

[First Reprint]
SENATE, No. 1500

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

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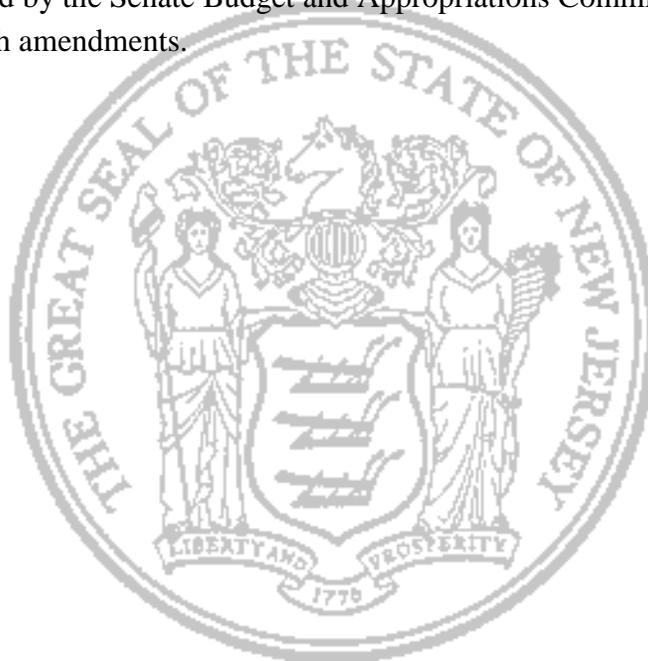
Senators Gopal, Weinberg, Thompson and Stack

SYNOPSIS

Requires disclosure by independent expenditure committees; raises certain campaign contribution limits; repeals ban on certain intraparty fund transfers.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on January 17, 2019, with amendments.



(Sponsorship Updated As Of: 1/29/2019)

1 AN ACT concerning campaign finance disclosures and limits,
2 amending various parts of the statutory law and repealing section
3 13 of P.L.2004, c.19.

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

7
8 1. Section 3 of P.L.1973, c.83 (C.19:44A-3) is amended to read
9 as follows:

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

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

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

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

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

37 e. The term "election" means any election described in section
38 4 of this act.

39 f. The term "paid personal services" means personal, clerical,
40 administrative or professional services of every kind and nature
41 including, without limitation, public relations, research, legal,
42 canvassing, telephone, speech writing or other such services,
43 performed other than on a voluntary basis, the salary, cost or
44 consideration for which is paid, borne or provided by someone
45 other than the committee, candidate or organization for whom such

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted January 17, 2019.

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

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

29 h. The term "political information" means any statement
30 including, but not limited to, press releases, pamphlets, newsletters,
31 advertisements, flyers, form letters, ¹Internet or digital
32 advertisements,¹ or radio or television programs or advertisements
33 which reflects the opinion of the members of the organization on
34 any candidate or candidates for public office, on any public
35 question, or which contains facts on any such candidate, or public
36 question whether or not such facts are within the personal
37 knowledge of members of the organization.

38 i. The term "political committee" means any two or more
39 persons acting jointly, or any corporation, partnership, or any other
40 incorporated or unincorporated association which is organized to, or
41 does, aid or promote the nomination, election or defeat of any
42 candidate or candidates for public office, or which is organized to,
43 or does, aid or promote the passage or defeat of a public question in
44 any election, if the persons, corporation, partnership or incorporated
45 or unincorporated association raises or expends ~~【\$1,000.00】~~ \$2,400
46 or more to so aid or promote the nomination, election or defeat of a
47 candidate or candidates or the passage or defeat of a public
48 question; provided that for the purposes of this act, the term

1 "political committee" shall not include a "continuing political
2 committee," as defined by subsection n. of this section, a "political
3 party committee," as defined by subsection p. of this section, a
4 "candidate committee," as defined by subsection q. of this section, a
5 "joint candidates committee," as defined by subsection r. of this
6 section **[or]**, a "legislative leadership committee," as defined by
7 subsection s. of this section, or an "independent expenditure
8 committee," as defined by subsection t. of this section.

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

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

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

40 m. The term "qualified candidate" means:

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

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

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

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

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

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

4 n. The term "continuing political committee" means any group
5 of two or more persons acting jointly, or any corporation,
6 partnership, or any other incorporated or unincorporated
7 association, including a political club, political action committee,
8 civic association or other organization, which in any calendar year
9 contributes or expects to contribute at least ~~[\$2,500.00]~~ \$5,500
10 to the aid or promotion of the candidacy of an individual, or of the
11 candidacies of individuals, for elective public office, or the passage
12 or defeat of a public question or public questions, and which may be
13 expected to make contributions toward such aid or promotion or
14 passage or defeat during a subsequent election, provided that the
15 group, corporation, partnership, association or other organization
16 has been determined to be a continuing political committee under
17 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided
18 that for the purposes of this act, the term "continuing political
19 committee" shall not include a "political party committee," as
20 defined by subsection p. of this section, **[or]** a "legislative
21 leadership committee," as defined by subsection s. of this section,
22 or an "independent expenditure committee," as defined by
23 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 committee" means a
30 person, a group of two or more persons, or an organization
31 organized under section 527 of the federal Internal Revenue Code
32 (26 U.S.C. s.527) or under paragraph (4) of subsection c. of section
33 501 of the federal Internal Revenue Code (26 U.S.C. s.501) that
34 does not fall within the definition of any other organization subject
35 to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.), that
36 engages in influencing or attempting to influence the outcome of
37 any election or the nomination, election, or defeat of any person to
38 any State or local elective public office, or the passage or defeat of
39 any public question, ¹legislation, or regulation,¹ or in providing
40 political information on any candidate or public question,
41 ¹legislation, or regulation,¹ and raises or expends \$3,000 or more in
42 the aggregate for any such purpose annually, but does not
43 coordinate its activities with any candidate or political party ¹as
44 determined by the Election Law Enforcement Commission pursuant to
45 the provisions of section 16 of P.L. , c. (C.) (pending before the
46 Legislature as this bill)¹ .

1 u. The term “electioneering communication” means any
2 communication¹ [that has a value of at least \$10,000] made within
3 the period beginning on January 1 of an election year and the date of
4 the election¹ and refers to: (1) a clearly identified candidate for
5 office and promotes or supports a candidate for that office or
6 opposes a candidate for that office, regardless of whether the
7 communication expressly advocates a vote for or against a
8 candidate; or (2) a public question and promotes or supports the
9 passage or defeat of that question, regardless of whether the
10 communication expressly advocates a vote for or against the
11 passage of the question. The term includes communications
12 published in any newspaper or periodical; broadcast on radio,
13 television, or the Internet¹ or digital media¹, or any public address
14 system; placed on any billboard, outdoor facility, button, motor
15 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or
16 other circular; or contained in any direct mailing, robotic phone
17 calls, or mass e-mails.

18 v. The term “independent expenditure” means an expenditure
19 by a person expressly advocating, or the functional equivalent
20 thereof, the election or defeat of: (1) a clearly identified candidate
21 that is not made in concert or cooperation with or at the request or
22 suggestion of the candidate, the candidate’s committee, a political
23 party committee, or an agent thereof; or (2) a public question¹,
24 legislation, or regulation,¹ that is not made in concert or cooperation
25 with or at the request or suggestion of the sponsors, organizers, or
26 committee supporting or opposing the question,¹ legislation, or
27 regulation,¹ a political party, or agents thereof. The “functional
28 equivalent” of expressly advocating means specific advocacy that
29 can be interpreted by a reasonable person as advocating the election
30 or defeat of a candidate, or the passage or defeat of a public
31 question,¹ legislation, or regulation,¹ taking into account whether the
32 communication involved mentions a candidate, a political party, or
33 a challenger to a candidate, or takes a position on a candidate’s
34 character, qualifications, or fitness for office, or that can be
35 interpreted by a reasonable person as taking a position on the merits
36 of a public question¹, legislation, or regulation,¹ or taking a position
37 in favor or against the passage or defeat of a public question¹,
38 legislation, or regulation¹.

