

**ASSEMBLY, No. 5701**

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**STATE OF NEW JERSEY**

**218th LEGISLATURE**

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INTRODUCED JUNE 24, 2019

**Sponsored by:**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Middlesex, Somerset and Union)**

**Co-Sponsored by:**

**Assemblywoman Murphy and Assemblyman Calabrese**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/28/2019)**

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

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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

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

12 (1) the payment of campaign expenses;

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

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

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

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

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

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

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

Matter underlined thus is new matter.

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

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

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

16 (cf: P.L.2007, c.202, s.1)

17  
18 2. This act shall take effect immediately.  
19  
20

21 STATEMENT  
22

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

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

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