

[Third Reprint]

SENATE, No. 1500

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Senators Gopal, Weinberg, Thompson, Stack and Turner

SYNOPSIS

Requires disclosure by independent expenditure committees; raises certain campaign contribution limits.

CURRENT VERSION OF TEXT

As amended by the Senate on January 31, 2019.



(Sponsorship Updated As Of: 2/22/2019)

1 AN ACT concerning campaign finance disclosures and limits ²**[,]**
2 and² amending various parts of the statutory law ²**[and** repealing
3 section 13 of P.L.2004, c.19]².
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

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.

²Senate SBA committee amendments adopted January 28, 2019.

³Senate floor amendments adopted January 31, 2019.

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

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

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

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

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

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

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

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

41 m. The term "qualified candidate" means:

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

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

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

23 (3) Any candidate for nomination for election to the office of
24 Governor whose name appears on the primary election ballot; who
25 has deposited and expended \$150,000.00 pursuant to section 7 of
26 P.L.1974, c.26 (C.19:44A-32); and who, not later than the last day
27 for filing petitions to nominate candidates to be voted upon in a
28 primary election for a general election in which the office of
29 Governor is to be filled, (a) notifies the Election Law Enforcement
30 Commission in writing that the candidate intends that application
31 will be made on the candidate's behalf for monies for primary
32 election campaign expenses under subsection a. of section 8 of
33 P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of
34 agreement, in a form to be prescribed by the commission, to
35 participate in two interactive gubernatorial primary debates under
36 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
37 45 through C.19:44A-47); or

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

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

5 n. The term "continuing political committee" means any group
6 of two or more persons acting jointly, or any corporation,
7 partnership, or any other incorporated or unincorporated
8 association, including a political club, political action committee,
9 civic association or other organization, which in any calendar year
10 contributes or expects to contribute at least ~~[\$2,500.00]~~ \$5,500
11 to the aid or promotion of the candidacy of an individual, or of the
12 candidacies of individuals, for elective public office, or the passage
13 or defeat of a public question or public questions, and which may be
14 expected to make contributions toward such aid or promotion or
15 passage or defeat during a subsequent election, provided that the
16 group, corporation, partnership, association or other organization
17 has been determined to be a continuing political committee under
18 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided
19 that for the purposes of this act, the term "continuing political
20 committee" shall not include a "political party committee," as
21 defined by subsection p. of this section, **[or]** a "legislative
22 leadership committee," as defined by subsection s. of this section,
23 or an "independent expenditure committee," as defined by
24 subsection t. of this section.

25 o. The term "statement of agreement" means a written
26 declaration, by a candidate for nomination for election to the office
27 of Governor, or by joint candidates for election to the offices of
28 Governor and Lieutenant Governor who intend that application will
29 be made on behalf of the candidate for the office of Governor to
30 receive monies for the primary election or on behalf of the
31 candidates for the office of Governor and the office of Lieutenant
32 Governor for general election campaign expenses under subsection
33 a. or subsection b., respectively, of section 8 of P.L.1974, c.26
34 (C.19:44A-33), that the candidates undertake to abide by the terms
35 of any rules established by any private organization sponsoring a
36 gubernatorial primary or general election debate, as appropriate, to
37 be held under the provisions of sections 9 through 11 of P.L.1989,
38 c.4 (C.19:44A-45 through C.19:44A-47) and in which the
39 candidates are to participate. The statement of agreement shall
40 include an acknowledgment of notice to the candidates who sign it
41 that failure on the candidates' part to participate in any of the
42 gubernatorial debates may be cause for the termination of the
43 payment of such monies on the candidates' behalf and for the
44 imposition of liability for the return to the commission of such
45 monies as may previously have been so paid.

46 p. The term "political party committee" means the State
47 committee of a political party, as organized pursuant to R.S.19:5-4,
48 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
45 to the provisions of section ²**[16]** ¹⁵² of P.L. , c. (C.) (pending
46 before the Legislature as this bill)¹ .

47 u. The term "electioneering communication" means any
48 communication ¹**[that has a value of at least \$10,000]** made within

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

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

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

38

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

41 8. a. (1) Each political committee shall make a full cumulative
42 report, upon a form prescribed by the Election Law Enforcement
43 Commission, of all contributions in the form of moneys, loans, paid
44 personal services, or other things of value made to it and all
45 expenditures made, incurred, or authorized by it in furtherance of
46 the nomination, election, or defeat of any candidate, or in aid of the
47 passage or defeat of any public question, or to provide political
48 information on any candidate or public question, during the period

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

25 The campaign treasurer of the political committee reporting shall
26 certify to the correctness of each report.

27 Each campaign treasurer of a political committee shall file
28 written notice with the commission of a contribution in excess of
29 **[\$500]** \$1,400 received during the period between the 13th day
30 prior to the election and the date of the election, and of an
31 expenditure of money or other thing of value in excess of **[\$500]**
32 \$1,400 made, incurred or authorized by the political committee to
33 support or defeat a candidate in an election, or to aid the passage or
34 defeat of any public question, during the period between the 13th
35 day prior to the election and the date of the election. The notice of
36 a contribution shall be filed in writing or by **[telegram]** electronic
37 transmission within 48 hours of the receipt of the contribution and
38 shall set forth the amount and date of the contribution, the name and
39 mailing address of the contributor, and where the contributor is an
40 individual, the individual's occupation and the name and mailing
41 address of the individual's employer. The notice of an expenditure
42 shall be filed in writing or by **[telegram]** electronic transmission
43 within 48 hours of the making, incurring or authorization of the
44 expenditure and shall set forth the name and mailing address of the
45 person, firm or organization to whom or which the expenditure was
46 paid and the amount and purpose of the expenditure.

