political committee or continuing
13 political committee can contribute to another political committee or
14 continuing political committee, from \$7,200 to \$8,100 per election
15 or per year, as the case may be.

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

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

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

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

28 4) provide that contributions by a political committee or
29 continuing political committee that has as its members the
30 employees of a business entity and that is funded, directed, and
31 administered in its entirety by such employees will not be
32 considered contributions by the business entity; and

33 5) require any business entity that contracts in a calendar year
34 with a State agency, or a county, municipality, independent
35 authority, board of education, or fire district for \$17,500 or more
36 with a single public entity and makes a contribution of money or
37 other thing of value to a political committee, continuing political
38 committee, or an independent expenditure group to disclose all such
39 contributions.

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