

ASSEMBLY, No. 2430

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Prohibits political contributions by county and municipal political party committees to other committees; increases certain penalties.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning political contributions by county and municipal
2 political party committees and amending P.L.1973, c.83 and
3 P.L.1993, c.65.

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

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

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

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

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

44 (2) [The limitation upon the knowing acceptance by a
45 candidate, campaign treasurer, deputy campaign treasurer,
46 candidate committee or joint candidates committee of any
47 contribution of money or other thing of value from a political
48 committee or continuing political committee under the provisions of

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

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

41 (a) No county committee of a political party shall pay or make
42 any contribution of money or other thing of value to a candidate
43 committee or a joint candidates committee. No candidate
44 committee or joint candidates committee shall knowingly accept
45 from a county committee of a political party any contribution of
46 money or other thing of value.

47 (b) No county committee of a political party shall pay or make
48 any contribution of money or other thing of value to a political

1 committee. No political committee shall knowingly accept from a
2 county committee of a political party any contribution of money or
3 other thing of value.

4 (c) No county committee of a political party shall pay or make
5 any contribution of money or other thing of value to a continuing
6 political committee. No continuing political committee shall
7 knowingly accept from a county committee of a political party a
8 contribution of money or other thing of value.

9 (d) No county committee of a political party shall pay or make a
10 contribution of money or other thing of value to a legislative
11 leadership committee, or to the State committee of a political party.
12 No legislative leadership committee and no State committee of a
13 political party shall knowingly accept from a county committee of a
14 political party any contribution of money or other thing of value.

15 (e) No county committee of a political party shall pay or make
16 any contribution of money or other thing of value to another county
17 committee of a political party. No county committee of a political
18 party shall knowingly accept from another county committee of a
19 political party any contribution of money or other thing of value.

20 (f) No county committee of a political party shall pay or make
21 any contribution of money or other thing of value to a municipal
22 committee of a political party. No municipal committee of a
23 political party shall knowingly accept from that county committee
24 any contribution of money or other thing of value.

25 (3) (a) No municipal committee of a political party shall pay or
26 make any contribution of money or other thing of value to a
27 candidate committee or a joint candidates committee. No candidate
28 committee or joint candidates committee shall knowingly accept
29 from a municipal committee of a political party a contribution of
30 money or other thing of value.

31 (b) No municipal committee of a political party shall pay or
32 make any contribution of money or other thing of value to a
33 political committee. No political committee shall knowingly accept
34 from a municipal committee of a political party any contribution of
35 money or other thing of value.

36 (c) No municipal committee of a political party shall pay or
37 make any contribution of money or other thing of value to a
38 continuing political committee. No continuing political committee
39 shall knowingly accept from a municipal committee of a political
40 party any contribution of money or other thing of value.

41 (d) No municipal committee of a political party shall make any
42 contribution of money or other thing of value to a legislative
43 leadership committee or to the State committee of a political party.
44 No legislative leadership committee and no State committee of a
45 political party shall knowingly accept from a municipal committee
46 of a political party any contribution of money or other thing of
47 value.

48 (e) No municipal committee of a political party shall pay or

1 make any contribution of money or other thing of value to another
2 municipal committee of a political party. No municipal committee
3 of a political party shall knowingly accept from another municipal
4 committee of a political party any contribution of money or other
5 thing of value.

6 (f) No municipal committee of a political party shall pay or
7 make any contribution of money or other thing of value to a county
8 committee of a political party. No county committee of a political
9 party shall knowingly accept from a municipal committee a
10 contribution of money or other thing of value.

11 (4) With respect to the limitations in [this paragraph]
12 paragraphs (2) and (3) of this subsection, the Legislature finds and
13 declares that:

14 (a) Persons or organizations making contributions to the county
15 committee of a political party or a municipal committee of a
16 political party have a right to expect that their money will be used,
17 for the most part, to support candidates for elective office who will
18 most directly represent the interest of that county or municipality;

19 (b) The practice of allowing a county committee or municipal
20 committee to use funds raised with this expectation to make
21 unlimited contributions to candidates for [the Legislature] public
22 office or to other committees or other county or municipal
23 committees who may have a limited, or even nonexistent,
24 connection with or interest in that county or municipality serves to
25 undermine public confidence in the integrity of the electoral
26 process;

27 (c) Furthermore, the risk of actual or perceived corruption is
28 raised by the potential for contributors to circumvent limits on
29 contributions to candidates by funneling money to candidates
30 through county or municipal committees;

31 (d) The State has a compelling interest in preventing the
32 actuality or appearance of corruption and in protecting public
33 confidence in democratic institutions by limiting [amounts which]
34 what a county committee or municipal committee may contribute to
35 [legislative] candidates [whose districts are not located in close
36 proximity to that county] for public office in different parts of the
37 State, to other committees and to other county and municipal
38 political party committees; and

39 (e) It is, therefore, reasonable for the State to promote this
40 compelling interest by limiting [the amount] what a county
41 committee or municipal committee may give to a [legislative]
42 candidate [based upon the degree to which the population of the
43 legislative district overlaps with the population of that county] for
44 public office in different parts of the State, to other committees and
45 to other county and municipal political party committees.