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

40

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

43 8. a. (1) Each political committee shall make a full cumulative
44 report, upon a form prescribed by the Election Law Enforcement
45 Commission, of all contributions in the form of moneys, loans, paid
46 personal services, or other things of value made to it and all
47 expenditures made, incurred, or authorized by it in furtherance of

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

28 The campaign treasurer of the political committee reporting shall
29 certify to the correctness of each report.

30 Each campaign treasurer of a political committee shall file
31 written notice with the commission of a contribution in excess of
32 **[\$500]** \$1,400 received during the period between the 13th day
33 prior to the election and the date of the election, and of an
34 expenditure of money or other thing of value in excess of **[\$500]**
35 \$1,400 made, incurred or authorized by the political committee to
36 support or defeat a candidate in an election, or to aid the passage or
37 defeat of any public question, during the period between the 13th
38 day prior to the election and the date of the election. The notice of
39 a contribution shall be filed in writing or by **[telegram]** electronic
40 transmission within 48 hours of the receipt of the contribution and
41 shall set forth the amount and date of the contribution, the name and
42 mailing address of the contributor, and where the contributor is an
43 individual, the individual's occupation and the name and mailing
44 address of the individual's employer. The notice of an expenditure
45 shall be filed in writing or by **[telegram]** electronic transmission
46 within 48 hours of the making, incurring or authorization of the
47 expenditure and shall set forth the name and mailing address of the

1 person, firm or organization to whom or which the expenditure was
2 paid and the amount and purpose of the expenditure.

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

7 b. (1) A group of two or more persons acting jointly, or any
8 corporation, partnership, or any other incorporated or
9 unincorporated association including a political club, political
10 action committee, civic association or other organization, which in
11 any calendar year contributes or expects to contribute at least
12 ~~[\$2,500.00]~~ \$5,500 to the aid or promotion of the candidacy of an
13 individual, or of the candidacies of individuals, for elective public
14 office or the passage or defeat of a public question or public
15 questions and which expects to make contributions toward such aid
16 or promotion, or toward such passage or defeat, during a subsequent
17 election shall certify that fact to the commission, and the
18 commission, upon receiving that certification and on the basis of
19 any information as it may require of the group, corporation,
20 partnership, association or other organization, shall determine
21 whether the group, corporation, partnership, association or other
22 organization is a continuing political committee for the purposes of
23 this act. If the commission determines that the group, corporation,
24 partnership, association or other organization is a continuing
25 political committee, it shall so notify that continuing political
26 committee.

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

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

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

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

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

16 If any continuing political committee submitting cumulative
17 quarterly reports as provided under this subsection receives a
18 contribution from a single source of more than **[\$500]** \$1,400 after
19 the final day of a quarterly reporting period and on or before a
20 primary, general, municipal, school or special election which occurs
21 after that final day but prior to the final day of the next reporting
22 period it shall, in writing or by **[telegram]** electronic transmission,
23 report that contribution to the commission within 48 hours of the
24 receipt thereof, including in that report the amount and date of the
25 contribution; the name and mailing address of the contributor; and
26 where the contributor is an individual, the individual's occupation
27 and the name and mailing address of the individual's employer. If
28 any continuing political committee makes or authorizes an
29 expenditure of money or other thing of value in excess of **[\$500]**
30 \$1,400, or incurs any obligation therefor, to support or defeat a
31 candidate in an election, or to aid the passage or defeat of any
32 public question, after March 31 and on or before the day of the
33 primary election, or after September 30 and on or before the day of
34 the general election, it shall, in writing or by **[telegram]** electronic
35 transmission, report that expenditure to the commission within 48
36 hours of the making, authorizing or incurring thereof.

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

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

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

33 ~~If~~ ¹~~d.~~ ¹(1) Each independent expenditure committee shall
34 ¹~~make a full cumulative report~~ ¹file with the Election Law
35 Enforcement Commission, not later than April 15, July 15, October 15
36 and January 15 of each calendar year, a cumulative quarterly report¹ ,
37 upon a form prescribed by the Election Law Enforcement
38 Commission, of all contributions received in excess of ¹~~[\$300]~~
39 \$10,000¹ in the form of moneys, loans, paid personal services, or
40 other things of value made to it, and of all expenditures in excess of
41 \$300 ¹~~\$3,000~~¹ made, incurred, or authorized by it in influencing
42 or attempting to influence the outcome of any election or the
43 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, legislation, or regulation,¹ or in providing political
46 information on any candidate or public question, legislation, or
47 regulation,¹ during the period ending 48 hours preceding the date of

1 the report and beginning on the date on which the first of those
2 contributions was received or the first of those expenditures was
3 made, whichever occurred first. The ¹['cumulative'] quarterly¹
4 report, except as hereinafter provided, shall contain the name and
5 mailing address of each person or group from whom moneys, loans,
6 paid personal services or other things of value have been
7 contributed since 48 hours preceding the date on which such
8 previous report was made and the amount contributed by each
9 person or group in excess of ¹['\$300'] \$10,000¹ , and when the
10 contributor is an individual, the report shall indicate the occupation
11 of the individual and the name and mailing address of the
12 individual's employer. In the case of any loan reported pursuant to
13 this subsection, the report shall contain the name and mailing
14 address of each person who has cosigned such loan since 48 hours
15 preceding the date on which the previous such report was made, and
16 when an individual has cosigned such loans, the report shall
17 indicate the occupation of the individual and the name and mailing
18 address of the individual's employer. The ¹['cumulative'] quarterly¹
19 report shall also contain the name and address of each person, firm,
20 or organization to whom expenditures have been paid since 48
21 hours preceding the date on which the previous such report was
22 made and the amount and purpose of each such expenditure. ¹['The
23 cumulative report shall be filed with the Election Law Enforcement
24 Commission on the dates designated in section 16 of P.L.1973, c.83
25 (C.19:44A-16).']¹

26 (2) An independent expenditure committee shall disclose all
27 expenditures made by it in excess of ¹['\$300'] \$3,000¹ , including,
28 but not limited to, for electioneering communications, voter
29 registration, get-out-the-vote efforts, polling, and research. The
30 disclosures required by this paragraph shall be reported to the
31 Election Law Enforcement Commission on the same schedule as
32 required for ¹['political committees and']¹ continuing political
33 committees pursuant to this section.

34 The treasurer of the reporting independent expenditure
35 committee shall certify the correctness of each report and shall
36 maintain all records of contributions and expenditures for a period
37 of not less than four years.

38 ¹The \$10,000 contribution amount and the \$3,000 expenditure
39 amount established in this subsection shall remain as stated in this
40 subsection without further adjustment by the commission pursuant to
41 section 22 of P.L.1993, c.65 (C.19:44A-7.2).¹

42 e. When a political party committee 【or a】, legislative
43 leadership committee 【submitting cumulative quarterly reports as
44 provided under this subsection】 or independent expenditure
45 committee receives a contribution from a single source of more than
46 【\$500】 \$1,400 after the final day of a quarterly reporting period
47 and on or before a primary, general, municipal, school, or special

1 election which occurs after that final day but prior to the final day
2 of the next reporting period it shall, in writing or by **【telegram】**
3 electronic transmission, report that contribution to the commission
4 within 48 hours of the receipt thereof, including in that report the
5 amount and date of the contribution; the name and mailing address
6 of the contributor; and where the 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 an
11 independent expenditure committee makes or authorizes an
12 expenditure of money or other thing of value in excess of **【\$800】**
13 \$1,400, 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, ¹or to aid the passage or defeat of legislation or
16 regulation in the case of an independent expenditure committee.¹ after
17 March 31 and on or before the day of the primary election, or after
18 September 30 and on or before the day of the general election, it
19 shall, in writing or by **【telegram】** electronic transmission, report
20 that expenditure to the commission within 48 hours of the making,
21 authorizing or incurring thereof.

22 **【d.】** f. In any report filed pursuant to the provisions of this
23 section the organization or committee reporting may exclude from
24 the report the name of and other information relating to any
25 contributor whose contributions during the period covered by the
26 report did not exceed \$300, provided, however, that (1) such
27 exclusion is unlawful if any person responsible for the preparation
28 or filing of the report knew that it was made with respect to any
29 person whose contributions relating to the same election or issue
30 and made to the reporting organization or committee aggregate, in
31 combination with the contribution in respect of which such
32 exclusion is made, more than \$300 and (2) any person who
33 knowingly prepares, assists in preparing, files or acquiesces in the
34 filing of any report from which the identification of a contributor
35 has been excluded contrary to the provisions of this section is
36 subject to the provisions of section 21 of **【this act】** P.L.1973, c.83
37 (C.19:44A-21), but (3) nothing in this proviso shall be construed as
38 requiring any committee or organization reporting pursuant to this
39 act to report the amounts, dates or other circumstantial data
40 regarding contributions made to any other organization or political
41 committee, political party committee or campaign organization of a
42 candidate.

