

ASSEMBLY, No. 3824

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED JUNE 19, 2003

Sponsored by:

Assemblyman MATT AHEARN

District 38 (Bergen)

SYNOPSIS

Prohibits corporations of any kind from engaging in political speech, making expenditures to influence legislation or making campaign contributions.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT prohibiting political activities by certain entities,
2 supplementing chapter 34 of Title 19 of the Revised Statutes and
3 repealing R.S.19:34-32 and 19:34-45.

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

7
8 1. No corporation of any kind organized and incorporated under
9 the laws in this State, or any other state or any country other than the
10 United States, and doing business in the State, including any wholly-
11 owned subsidiary or branch of such a corporation or any partnership
12 in which such a corporation is involved, shall:

13 a. engage in political speech in any form that supports the election
14 or defeat of any candidate for public office in this State or that
15 supports the passage or defeat of any public question;

16 b. make any expenditure to influence legislation or to influence
17 regulation, or make any expenditure providing benefits to a member
18 of the Legislature, legislative staff, the Governor, the Governor's staff
19 or an officer or staff member of the Executive Branch of State
20 government; or

21 c. pay or make any contribution of money or other thing of value
22 to, or make any expenditure in support of, any candidate, candidate
23 committee, joint candidates committee or both a candidates committee
24 and a joint candidates committee, a political committee, continuing
25 political committee, legislative leadership committee or a political
26 party committee, or for any political purpose whatsoever, or to
27 support the passage or defeat of a public question.

28 Nothing in this section shall preclude the trustees, directors, officers
29 or employees of such a corporation from engaging in any of the
30 activities specified in subsections a., b., or c. of this section as
31 individuals using personal assets and time outside of the office of the
32 corporation for such purposes. All contributions to and expenditures
33 by a lobbyist or a legislative agent to influence legislation or to
34 influence regulation by communicating with or providing benefits to
35 a member of the Legislature, legislative staff, the Governor, the
36 Governor's staff or an officer or staff member of the Executive Branch
37 of State government shall be made in compliance with the "Legislative
38 Activities Disclosure Act of 1971," P.L.1971, c.183 (C.52:13C-20 et
39 seq.). All contributions and expenditures paid or made to or in
40 support of candidates for public office or in support of the passage or
41 defeat of a public question shall be made in compliance with "the New
42 Jersey Campaign Contributions and Expenditures Reporting Act,"
43 P.L.1973, c.83 (C.19:44A-1 et seq.).

44 As used in this section, the terms "influence legislation," "influence
45 regulation," and "expenditure providing benefits" shall have the
46 meanings set forth in section 3 of the "Legislative Activities Disclosure

1 Act of 1971" P.L.1971, c.183 (C.52:13C-20); and the terms
2 "candidate," "candidate committee," "joint candidates committee,"
3 "political committee," "continuing political committee," "legislative
4 leadership committee," and "political party committee" shall have the
5 meanings set forth in section 3 of P.L.1973, c.83 (C.19:44A-3).

6
7 2. R.S.19:34-32 and R.S.19:34-45 are repealed.

8
9 3. This act shall take effect immediately.

10
11
12 STATEMENT

13
14 This bill prohibits corporations of any kind, including any wholly-
15 owned subsidiary or branch of such a corporation or any partnership
16 in which such a corporation is involved, from:

17 1) engaging in political speech in any form that supports the
18 election or defeat of any candidate for public office in this State or that
19 supports the passage or defeat of any public question;

20 2) making any expenditure to influence legislation or to influence
21 regulation, or making any expenditure providing benefits to a member
22 of the Legislature, legislative staff, the Governor, the Governor's staff
23 or an officer or staff member of the executive branch of State
24 government; or

25 3) paying or making any contribution of money or other thing of
26 value to, or making any expenditure in support of, any candidate,
27 candidate committee, joint candidates committee, or both a candidates
28 committee and a joint candidates committee, a political committee,
29 continuing political committee, legislative leadership committee or a
30 political party committee, or for any political purpose whatsoever, or
31 to support the passage or defeat of a public question.

32 Nothing in the bill would preclude the trustees, directors, officers
33 or employees of such a corporation from engaging in any of the
34 activities specified in the above paragraphs as individuals using
35 personal assets and time outside of the office of the corporation for
36 such purposes.

37 The bill repeals R.S.19:34-32 and R.S.19:34-45, which currently
38 prohibit insurance corporations and certain other types of corporations
39 from making campaign contributions.