46 c. (1) No candidate who has established only a candidate
47 committee, his campaign treasurer, deputy treasurer or candidate

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

38 (2) No candidates who have established only a joint candidates
39 committee, their campaign treasurer, deputy campaign treasurer, or
40 joint candidates committee shall (a) pay or make any contribution
41 of money or other thing of value to another candidate who has
42 established only a candidate committee, his campaign treasurer,
43 deputy campaign treasurer or candidate committee, other than a
44 candidate for nomination for election for the office of Governor or
45 candidates for election for the offices of Governor and Lieutenant
46 Governor, which in the aggregate exceeds, on the basis of each
47 candidate in the contributing joint candidates committee, \$8,200 per
48 election, or (b) pay or make any contribution of money or other

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

37 (3) No candidate who has established both a candidate
38 committee and a joint candidates committee, the campaign
39 treasurers, deputy campaign treasurers, or candidate committee or
40 joint candidates committee shall (a) pay or make any contribution
41 of money or other thing of value to another candidate who has
42 established only a candidate committee, his campaign treasurer,
43 deputy campaign treasurer or candidate committee, other than a
44 candidate for nomination for election for the office of Governor or
45 candidates for election for the offices of Governor and Lieutenant
46 Governor, which in the aggregate exceeds \$8,200 per election, or
47 (b) pay or make any contribution of money or other thing of value
48 to candidates who have established only a joint candidates

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

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

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

46 e. For the purpose of determining the amount of a contribution
47 to be attributed as given to or by each candidate in a joint
48 candidates committee, the amount of the contribution to or by such

1 a committee shall be divided equally among all the candidates in the
2 committee.

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

4

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

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

1 (2) No national committee of a political party shall pay or make
2 any contribution of money or other thing of value to the campaign
3 treasurer, deputy treasurer or other representative of the State
4 committee of a political party which in the aggregate exceeds
5 \$72,000 per year, and no campaign treasurer, deputy campaign
6 treasurer or other representative of the State committee of a
7 political party shall knowingly accept from the national committee
8 of a political party any contribution of money or other thing of
9 value which in the aggregate exceeds \$72,000 per year.

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

45 c. No individual, no corporation of any kind organized and
46 incorporated under the laws of this State or any other state or any
47 country other than the United States, no labor organization of any
48 kind which exists or is constituted for the purpose, in whole or in

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

32 **【No county committee of a political party in any county shall**
33 **pay or make any contribution of money or other thing of value to a**
34 **municipal committee of a political party in a municipality not**
35 **located in that county which in the aggregate exceeds the amount of**
36 **aggregate contributions which, under this subsection, a continuing**
37 **political committee is permitted to pay or make to a municipal**
38 **committee of a political party. No campaign treasurer, deputy**
39 **campaign treasurer or other representative of a municipal committee**
40 **of a political party in any municipality shall knowingly accept from**
41 **any county committee of a political party in any county other than**
42 **the county in which the municipality is located any contribution of**
43 **money or other thing of value which in the aggregate exceeds the**
44 **amount of contributions permitted to be so paid or made under that**
45 **subsection.】**

46 d. For the purpose of determining the amount of a contribution
47 to be attributed as given by each candidate in a joint candidates

1 committee, the amount of the contribution by such a committee
2 shall be divided equally among all the candidates in the committee.

3 (cf: P.L.2004, c.174, s.4)

4
5 3. Section 22 of P.L.1973, c.83 (C.19:44A-22) is amended to
6 read as follows:

7 22. a. (1) Except as provided in subsection e. or f., any person,
8 including any candidate, treasurer, candidate committee or joint
9 candidates committee, political committee, continuing political
10 committee, political party committee or legislative leadership
11 committee, charged with the responsibility under the terms of this
12 act for the preparation, certification, filing or retention of any
13 reports, records, notices or other documents, who fails, neglects or
14 omits to prepare, certify, file or retain any such report, record,
15 notice or document at the time or during the time period, as the case
16 may be, and in the manner prescribed by law, or who omits or
17 incorrectly states or certifies any of the information required by law
18 to be included in such report, record, notice or document, any
19 person who proposes to undertake or undertakes a public
20 solicitation, testimonial affair or other activity relating to
21 contributions or expenditures in any way regulated by the
22 provisions of this act who fails to comply with those regulatory
23 provisions, and any other person who in any way violates any of the
24 provisions of this act shall, in addition to any other penalty
25 provided by law, be liable to a penalty of not more than \$6,000 for
26 the first offense and not more than \$12,000 for the second and each
27 subsequent offense.