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

1 such testimonial affair and the amount contributed by each; in the
2 case of an individual contributor, the occupation of the individual
3 and the name and mailing address of the individual's employer; the
4 expenses incurred; and the disposition of the proceeds of such
5 testimonial affair.

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

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

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

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

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

35 (3) a descriptive statement prepared by the organizers or officers
36 of the committee that identifies (a) the names and mailing addresses
37 of the persons having control over the affairs of the committee,
38 including but not limited to persons in whose name or at whose
39 direction or suggestion the committee solicits funds, and persons
40 participating in any decision to make a contribution of such funds to
41 any candidate, political committee or continuing political
42 committee and, in the case of an independent expenditure
43 committee, any decision to expend funds for the purpose of
44 influencing or attempting to influence the outcome of any election
45 or the nomination, election, or defeat of any person to State or local
46 elective public office or the passage or defeat of any public
47 question, ¹legislation, or regulation,¹ or in providing political
48 information on any candidate or public question ¹, legislation, or

1 regulation¹ ; (b) the name and mailing address of any person not
2 included among the persons identified under subparagraph (a) of
3 this paragraph who, directly or through an agent, participated in the
4 initial organization of the committee; (c) in the case of any person
5 identified under subparagraph (a) or subparagraph (b) who is an
6 individual, the occupation of that individual, the individual's home
7 address, and the name and mailing address of the individual's
8 employer, or, in the case of any such person which is a corporation,
9 partnership, unincorporated association, or other organization, the
10 name and mailing address of the organization; and (d) any other
11 information which the Election Law Enforcement Commission may,
12 under such regulations as it shall adopt pursuant to the provisions of
13 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
14 seq.), require as being material to the fullest possible disclosure of
15 the economic, political and other particular interests and objectives
16 which the committee has been organized to or does advance. The
17 commission shall be informed, in writing, of any change in the
18 information required by this paragraph within three days of the
19 occurrence of the change. Legislative leadership committees shall
20 be exempt from the requirements of subparagraphs (a), (b) and (c)
21 of this paragraph.

22 b. After submission of a statement of registration to the
23 commission pursuant to this section, the committee shall use the
24 complete name or identifying title on all documents submitted to
25 the commission, in all solicitations for contributions, in all paid
26 media advertisements purchased or paid for by the committee in
27 support of or in opposition to any candidate or public question, and
28 in all contributions made by the committee to candidates or other
29 committees and, in the case of an independent expenditure
30 committee, any decision to expend funds for the purpose of
31 influencing or attempting to influence the outcome of any election
32 or the selection, nomination, election, or defeat of any person to
33 State or local elective public office or the passage or defeat of any
34 public question, ¹legislation, or regulation,¹ or in providing political
35 information on any candidate or public question ¹, legislation, or
36 regulation¹ .

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

1 material to the fullest possible disclosure of the economic, political
2 and other particular interests and objectives which the contributing
3 organization has been organized to or does advance.

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

26 ¹e. No foreign national, government, instrumentality, or agent
27 may register as an independent expenditure committee for the purpose
28 of making independent expenditures in any State or local
29 election.¹

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

31

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

34 10. Each political party committee shall, on or before July 1 in
35 each year, designate a single organizational treasurer and an
36 organizational depository and shall, not later than the tenth day after
37 the designation of the organizational depository file the name and
38 address of that depository, and of the organizational treasurer, with
39 the Election Law Enforcement Commission.

40 Every political committee may designate a chairman of the
41 committee, but no person serving as the chairman of a political
42 party committee or a legislative leadership committee shall be
43 eligible to be appointed or to serve as the chairman of a political
44 committee. Every political committee shall, not later than the date
45 on which it first receives any contribution or makes or incurs any
46 expenditure in the furtherance or aid of the election or defeat of any
47 candidate or the passage or defeat of any public question, appoint a
48 single campaign treasurer and designate a campaign depository, but

1 no person serving as the chairman of a political party committee or
2 a legislative leadership committee shall be eligible to be appointed
3 or to serve as the campaign treasurer of a political committee. Not
4 later than the tenth day after the initial designation of the campaign
5 depository, the committee shall file the name and address of the
6 depository, and of the campaign treasurer, with the Election Law
7 Enforcement Commission.

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

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

45 Every legislative leadership committee shall, not later than the
46 date on which it first receives any contribution or makes or incurs
47 any expenditure in the furtherance or aid of the election or defeat of
48 any candidate or the passage or defeat of any public question,

1 appoint a single organizational treasurer and designate an
2 organizational depository. Not later than the tenth day after the
3 initial designation of the organizational depository, the committee
4 shall file the name and address of the depository, and of the
5 organizational treasurer, with the Election Law Enforcement
6 Commission.

7 Each organizational treasurer of a State political party committee
8 or a legislative leadership committee shall be a trained treasurer,
9 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-
10 6), or shall acquire such training within 90 days of appointment as
11 an organizational treasurer. An organizational treasurer of any
12 other political party committee or a continuing political committee
13 or an independent expenditure committee and a campaign treasurer
14 of a political committee may be a trained treasurer.

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

25 Any political party committee, any political committee, any
26 independent expenditure committee, any continuing political
27 committee, and any legislative leadership committee may remove
28 its organizational or campaign treasurer or deputy treasurer. In the
29 case of the death, resignation or removal of its organizational or
30 campaign treasurer, the committee shall appoint a successor as soon
31 as practicable and shall file his name and address with the Election
32 Law Enforcement Commission within three days.

33 (cf: P.L.2004, c.22, s.3)

34

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

37 11. No contribution of money or other thing of value, nor
38 obligation therefor, including but not limited to contributions, loans
39 or obligations of a candidate himself or of his family, shall be made
40 or received, and no expenditure of money or other thing of value,
41 nor obligation therefor, including expenditures, loans or obligations
42 of a candidate himself or of his family, shall be made or incurred,
43 directly or indirectly, to support or defeat a candidate in any
44 election, or to aid the passage or defeat of any public question, ¹or
45 to aid the passage or defeat of legislation or regulation in the case of an
46 independent expenditure committee.¹ except through:

- 1 a. The duly appointed campaign treasurer or deputy campaign
2 treasurers of the candidate committee or joint candidates
3 committee;
- 4 b. The duly appointed organizational treasurer or deputy
5 organizational treasurers of a political party committee or a
6 continuing political committee;
- 7 c. The duly appointed campaign treasurer or deputy campaign
8 treasurers of a political committee; **【or】**
- 9 d. The duly appointed organizational treasurer or deputy
10 organizational treasurer of a legislative leadership committee; or
- 11 e. The duly appointed organizational treasurer or deputy
12 organizational treasurer of an independent expenditure committee.

13 It shall be lawful, however, for any person, not acting in concert
14 with any other person or group, to expend personally from his own
15 funds a sum which is not to be repaid to him for any purpose not
16 prohibited by law, or to contribute his own personal services and
17 personal traveling expenses, to support or defeat a candidate or to
18 aid the passage or defeat of a public question; provided, however,
19 that any person making such expenditure shall be required to report
20 his or her name and mailing address and the amount of all such
21 expenditures and expenses, except personal traveling expenses, if
22 the total of the money so expended, exclusive of such traveling
23 expenses, exceeds \$500, and also, where the person is an individual,
24 to report the individual's occupation and the name and mailing
25 address of the individual's employer, to the Election Law
26 Enforcement Commission at the same time and in the same manner
27 as a political committee subject to the provisions of section 8 of
28 **【this act】** P.L.1973, c.83 (C.19:44A-8). Such expenditure made
29 during the period between the 13th day prior to the election and the
30 date of the election shall be filed in writing or by telegram within
31 48 hours of the making, incurring or authorization of the
32 expenditure and shall set forth the name and mailing address of the
33 person, firm or organization to whom or which the expenditure was
34 paid and the amount and purpose of the expenditure.

35 No contribution of money shall be made in currency, except
36 contributions in response to a public solicitation, provided that
37 cumulative currency contributions of up to \$200 may be made to a
38 candidate committee or joint candidates committee, a political
39 committee, a continuing political committee, an independent
40 expenditure committee, a legislative leadership committee or a
41 political party committee if the contributor submits with the
42 currency contribution a written statement of a form as prescribed by
43 the commission, indicating the contributor's name, mailing address
44 and occupation and the amount of the contribution, including the
45 contributor's signature and the name and mailing address of the
46 contributor's employer. Adjustments to the \$200 limit established
47 in this paragraph which have been made by the Election Law
48 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65

1 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
2 rescinded. The \$200 limit established in this paragraph shall
3 remain as stated in this paragraph without further adjustment by the
4 commission in the manner prescribed by section 22 of P.L.1993,
5 c.65 (C.19:44A-7.2).

