ASSEMBLY, No. 4352

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 2, 2020

Sponsored by:
Assemblyman RONALD S. DANCER
District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires financial disclosure by candidates for public office in county or municipality.

CURRENT VERSION OF TEXT

As introduced.

AN ACT expanding financial disclosure to include candidates for public office in counties and municipalities and amending P.L.1981, c.129.

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

1. Section 1 of P.L.1981, c.129 (C.19:44B-1) is amended to read as follows:

1. a. "Gift" means any money or thing of value received other than as income, and for which a consideration of equal or greater value is not received, but does not include any political contribution reported as otherwise required by law, any loan made in the ordinary course of business, or any devise, bequest, intestate estate distribution or principal distribution of a trust or gift received from a member of a person's household or from a relative within the third degree of consanguinity of the person or his spouse, or from the spouse of that relative;

b. "Income" means any money or thing of value received, or to be received, as a claim on future services, whether in the form of a fee, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, or any other form of recompense, or any combination thereof;

c. "Member of household" means the spouse of a candidate for the office of Governor **[**or**]**, Lieutenant Governor or of a candidate for the Senate or General Assembly, or of a candidate for public office in a county or municipality residing in the same domicile and any dependent children.

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

2. Section 2 of P.L.1981, c.129 (C.19:44B-2) is amended to read as follows:

2. a. Every candidate for the office of Governor **[**and**]**, every candidate for the Senate or General Assembly, and every candidate for public office in a county or municipality shall file and certify the correctness of a financial disclosure statement on or before the tenth day following the last day for filing a petition to appear on the ballot, and the financial disclosure statement shall be filed with the Election Law Enforcement Commission in the Department of Law and Public Safety.

b. Every candidate for the office of Lieutenant Governor shall file and certify the correctness of a financial disclosure statement on or before the 30th day following the day such candidate is selected by the candidate for the office of Governor of the same political

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.

party, and the financial disclosure statement shall be filed with the commission.
(cf: P.L2009, c.66, s.29)

3. Section 3 of P.L.1981, c.129 (C.19:44B-3) is amended to read as follows:

3. The commission shall prepare and transmit to each candidate for the office of Governor **[**and**]**, the office of Lieutenant Governor and to each candidate for the Senate or General Assembly and to each candidate for public office in a county or municipality forms for the filing of financial disclosure statements required by this act.
(cf: P.L.2009, c.66, s.3)

4. Section 4 of P.L.1981, c.129 (C.19:44B-4) is amended to read as follows:

4. Financial disclosure statements shall include the sources of income received from sources other than the **[**State**]** salary received for holding public office during the preceding calendar year by the candidate and members of **[**his**]** the candidate's household. Without disclosing the amounts of income, gifts, reimbursements, and holdings, the statements shall include the following:

a. Each of the following categories of earned income totalling more than $1,000.00: salaries, bonuses, royalties, fees, commissions and profit sharing received as an officer, employee, partner or consultant of a named corporation, professional association, partnership or sole proprietorship;

b. Each of the following categories of unearned income totalling more than $1,000.00: rents, dividends and other income received from named investments, trusts and estates;

c. Fees and honorariums totalling more than $100.00 received from named payers for personal appearances, speeches or writings;

d. Reimbursements totalling more than $100.00 for travel, subsistence or facilities provided in kind received from named payers or providers other than the State, any political subdivision thereof, a principal employer, or a nonprofit organization;

e. Gifts having a value totalling more than $250.00 received from named donors; and

f. Ownership, holding, or control of an interest in any land or building in any city in which casino gambling is authorized, which land or building shall be specified.
(cf: P.L.1981, c.129, s.4)

5. Section 5 of P.L.1981, c.129 (C.19:44B-5) is amended to read as follows:

5. a. Upon receipt from any person of a declaration of candidacy or a petition to appear on the ballot for election as Governor or as Lieutenant Governor, or as a member of the

Legislature, the [Secretary of State] Attorney General shall, within [2] two days of the receipt, notify the commission of the name and address of the candidate and the date of the receipt.

b. Upon receipt from any person of a declaration of candidacy or a petition to appear on the ballot for election to public office in a county or a municipality within such a county, the clerk thereof shall, within two days of the receipt, notify the commission of the name and address of the candidate and the date of the receipt.

(cf: P.L.2009, c.66, s.31)

6. This act shall take effect on January 1 following the date of enactment.

STATEMENT

The purpose of this bill is to require the filing of financial disclosure forms by candidates for public office in a county or municipality. The financial disclosure statements would be required to be filed with the Election Law Enforcement Commission (ELEC) and would seek the disclosure of the same information as is now required to be disclosed by candidates for the office of Governor and member of the Legislature.

Under current law, all elected public officials (State county and municipal) must file financial disclosure statements and only candidates for the office of Governor and the office of member of the Legislature must file financial disclosure forms with ELEC. Voters can review the financial disclosure statements of all incumbent candidates for re-election, but a candidate for a county or municipal public office who is not an incumbent is not required to file a financial disclosure statement for voter review.

This amendment would eliminate this double standard and provide voters with an opportunity to review the financial disclosures of all candidates for public office, regardless of incumbency.