28 (2) No person shall willfully and intentionally agree with
29 another person to make a contribution to a candidate, candidate
30 committee, joint candidates committee, political committee,
31 continuing political committee, political party committee, or
32 legislative leadership committee with the intent, or upon the
33 condition, understanding or belief, that the recipient candidate or
34 committee shall make or have made a contribution to another such
35 candidate or committee, but this paragraph shall not be construed to
36 prohibit a county or municipal committee of a political party from
37 making a contribution or contributions to any candidate, candidate
38 committee, joint candidates committee, political committee,
39 continuing political committee, political party committee, or
40 legislative leadership committee. A finding of a violation of this
41 paragraph shall be made only upon clear and convincing evidence.
42 A person who violates the provisions of this paragraph shall be
43 liable to a penalty equal to **【three】** four times the amount of the
44 contribution which that person agreed to make to the recipient
45 candidate or committee, and shall be guilty of a crime of the fourth
46 degree.

47 b. Upon receiving evidence of any violation of this section, the
48 Election Law Enforcement Commission shall have power to hold,

1 or to cause to be held under the provisions of subsection d. of this
2 section, hearings upon such violation and, upon finding any person
3 to have committed such a violation, to assess such penalty, within
4 the limits prescribed in subsection a. of this section, as it deems
5 proper under the circumstances, which penalty shall be paid
6 forthwith into the State Treasury for the general purposes of the
7 State.

8 c. In assessing any penalty under this section, the Election Law
9 Enforcement Commission may provide for the remission of all or
10 any part of such penalty conditioned upon the prompt correction of
11 any failure, neglect, error or omission constituting the violation for
12 which said penalty was assessed.

13 d. The commission may designate a hearing officer to hear
14 complaints of violations of this act. Such hearing officer shall take
15 testimony, compile a record and make factual findings, and shall
16 submit the same to the commission, which shall have power to
17 assess penalties within the limits and under the conditions
18 prescribed in subsections b. and c. of this section. The commission
19 shall review the record and findings of the hearing officer, but it
20 may also seek such additional testimony as it deems necessary. The
21 commission's determination shall be by majority vote of the entire
22 authorized membership thereof.

23 e. Any person who willfully and intentionally makes or accepts
24 any contribution in violation of section 4 of P.L.1974, c.26
25 (C.19:44A-29) or section 18, 19 or 20 of P.L.1993, c.65 (C.19:44A-
26 11.3, C.19:44A-11.4 or C.19:44A-11.5), shall be liable to a penalty
27 of:

28 (1) Not more than \$10,000 if the cumulative total amount of
29 those contributions is less than or equal to \$5,000.00;

30 (2) Not more than \$150,000 if the cumulative total amount of
31 those contributions was more than \$5,000.00 but less than \$75,000;
32 and

33 (3) Not more than \$200,000 if the cumulative total amount of
34 those contributions is equal to or more than \$75,000.00.

35 f. In addition to any penalty imposed pursuant to subsection e.
36 of this section, a person holding any elective public office shall
37 forfeit that public office if the Election Law Enforcement
38 Commission determines that the cumulative total amount of the
39 illegal contributions was more than \$50,000.00 and that the
40 violation had a significant impact on the outcome of the election.

41 g. Any penalty prescribed in this section shall be enforced in a
42 summary proceeding under the "Penalty Enforcement Law of
43 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
44 (cf: P.L.2004, c.32, s.1)

45
46 4. This act shall take effect immediately.

STATEMENT

The bill prohibits county and municipal political party committees from making contributions to other county and municipal political party committees and to political committees, continuing political committees, legislative leadership committees and State political party committees, except under certain circumstances.

Currently, there are no limitations on the amount of contributions that a county political party committee or municipal political party committee can make to other committees, except in certain limited circumstances.

The bill increases the penalties when a person willfully and intentionally agrees with another person to make a contribution to a candidate, candidate committee, joint candidates committee, political committee, continuing political committee, political party committee, or legislative leadership committee with the intent, or upon the condition, understanding or belief, that the recipient candidate or committee will make a contribution to another such candidate or committee. The penalty will be four times the amount of the contribution which that person agreed to make to the recipient candidate or committee (currently it is three times the contribution), and the person will be guilty of a crime of the fourth degree.