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

10 No person, partnership or association, either directly or through
11 an agent, shall make any loan or advance, the proceeds of which
12 that person, partnership or association knows or has reason to know
13 or believe are intended to be used by the recipient thereof to make a
14 contribution or expenditure, except by check or money order
15 identifying the name, mailing address and occupation or business of
16 the maker of the loan, and, if the maker is an individual, the name
17 and mailing address of that individual's employer; provided,
18 however, that such loans or advances to a single individual, up to a
19 cumulative amount of \$50 in any calendar year, may be made in
20 currency.

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

22
23 6. Section 18 of P.L.1993, c.65 (C.19:44A-11.3) is amended to
24 read as follows:

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

1 candidate committee shall knowingly accept from an individual,
2 other than an individual who is a candidate, a corporation of any
3 kind organized and incorporated under the laws of this State or any
4 other state or any country other than the United States, a labor
5 organization of any kind which exists or is constituted for the
6 purpose, in whole or in part, of collective bargaining, or of dealing
7 with employers concerning the grievances, terms or conditions of
8 employment, or of other mutual aid or protection in connection with
9 employment, or any group any contribution of money or other thing
10 of value which in the aggregate exceeds **[\$2,600]** \$3,000 per
11 election, and no candidates who have established only a joint
12 candidates committee, or their campaign treasurer, deputy campaign
13 treasurer, or joint candidates committee, shall knowingly accept
14 from any such source any contribution of money or other thing of
15 value which in the aggregate exceeds **[\$2,600]** \$3,000 per election
16 per candidate, and no candidate who has established both a
17 candidate committee and a joint candidates committee, the
18 campaign treasurers, deputy campaign treasurers, or candidate
19 committee or joint candidates committee shall knowingly accept
20 from any such source any contribution of money or other thing of
21 value which in the aggregate exceeds **[\$2,600]** \$3,000 per election.

22 b. (1) No political committee or continuing political
23 committee shall: (a) pay or make any contribution of money or
24 other thing of value to a candidate who has established only a
25 candidate committee, his campaign treasurer, deputy campaign
26 treasurer or candidate committee, other than a candidate for
27 nomination for election for the office of Governor or candidates for
28 election for the offices of Governor and Lieutenant Governor,
29 which in the aggregate exceeds **[\$8,200]** \$9,300 per election, or (b)
30 pay or make any contribution of money or other thing of value to
31 candidates who have established only a joint candidates committee,
32 their campaign treasurer or deputy campaign treasurer, or the joint
33 candidates committee, which in the aggregate exceeds **[\$8,200]**
34 \$9,300 per election per candidate, or (c) pay or make any
35 contribution of money or other thing of value to a candidate who
36 has established both a candidate committee and a joint candidates
37 committee, the campaign treasurers, deputy campaign treasurers, or
38 candidate committee or joint candidates committee, which in the
39 aggregate exceeds **[\$8,200]** \$9,300 per election. No candidate who
40 has 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 any political committee or
45 continuing political committee any contribution of money or other
46 thing of value which in the aggregate exceeds **[\$8,200]** \$9,300 per
47 election, and no candidates who have established only a joint

1 candidates committee, their campaign treasurer, deputy campaign
2 treasurer, or joint candidates committee, shall knowingly accept
3 from any such source any contribution of money or other thing of
4 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election
5 per candidate, and no candidate who has established both a
6 candidate committee and a joint candidates committee, the
7 campaign treasurers, deputy campaign treasurers, or candidate
8 committee or joint candidates committee shall knowingly accept
9 from any such source any contribution of money or other thing of
10 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election.

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

33 The limitation upon the knowing acceptance by a candidate,
34 campaign treasurer, deputy campaign treasurer, candidate
35 committee or joint candidates committee of any contribution of
36 money or other thing of value from a political committee or
37 continuing political committee under the provisions of paragraph
38 (1) of this subsection, except that the amount of any contribution of
39 money or other thing of value shall be in an amount which in the
40 aggregate does not exceed \$25,000, shall also be applicable to the
41 knowing acceptance of any such contribution from the county
42 committee of a political party by a candidate, or the campaign
43 treasurer, deputy campaign treasurer, candidate committee or joint
44 candidates committee of a candidate, for nomination for election or
45 for election to the office of member of the Legislature in a
46 legislative district in which, according to the federal decennial
47 census upon the basis of which legislative districts shall have been
48 established, at least 20% but less than 40% of the population resides

1 within the county of that county committee. In addition, all
2 contributor reporting requirements and other restrictions and
3 regulations applicable to a contribution of money or other thing of
4 value by a political committee or continuing political committee
5 under the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall
6 likewise be applicable to the making or payment of such a
7 contribution by such a county committee.

8 With respect to the limitations in this paragraph, the Legislature
9 finds and declares that:

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

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

19 (c) Furthermore, the risk of actual or perceived corruption is
20 raised by the potential for contributors to circumvent limits on
21 contributions to candidates by funneling money to candidates
22 through county committees;

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

28 (e) It is, therefore, reasonable for the State to promote this
29 compelling interest by limiting the amount a county committee may
30 give to a legislative candidate based upon the degree to which the
31 population of the legislative district overlaps with the population of
32 that county.

33 c. (1) No candidate who has established only a candidate
34 committee, his campaign treasurer, deputy treasurer or candidate
35 committee shall (a) pay or make any contribution of money or other
36 thing of value to another candidate who has established only a
37 candidate committee, his campaign treasurer, deputy campaign
38 treasurer or candidate committee, other than a candidate for
39 nomination for election for the office of Governor or candidates for
40 election for the offices of Governor and Lieutenant Governor,
41 which in the aggregate exceeds **[\$8,200]** \$9,300 per election, or (b)
42 pay or make any contribution of money or other thing of value to
43 candidates who have established only a joint candidates committee,
44 their campaign treasurer, deputy campaign treasurer, or joint
45 candidates committee, which in the aggregate exceeds **[\$8,200]**
46 \$9,300 per election per candidate in the recipient committee, or (c)
47 pay or make any contribution of money or other thing of value to a
48 candidate who has established both a candidate committee and a

1 joint candidates committee, the campaign treasurers, deputy
2 campaign treasurers, or candidate committee or joint candidates
3 committee, which in the aggregate exceeds **[\$8,200]** \$9,300 per
4 election. No candidate who has established only a candidate
5 committee, his campaign treasurer, deputy campaign treasurer or
6 candidate committee, other than a candidate for nomination for
7 election for the office of Governor or candidates for election to the
8 offices of the Governor and Lieutenant Governor, shall knowingly
9 accept from another candidate who has established only a candidate
10 committee, his campaign treasurer, deputy campaign treasurer or
11 candidate committee, any contribution of money or other thing of
12 value which in the aggregate exceeds **[\$8,200]** \$9,300 per election,
13 and no candidates who have established only a joint candidates
14 committee, their campaign treasurer, deputy campaign treasurer, or
15 joint candidates committee, shall knowingly accept from any such
16 source any contribution of money or other thing of value which in
17 the aggregate exceeds **[\$8,200]** \$9,300 per election per candidate in
18 the recipient committee, and no candidate who has established both
19 a candidate committee and a joint candidates committee, the
20 campaign treasurers, deputy campaign treasurers, or candidate
21 committee or joint candidates committee, shall knowingly accept
22 from any such source any contribution of money or other thing of
23 value which in the aggregate exceeds **[\$8,200]** \$9,300 per election.

24 (2) No candidates who have established only a joint candidates
25 committee, their campaign treasurer, deputy campaign treasurer, or
26 joint candidates committee shall (a) pay or make any contribution
27 of money or other thing of value to another candidate who has
28 established only a candidate committee, his campaign treasurer,
29 deputy campaign treasurer or candidate committee, other than a
30 candidate for nomination for election for the office of Governor or
31 candidates for election for the offices of Governor and Lieutenant
32 Governor, which in the aggregate exceeds, on the basis of each
33 candidate in the contributing joint candidates committee, **[\$8,200]**
34 \$9,300 per election, or (b) pay or make any contribution of money
35 or other thing of value to candidates who have established only a
36 joint candidates committee, their campaign treasurer, deputy
37 campaign treasurer or joint candidates committee, which in the
38 aggregate exceeds, on the basis of each candidate in the
39 contributing joint candidates committee, **[\$8,200]** \$9,300 per
40 election per candidate in the recipient joint candidates committee,
41 or (c) pay or make any contribution of money or other thing of
42 value to a candidate who has established both a candidate
43 committee and a joint candidates committee, the campaign
44 treasurers, deputy campaign treasurers or candidate committee or
45 joint candidates committee, which in the aggregate exceeds, on the
46 basis of each candidate in the contributing joint candidates
47 committee, **[\$8,200]** \$9,300 per election. No candidate who has

1 established only a candidate committee, his campaign treasurer,
2 deputy campaign treasurer, or candidate committee, other than a
3 candidate for nomination for election for the office of Governor or
4 candidates for election for the offices of Governor and Lieutenant
5 Governor, shall knowingly accept from other candidates who have
6 established only a joint candidates committee, their campaign
7 treasurer, deputy campaign treasurer or joint candidates committee,
8 any contribution of money or other thing of value which in the
9 aggregate exceeds, on the basis of each candidate in the
10 contributing committee, **[\$8,200]** \$9,300 per election, and no
11 candidates who have established only a joint candidates committee,
12 their campaign treasurer, deputy campaign treasurer, or joint
13 candidates committee, shall knowingly accept from any such source
14 any contribution of money or other thing of value which in the
15 aggregate exceeds, on the basis of each candidate in the
16 contributing joint candidates committee, **[\$8,200]** \$9,300 per
17 election per candidate in the recipient joint candidates committee,
18 and no candidate who has established both a candidate committee
19 and a joint candidates committee, the campaign treasurers, deputy
20 campaign treasurers, or candidate committee or joint candidates
21 committee, shall knowingly accept from any such source any
22 contribution of money or other thing of value which in the
23 aggregate exceeds, on the basis of each candidate in the
24 contributing joint candidates committee, **[\$8,200]** \$9,300 per
25 election.

26 (3) No candidate who has established both a candidate
27 committee and a joint candidates committee, the campaign
28 treasurers, deputy campaign treasurers, or candidate committee or
29 joint candidates committee shall (a) pay or make any contribution
30 of money or other thing of value to another 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, which in the aggregate exceeds **[\$8,200]** \$9,300 per
36 election, or (b) pay or make any contribution of money or other
37 thing of value to candidates who have established only a joint
38 candidates committee, their campaign treasurer, deputy campaign
39 treasurer or joint candidates committee, which in the aggregate
40 exceeds **[\$8,200]** \$9,300 per election per candidate in the recipient
41 joint candidates committee, or (c) pay or make any contribution of
42 money or other thing of value to a candidate who has established
43 both a candidate committee and a joint candidates committee, the
44 campaign treasurers, deputy campaign treasurers, or candidate
45 committee or joint candidates committee, which in the aggregate
46 exceeds **[\$8,200]** \$9,300 per election. No candidate who has
47 established only a candidate committee, his campaign treasurer,

1 deputy campaign treasurer, or candidate committee, other than a
2 candidate for nomination for election for the office of Governor or
3 candidates for election for the offices of Governor and Lieutenant
4 Governor, shall knowingly accept from a candidate who has
5 established both a candidate committee and a joint candidates
6 committee, the campaign treasurers, deputy campaign treasurers, or
7 candidate committee or joint candidates committee, any
8 contribution of money or other thing of value which in the
9 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election, and no candidates
10 who have established only a joint candidates committee, their
11 campaign treasurer, deputy campaign treasurer, or joint candidates
12 committee, shall knowingly accept from any such source any
13 contribution of money or other thing of value which in the
14 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election per candidate in the
15 recipient joint candidates committee, and no candidate who has
16 established both a candidate committee and a joint candidates
17 committee, the campaign treasurers, deputy campaign treasurers, or
18 candidate committee or joint candidates committee shall knowingly
19 accept from any such source any contribution of money or other
20 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per
21 election.

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

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

38 e. For the purpose of determining the amount of a contribution
39 to be attributed as given to or by each candidate in a joint
40 candidates committee, the amount of the contribution to or by such
41 a committee shall be divided equally among all the candidates in the
42 committee.

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

44

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

47 19. a. (1) Except as otherwise provided in paragraph (2) of this
48 subsection, no individual, no corporation of any kind organized and

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

40 (2) No national committee of a political party shall pay or make
41 any contribution of money or other thing of value to the campaign
42 treasurer, deputy treasurer or other representative of the State
43 committee of a political party which in the aggregate exceeds
44 **[\$72,000]** \$82,000 per year, and no campaign treasurer, deputy
45 campaign treasurer or other representative of the State committee of
46 a political party shall knowingly accept from the national committee

1 of a political party any contribution of money or other thing of
2 value which in the aggregate exceeds ~~【\$72,000】~~ \$82,000 per year.

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

39 c. No individual, no corporation of any kind organized and
40 incorporated under the laws of this State or any other state or any
41 country other than the United States, no labor organization of any
42 kind which exists or is constituted for the purpose, in whole or in
43 part, of collective bargaining, or of dealing with employers
44 concerning the grievances, terms or conditions of employment, or
45 of other mutual aid or protection in connection with employment,
46 no political committee, continuing political committee, candidate
47 committee or joint candidates committee or any other group shall

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

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

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

1 8. Section 20 of P.L.1993, c.65 (C.19:44A-11.5) is amended to
2 read as follows:

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

1 other thing of value which in the aggregate exceeds, in the case of
2 such a political committee, **[\$7,200]** \$8,200 per election from that
3 candidate, or in the case of a continuing political committee,
4 **[\$7,200]** \$8,200 per year from that candidate. For the purpose of
5 determining the amount of a contribution to be attributed as given
6 by each candidate in a joint candidates committee, the amount of
7 the contribution by such a committee shall be divided equally
8 among all the candidates in the committee.

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

30 c. No individual, no corporation of any kind organized and
31 incorporated under the laws of this State or any other state or any
32 country other than the United States, no labor organization of any
33 kind which exists or is constituted for the purpose, in whole or in
34 part, of collective bargaining, or of dealing with employees
35 concerning the grievances, terms or conditions of employment, or
36 of other mutual aid or protection in connection with employment,
37 nor any other group, shall pay or make any contribution of money
38 or other thing of value to a political committee, other than a
39 political committee which is organized to, or does, aid or promote
40 the passage or defeat of a public question in any election, or a
41 continuing political committee, which in the aggregate exceeds, in
42 the case of such a political committee, **[\$7,200]** \$8,200 per
43 election, or in the case of a continuing political committee,
44 **[\$7,200]** \$8,200 per year, and no such political committee or
45 continuing political committee shall knowingly accept any
46 contribution in excess of those amounts from an individual or from

1 such corporation, labor organization, or other group.

2 (cf: P.L.2001, c.384, s.3)

3

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

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

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

1 10. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to
2 read as follows:

3 16. a. The campaign treasurer of each candidate committee and
4 joint candidates committee shall make a full cumulative report,
5 upon a form prescribed by the Election Law Enforcement
6 Commission, of all contributions in the form of moneys, loans, paid
7 personal services or other things of value, made to him or to the
8 deputy campaign treasurers of the candidate committee or joint
9 candidates committee, and all expenditures paid out of the election
10 fund of the candidate or candidates, during the period ending with
11 the second day preceding the date of the cumulative report and
12 beginning on the date of the first of those contributions, the date of
13 the first of those expenditures, or the date of the appointment of the
14 campaign treasurer, whichever occurred first. The report shall also
15 contain the name and mailing address of each person or group from
16 whom moneys, loans, paid personal services or other things of value
17 were contributed after the second day preceding the date of the
18 previous cumulative report and the amount contributed by each
19 person or group, and where an individual has made such
20 contributions, the report shall indicate the occupation of the
21 individual and the name and mailing address of the individual's
22 employer. In the case of any loan reported pursuant to this section,
23 the report shall further contain the name and mailing address of
24 each person who cosigns such loan, the occupation of the person
25 and the name and mailing address of the person's employer. If no
26 moneys, loans, paid personal services or other things of value were
27 contributed, the report shall so indicate, and if no expenditures were
28 paid or incurred, the report shall likewise so indicate. The
29 campaign treasurer and the candidate or several candidates shall
30 certify the correctness of the report.

31 b. During the period between the appointment of the campaign
32 treasurer and the election with respect to which contributions are
33 accepted or expenditures made by him, the campaign treasurer shall
34 file his cumulative campaign report (1) on the 29th day preceding
35 the election, and (2) on the 11th day preceding the election; and
36 after the election he shall file his report on the 20th day following
37 such election. Concurrent with the report filed on the 20th day
38 following an election, or at any time thereafter, the campaign
39 treasurer of a candidate committee or joint candidates committee
40 may certify to the Election Law Enforcement Commission that the
41 election fund of such candidate committee or joint candidates
42 committee has wound up its business and been dissolved, or that
43 business regarding the late election has been wound up but the
44 candidate committee or joint candidates committee will continue for
45 the deposit and use of contributions in accordance with section 17
46 of P.L.1993, c.65 (C.19:44A-11.2). Certification shall be
47 accompanied by a final accounting of such election fund, or of the
48 transactions relating to such election, including the final disposition

1 of any balance remaining in such fund at the time of dissolution or
2 the arrangements which have been made for the discharge of any
3 obligations remaining unpaid at the time of dissolution. Until the
4 candidate committee or joint candidates committee is dissolved,
5 each such treasurer shall continue to file reports in the form and
6 manner herein prescribed.

7 The Election Law Enforcement Commission shall promulgate
8 regulations providing for the termination of post-election campaign
9 reporting requirements applicable to political committees, candidate
10 committees and joint candidates committees. The requirements to
11 file quarterly reports after the first post-election report may be
12 waived by the commission, notwithstanding that the certification
13 has not been filed, if the commission determines under any
14 regulations so promulgated that the outstanding obligations of the
15 political committee, candidate committee or joint candidates
16 committee do not exceed 10% of the expenditures of the campaign
17 fund with respect to the election or \$1,000.00, whichever is less, or
18 are likely to be discharged or forgiven.

19 A candidate committee or joint candidates committee shall file
20 with the Election Law Enforcement Commission, not later than
21 April 15, July 15, October 15 of each calendar year in which the
22 candidate or candidates in control of the committee does or do not
23 run for election or reelection and January 15 of each calendar year
24 in which the candidate or candidates does or do run for election or
25 reelection, a cumulative quarterly report of all moneys, loans, paid
26 personal services or other things of value contributed to it or to the
27 candidate or candidates during the period ending on the 15th day
28 preceding that date and commencing on January 1 of that calendar
29 year or, in the case of the cumulative quarterly report to be filed not
30 later than January 15, of the previous calendar year, and all
31 expenditures made, incurred, or authorized by it or the candidate or
32 candidates during the period, whether or not such expenditures were
33 made, incurred or authorized in furtherance of the election or defeat
34 of any candidate, or in aid of the passage or defeat of any public
35 question or to provide information on any candidate or public
36 question. The commission may by regulation require any such
37 candidate committee or joint candidates committee to file during
38 any calendar year one or more additional cumulative reports of such
39 contributions received and expenditures made as may be necessary
40 to ensure that no more than five months shall elapse between the
41 last day of a period covered by one such report and the last day of
42 the period covered by the next such report.

43 The commission, on any form it shall prescribe for the reporting
44 of expenditures by a candidate committee or joint candidates
45 committee, shall provide for the grouping together of all
46 expenditures under the category of "campaign expenses" under
47 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
48 identified as such, and for the grouping together, separately, of all

1 other expenditures under the categories prescribed by paragraphs
2 (2) through (6) of that subsection. The cumulative quarterly report
3 due on April 15 in a year immediately after the year in which the
4 candidate or candidates does or do run for election or reelection
5 shall contain a report of all of the contributions received and
6 expenditures made by the candidate or candidates since the 18th day
7 after that election.

8 The cumulative quarterly report shall contain the name and
9 mailing address of each person or group from whom moneys, loans,
10 paid personal services or other things of value have been
11 contributed and the amount contributed by each person or group,
12 and where an individual has made such contributions, the report
13 shall indicate the occupation of the individual and the name and
14 mailing address of the individual's employer. In the case of any
15 loan reported pursuant to this section, the report shall contain the
16 name and address of each person who cosigns such loan, and where
17 an individual has cosigned such loans, the report shall indicate the
18 occupation of the individual and the name and mailing address of
19 his employer. The report shall also contain the name and address of
20 each person, firm or organization to whom expenditures have been
21 paid and the amount and purpose of each such expenditure. The
22 treasurer of the candidate committee or joint candidates committee
23 and the candidate or candidates shall certify to the correctness of
24 each cumulative quarterly report.

25 c. No candidate for elective public office shall be required to
26 file a duplicate copy of the campaign treasurer's report with the
27 county clerk of the county in which the candidate resides.

28 d. There shall be no obligation to file the reports required by
29 this section on behalf of a candidate if such candidate files with the
30 Election Law Enforcement Commission a sworn statement to the
31 effect that the total amount to be expended in behalf of his
32 candidacy by the candidate committee, by any political party
33 committee, by any political committee, or by any person shall not in
34 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
35 committee containing two candidates or \$6,000 for any joint
36 candidates committee containing three or more candidates. The
37 sworn statement may be submitted at the time when the name and
38 address of the campaign treasurer and depository is filed with the
39 Election Law Enforcement Commission, provided that in any case
40 the sworn statement is filed no later than the 29th day before an
41 election. If a candidate who has filed such a sworn statement
42 receives contributions from any one source aggregating more than
43 \$300 he shall forthwith make report of the same, including the name
44 and mailing address of the source and the aggregate total of
45 contributions therefrom, and where the source is an individual, the
46 occupation of the individual and the name and mailing address of
47 the individual's employer, to the Election Law Enforcement
48 Commission. The \$300 limit established in this subsection shall

1 remain as stated in this subsection without further adjustment by the
2 commission in the manner prescribed by section 22 of P.L.1993,
3 c.65 (C.19:44A-7.2).

4 e. There shall be no obligation imposed upon a candidate
5 seeking election to a public office of a school district to file either
6 the reports required under subsection b. of this section or the sworn
7 statement referred to in subsection d. of this section, if the total
8 amount expended and to be expended in behalf of his candidacy by
9 the candidate committee, any political committee, any continuing
10 political committee, or a political party committee or by any person,
11 does not in the aggregate exceed \$2,000.00 per election or \$4,000
12 for any joint candidates committee containing two candidates or
13 \$6,000 for any joint candidates committee containing three or more
14 candidates; provided, that if such candidate receives contributions
15 from any one source aggregating more than \$300, he shall forthwith
16 make a report of the same, including the name and mailing address
17 of the source, the aggregate total of contributions therefrom, and
18 where the source is an individual, the occupation of the individual
19 and the name and mailing address of the individual's employer, to
20 the commission.

21 The \$300 limit established in this subsection shall remain as
22 stated in this subsection without further adjustment by the
23 commission in the manner prescribed by section 22 of P.L.1993,
24 c.65 (C.19:44A-7.2).

25 f. In any report filed pursuant to the provisions of this section,
26 the names and addresses of contributors whose contributions during
27 the period covered by the report did not exceed \$300 may be
28 excluded; provided, however, that (1) such exclusion is unlawful if
29 any person responsible for the preparation or filing of the report
30 knew that such exclusion was made with respect to any person
31 whose total contributions relating to the same election and made to
32 the reporting candidate or to an allied campaign organization or
33 organizations aggregate, in combination with the total contributions
34 in respect of which such exclusion is made, more than \$300, and (2)
35 any person who knowingly prepares, assists in preparing, files or
36 acquiesces in the filing of any report from which the identity of any
37 contributor has been excluded contrary to the provisions of this
38 section is subject to the provisions of section 21 of this act, but (3)
39 nothing in this proviso shall be construed as requiring any candidate
40 committee or joint candidates committee reporting pursuant to this
41 act to report the amounts, dates or other circumstantial data
42 regarding contributions made to any other candidate committee,
43 joint candidates committee, political committee, continuing political
44 committee, political party committee or legislative leadership
45 committee.

46 The \$300 limit established in this subsection shall remain as
47 stated in this subsection without further adjustment by the

1 commission in the manner prescribed by section 22 of P.L.1993,
2 c.65 (C.19:44A-7.2).

3 g. Any report filed pursuant to the provisions of this section
4 shall include an itemized accounting of all receipts and
5 expenditures relative to any testimonial affair held since the date of
6 the most recent report filed, which accounting shall include the
7 name and mailing address of each contributor in excess of \$300 to
8 such testimonial affair and the amount contributed by each; in the
9 case of any individual contributor, the occupation of the individual
10 and the name and mailing address of the individual's employer; the
11 expenses incurred; and the disposition of the proceeds of such
12 testimonial affair.

13 The \$300 limit established in this subsection shall remain as
14 stated in this subsection without further adjustment by the
15 commission in the manner prescribed by section 22 of P.L.1993,
16 c.65 (C.19:44A-7.2).

17 h. (Deleted by amendment, P.L.1993, c.65.)

18 i. Each campaign treasurer of a candidate committee or joint
19 candidates committee shall file written notice with the commission
20 of a contribution in excess of **[\$500]** \$1,400 received during the
21 period between the 13th day prior to the election and the date of the
22 election and of an expenditure of money or other thing of value in
23 excess of **[\$800]** \$1,400 made, incurred or authorized by the
24 candidate committee or joint candidates committee to support or
25 defeat a candidate in an election, or to aid the passage or defeat of
26 any public question, during the period between the 13th day prior to
27 the election and the date of the election, provided that a candidate
28 shall not be required to file written notice pursuant to this
29 subsection of an expenditure made to support his or her own
30 candidacy, or to support or defeat a candidate for the same office in
31 an election. For the purposes of this subsection, the offices of
32 member of the Senate and member of the General Assembly shall
33 be deemed to be the same office in a legislative district; the offices
34 of member of the board of chosen freeholders and county executive
35 shall be deemed to be the same office in a county; and the offices of
36 mayor and member of the municipal governing body shall be
37 deemed to be the same office in a municipality.

38 The notice of a contribution shall be filed in writing or by
39 telegram within 48 hours of the receipt of the contribution and shall
40 set forth the amount and date of the contribution, the name and
41 mailing address of the contributor, and where the contributor is an
42 individual, the occupation of the individual and the name and
43 mailing address of the individual's employer. The notice of an
44 expenditure shall be filed in writing or by telegram within 48 hours
45 of the making, incurring or authorization of the expenditure and
46 shall set forth the name and mailing address of the person, firm or
47 organization to whom or which the expenditure was paid and the
48 amount and purpose of the expenditure.

1 j. Each county shall provide on its Internet site a link to the
2 Internet site for the Election Law Enforcement Commission for the
3 purpose of providing public access to the reports that are required to
4 be submitted to the commission pursuant to this section.

5 (cf: P.L.2014, c.58, s.1)

6
7 11. Section 18 of P.L.1973, c.83 (C.19:44A-18) is amended to
8 read as follows:

9 18. If any former candidate or any political committee or any
10 person or association of persons in behalf of such political
11 committee, or any independent expenditure committee, or former
12 candidate shall receive any contributions or make any expenditures
13 with relation to any election after the date set in section 16 of **[this**
14 **act]** P.L.1973, c.83 (C.19:44A-16) for the final report subsequent to
15 such election, or shall conduct any testimonial affair or public
16 solicitation for the purpose of raising funds to cover any part of the
17 expenses of a candidate **[or]**, political committee, independent
18 expenditure committee, or other organization in such election, all
19 such contributions, expenditures, testimonial affairs or public
20 solicitations shall be reported to the Election Law Enforcement
21 Commission by the person or persons receiving such contributions
22 or making such expenditures or conducting such testimonial affairs
23 or public solicitations. Such report shall be made by any person
24 receiving any such contribution or contributions, or making any
25 such expenditure or expenditures, which in the aggregate total
26 more than \$100.00, or conducting any testimonial affair or public
27 solicitation of which the net proceeds exceed \$100.00; and shall be
28 made within 20 days from the date upon which the aggregate of
29 such contributions, expenditures or proceeds exceed \$100.00 for
30 the period commencing with the 19th day following such election
31 or with the date upon which any previous report was made pursuant
32 to this section, whichever is sooner. Such report shall be made in
33 the same form and shall contain the same detail prescribed for any
34 other report made pursuant to section 8 or 16 of **[this act]**
35 P.L.1973, c.83 (C.19:44A-8 or C.19:44A-16).

36 (cf: P.L.1983, c.579, s.17)

37
38 12. Section 19 of P.L.1973, c.83 (C.19:44A-19) is amended to
39 read as follows:

40 19. a. No person shall conduct any public solicitation as defined
41 in this act except (1) upon written authorization of the campaign or
42 organizational treasurer of the candidate committee or joint
43 candidates committee, political committee, continuing political
44 committee, political party committee, independent expenditure
45 committee, or legislative leadership committee on whose behalf
46 such solicitation is conducted, or (2) in accordance with the
47 provisions of subsection c. of this section. A person with such
48 written authorization may employ and accept the services of others

1 as solicitors, and shall be responsible for reporting to the treasurer
2 the information required under subsection b. of this section and for
3 delivery to the treasurer the net proceeds of such solicitation in
4 compliance with section 11 of **【this act】** P.L.1973, c.83 (C.19:44A-
5 11). A contribution made through donation or purchase in response
6 to a public solicitation conducted pursuant to written authorization
7 of a treasurer shall be deemed to have been made through such
8 treasurer.

9 b. Whenever a public solicitation has been authorized by a
10 treasurer during a period covered by a report required to be filed
11 under sections 8 and 16 of **【this act】** P.L.1973, c.83 (C.19:44A-8
12 and C.19:44A-16), there shall be filed with such report and as a part
13 thereof an itemized report on any such solicitation of which the net
14 proceeds exceed \$200, in such form and detail as required by the
15 rules of the Election Law Enforcement Commission, which report
16 shall include:

17 (1) The name and mailing address of the person authorized to
18 conduct such solicitation, the method of solicitation and, where the
19 person is an individual, the occupation of the individual and the
20 name and mailing address of the individual's employer;

21 (2) The gross receipts and expenses involved in the solicitation
22 including the actual amount paid for any items purchased for resale
23 in connection with the solicitation, or, if such items or any portion
24 of the cost thereof was donated, the estimated actual value thereof
25 and the actual amount paid therefor, and the names and addresses of
26 any such donors. If it is not practicable for such itemized report to
27 be completed in time to be included with the report due under
28 sections 8 and 16 of **【this act】** P.L.1973, c.83 (C.19:44A-8 and
29 C.19:44A-16) for the period during which such solicitation was
30 held, then such itemized report may be omitted from said report and
31 if so omitted shall be included in the report for the next succeeding
32 period.

33 Adjustments to the \$200 limit established in this subsection
34 which have been made by the Election Law Enforcement
35 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
36 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The
37 \$200 limit established in this subsection shall remain as stated in
38 this subsection without further adjustment by the commission in the
39 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

40 c. Notwithstanding the provisions of subsection b. of this
41 section, it shall be lawful for any natural person, not acting in
42 concert with any other person or group, to make personally a public
43 solicitation the entire proceeds of which, without deduction for the
44 expenses of solicitation, are to be expended by him personally or
45 under his personal direction to finance any lawful activity in
46 support of or opposition to any candidate or public question or to
47 provide political information on any candidate or public question or
48 to seek to influence the content, introduction, passage or defeat of

1 legislation; provided, however, that any individual making such
2 solicitation who receives gross contributions exceeding \$200 in
3 respect to activities relating to any one election shall be required to
4 make a report stating (1) the amount so collected, (2) the method of
5 solicitation, (3) the purpose or purposes for which the funds so
6 collected were expended and the amount expended for each such
7 purpose and (4) the individual's name and mailing address, the
8 individual's occupation and the name and mailing address of the
9 individual's employer. Adjustments to the \$200 limit established in
10 this subsection which have been made by the Election Law
11 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
12 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
13 rescinded. The \$200 limit established in this subsection shall
14 remain as stated in this subsection without further adjustment by the
15 commission in the manner prescribed by section 22 of P.L.1993,
16 c.65 (C.19:44A-7.2).

17 Such report shall be made to the Election Law Enforcement
18 Commission at the same time and in the same manner as a political
19 committee, continuing political committee, political party
20 committee, independent expenditure committee, or a legislative
21 leadership committee subject to the provisions of section 8 of **[this**
22 **act]** P.L.1973, c.83 (C.19:44A-8).

23 d. Contributions or purchases made in response to a public
24 solicitation conducted in conformity with the requirements and
25 conditions of **[this act]** P.L.1973, c.83 (C.19:44A-1 et seq.) shall
26 not be deemed anonymous within the meaning of sections 11 and 20
27 of **[this]** the act.

28 e. No person contributing in good faith to a public solicitation
29 not duly authorized in compliance with the provisions of **[this act]**
30 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be liable to any penalty
31 under **[this]** the act by reason of having made such contribution.
32 (cf: P.L.2004, c.28, s.6)

33
34 13. Section 20 of P.L.1973, c.83 (C.19:44A-20) is amended to
35 read as follows:

36 20. No contribution of money or other thing of value, nor
37 obligation therefor, shall be made, and no expenditure of money or
38 other thing of value, nor obligation therefor, shall be made or
39 incurred whether anonymously, in a fictitious name, or by one
40 person or group in the name of another, to support or defeat a
41 candidate in an election or to aid the passage or defeat of any public
42 question or to provide political information on any candidate or
43 public question or to seek to influence the content, introduction,
44 passage or defeat of legislation.

45 No individual, either alone or jointly with one or more other
46 individuals, and no corporation, partnership, membership
47 organization or other incorporated or unincorporated association

1 shall loan or advance to any individual, group of individuals,
2 corporation, partnership, membership organization or other
3 incorporated or unincorporated association any money or other
4 thing of value expressly for the purpose of inducing the recipient
5 thereof, or any other individual, group, corporation, partnership,
6 organization or association, to make a contribution, either directly
7 or indirectly, of money or other thing of value to a candidate or the
8 candidate committee or joint candidates committee of a candidate.

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

21 No treasurer, candidate or member of a candidate committee,
22 joint candidates committee, political committee, continuing political
23 committee, independent expenditure committee, political party
24 committee or legislative leadership committee shall solicit or
25 knowingly accept, agree to accept or concur in or abet the
26 solicitation or acceptance of any contribution contrary to the
27 provisions of this section.

28 (cf: P.L.1993, c.65, s.11)

29

30 14. Section 13 of P.L.2004, c.19 (C.19:44A-11.3a) is repealed

31

32 ¹15. Section 2 of P.L.1995, c.391 (C.19:44A-22.3) is amended to
33 read as follows:

34 2. a. Whenever a candidate committee, joint candidates
35 committee, political committee, continuing political committee,
36 independent expenditure committee, political party committee or
37 legislative leadership committee, or any group other than such a
38 committee, or any person makes, incurs or authorizes an expenditure
39 for the purpose of financing a communication aiding or promoting the
40 nomination, election or defeat of any candidate or providing political
41 information on any candidate which is an expenditure that the
42 committee, group or person is required to report to the Election Law
43 Enforcement Commission pursuant to P.L.1973, c.83 (C.19:44A-1 et
44 seq.), the communication shall clearly state the name and business or
45 residence address of the committee, group or person, as that
46 information appears on reports filed with the commission, and that the
47 communication has been financed by that committee, group or person.

1 b. Whenever a candidate committee, joint candidates committee,
2 political committee, continuing political committee, independent
3 expenditure committee, political party committee or legislative
4 leadership committee, or any group other than such a committee, or
5 any person makes, incurs or authorizes an expenditure for the purpose
6 of financing a communication aiding the passage or defeat of any
7 public question or providing political information on any public
8 question , or aiding the passage or defeat of legislation or regulation in
9 the case of an independent expenditure committee, which is an
10 expenditure that the committee, group or person is required to report to
11 the Election Law Enforcement Commission pursuant to P.L.1973, c.83
12 (C.19:44A-1 et seq.), the communication shall clearly state the name
13 and business or residence address of the committee, group or person,
14 as that information appears on reports filed with the commission, and
15 that the communication has been financed by that committee, group or
16 person.

17 c. A communication that is financed by an independent
18 expenditure committee or by any person, not acting in concert with a
19 candidate or any person or committee acting on behalf of a candidate,
20 shall contain a clear and conspicuous statement that the expenditure
21 was not made with the cooperation or prior consent of, or in
22 consultation with or at the request or suggestion of, any such
23 candidate, person or committee.

24 d. Any person who accepts compensation from a committee,
25 group or individual described in subsection a. or b. of this section for
26 the purpose of printing, broadcasting, or otherwise disseminating to
27 the electorate a communication shall require the committee, group, or
28 individual to file a copy of the statement of registration required to be
29 filed with the Election Law Enforcement Commission pursuant to
30 section 21 of P.L.1993, c.65 (C.19:44A-8.1) and shall maintain a
31 record of the transaction which shall include an exact copy of the
32 communication and a statement of the number of copies made or the
33 dates and times that the communication was broadcast or otherwise
34 transmitted, and the name and address of the committee, group or
35 individual paying for the communication. The record shall be
36 maintained on file at the principal office of the person accepting the
37 communication for at least two years and shall be available for public
38 inspection during normal business hours.

39 e. As used in this section, "communication" means a press
40 release, pamphlet, flyer, form letter, sign, billboard, paid advertisement
41 printed in any newspaper or other publication or broadcast on radio or
42 television, or telephone call featuring a recorded message, or any other
43 form of advertising , including Internet and digital advertising,
44 directed to the electorate.

45 f. The provisions of this section shall not be construed to apply to
46 any bona fide news item or editorial contained in any publication of
47 bona fide general circulation.

1 g. (1) A person who violates a provision of this section shall be
2 subject to the civil penalties provided in section 22 of P.L.1973, c.83
3 (C.19:44A-22).

4 (2) A person who, with intent to injure anyone or to conceal
5 wrongdoing, purposely falsifies, conceals or misrepresents information
6 required by this section to be disclosed or maintained on file is guilty
7 of a crime of the fourth degree.

8 h. The Election Law Enforcement Commission shall promulgate
9 rules and regulations pursuant to the "Administrative Procedure Act,"
10 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purpose of this
11 section. The commission may, by regulation, exempt from the
12 provisions of this section small, tangible items of de minimis value
13 which are commonly used in campaigns to convey a political message,
14 including, but not limited to, buttons, combs, and nail files. The
15 commission may also, by regulation, exempt from the provisions of
16 this section advertising space purchased by a candidate committee,
17 joint candidates committee, political committee, continuing political
18 committee, political party committee, legislative leadership committee
19 or other person, in a political program book distributed at a fund-
20 raising event if the financial transaction is otherwise subject to
21 disclosure. An exemption granted by the commission with respect to
22 any item shall not relieve the committee, group or individual making
23 an expenditure therefor from any applicable campaign finance
24 reporting requirements.

25 In addition, the commission shall have the authority to provide, by
26 regulation, that a communication need not include the address of the
27 committee, group or person financing the communication in
28 circumstances where the name of a committee, group or person would
29 be sufficient to identify it from the commission's records.¹

30 (cf: P.L.2004, c.30, s.1)

31
32 ¹16. (New section) To determine whether a person, candidate
33 committee, joint candidates committee, continuing political
34 committee, or independent expenditure committee has made a
35 coordinated expenditure with any candidate or political party, the
36 Election Law Enforcement Commission shall consider whether the
37 candidate or political party, the candidate committee, or any staff
38 member or agent thereof:

39 a. cooperated with, consented to, authorized, or exercised
40 control over the production or circulation of the communication
41 expenditure;

42 b. requested or suggested that the communication expenditure
43 be made;

44 c. provided information to the person or entity making the
45 communication expenditure with regard to the content, timing,
46 location, mode, intended audience, distribution, or placement of the
47 television, radio, direct mail, or other form of communication;

- 1 d. discussed or negotiated with the purchaser, creator,
2 producer, or distributor of the communication concerning the
3 content, timing, location, mode, intended audience, distribution, or
4 placement of the communication;
- 5 e. shared information or held discussions on campaign or
6 media strategy with the person or entity making the communication
7 expenditure or with the purchaser, creator, producer, or distributor
8 of the communication;
- 9 f. shared its polling or other research with the person or entity
10 making the communication expenditure or whether or not the
11 person or entity making the communication expenditure shared its
12 polling or other research with the candidate, candidate committee,
13 or with any agent of the candidate or candidate committee;
- 14 g. used the same consultants, employees, staff, or agents as the
15 person or entity making the communication expenditure to create,
16 target, or place the communication; or
- 17 h. engaged in any other activity the Election Law Enforcement
18 Commission determines, by regulation, constitutes a coordinated
19 expenditure.¹

20

21 ¹17. (New section) If any provision of this act, P.L. , c. (pending
22 before the Legislature as this bill), or the application thereof to any
23 person or circumstance is held invalid, such invalidity shall not affect
24 other provisions or applications which can be given effect without the
25 invalid provisions or applications, and to this end the provisions of this
26 act are declared to be severable.¹

27

28 ¹[15.] 18.¹ This act shall take effect ¹[on the January 1 next
29 following the date of enactment] immediately, and shall be retroactive
30 to January 1, 2018¹.