47 (2) When a political committee or an individual seeking party
48 office makes or authorizes an expenditure on behalf of a candidate,

1 it shall provide immediate written notification to the candidate of
2 the expenditure.

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

23 No person serving as the chairman of a political party committee
24 or a legislative leadership committee shall be eligible to be
25 appointed or to serve as the chairman of a continuing political
26 committee.

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

40 The cumulative quarterly report shall contain the name and
41 mailing address of each person or group from whom moneys, loans,
42 paid personal services or other things of value have been
43 contributed and the amount contributed by each person or group,
44 and where an individual has made such contributions, the report
45 shall indicate the occupation of the individual and the name and
46 mailing address of the individual's employer. In the case of any
47 loan reported pursuant to this subsection, the report shall contain
48 the name and address of each person who cosigns such loan, and

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

9 Each continuing political committee shall provide immediate
10 written notification to each candidate of all expenditures made or
11 authorized on behalf of the candidate.

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

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

44 c. Each political party committee ~~[and each]~~ ¹[.] and each¹
45 legislative leadership committee ¹[, and independent expenditure
46 committee]¹ shall file with the Election Law Enforcement
47 Commission, not later than April 15, July 15, October 15 and
48 January 15 of each calendar year, a cumulative quarterly report of

1 all moneys, loans, paid personal services or other things of value
2 contributed to it during the period ending on the 15th day preceding
3 that date and commencing on January 1 of that calendar year or, in
4 the case of the cumulative quarterly report to be filed not later than
5 January 15, of the previous calendar year, and all expenditures
6 made, incurred, or authorized by it during the period, whether or not
7 such expenditures were made, incurred or authorized in furtherance
8 of the election or defeat of any candidate, or in aid of the passage or
9 defeat of any public question or to provide information on any
10 candidate or public question.

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

28 【If】 d. (1) Each independent expenditure committee shall
29 ‘【make a full cumulative report】 file with the Election Law
30 Enforcement Commission, not later than April 15, July 15, October 15
31 and January 15 of each calendar year, a cumulative quarterly report¹ .
32 upon a form prescribed by the Election Law Enforcement
33 Commission, of all contributions received in excess of ‘【\$300】
34 \$10,000¹ in the form of moneys, loans, paid personal services, or
35 other things of value made to it, and of all expenditures in excess of
36 ‘【\$300】 \$3,000¹ made, incurred, or authorized by it in influencing
37 or attempting to influence the outcome of any election or the
38 nomination, election, or defeat of any person to State or local
39 elective public office or the passage or defeat of any public
40 question, ‘legislation, or regulation,¹ or in providing political
41 information on any candidate or public question, ‘legislation, or
42 regulation,¹ during the period ending 48 hours preceding the date of
43 the report and beginning on the date on which the first of those
44 contributions was received or the first of those expenditures was
45 made, whichever occurred first. The ‘【cumulative】 quarterly¹
46 report, except as hereinafter provided, shall contain the name and
47 mailing address of each person or group from whom moneys, loans,

1 paid personal services or other things of value have been
2 contributed since 48 hours preceding the date on which such
3 previous report was made and the amount contributed by each
4 person or group in excess of '【\$300】 \$10,000' , and when the
5 contributor is an individual, the report shall indicate the occupation
6 of the individual and the name and mailing address of the
7 individual's employer. In the case of any loan reported pursuant to
8 this subsection, the report shall contain the name and mailing
9 address of each person who has cosigned such loan since 48 hours
10 preceding the date on which the previous such report was made, and
11 when an individual has cosigned such loans, the report shall
12 indicate the occupation of the individual and the name and mailing
13 address of the individual's employer. The '【cumulative】 quarterly'
14 report shall also contain the name and address of each person, firm,
15 or organization to whom expenditures have been paid since 48
16 hours preceding the date on which the previous such report was
17 made and the amount and purpose of each such expenditure. '【The
18 cumulative report shall be filed with the Election Law Enforcement
19 Commission on the dates designated in section 16 of P.L.1973, c.83
20 (C.19:44A-16).】'

21 (2) An independent expenditure committee shall disclose all
22 expenditures made by it in excess of '【\$300】 \$3,000' , including,
23 but not limited to, for electioneering communications, voter
24 registration, get-out-the-vote efforts, polling, and research. The
25 disclosures required by this paragraph shall be reported to the
26 Election Law Enforcement Commission on the same schedule as
27 required for '【political committees and】' continuing political
28 committees pursuant to this section.

29 The treasurer of the reporting independent expenditure
30 committee shall certify the correctness of each report and shall
31 maintain all records of contributions and expenditures for a period
32 of not less than four years.

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

37 e. When a political party committee [or a], legislative
38 leadership committee [submitting cumulative quarterly reports as
39 provided under this subsection] or independent expenditure
40 committee receives a contribution from a single source of more than
41 【\$500】 \$1,400 after the final day of a quarterly reporting period
42 and on or before a primary, general, municipal, school, or special
43 election which occurs after that final day but prior to the final day
44 of the next reporting period it shall, in writing or by [telegram]
45 electronic transmission, report that contribution to the commission
46 within 48 hours of the receipt thereof, including in that report the
47 amount and date of the contribution; the name and mailing address

1 of the contributor; and where the contributor is an individual, the
2 individual's occupation and the name and mailing address of the
3 individual's employer. **[If]** When a political party committee
4 **[or a]**, legislative leadership committee **[submitting cumulative**
5 **quarterly reports as provided under this subsection]** , or an
6 independent expenditure committee makes or authorizes an
7 expenditure of money or other thing of value in excess of **[\$800]**
8 \$1,400, or incurs any obligation therefor, to support or defeat a
9 candidate in an election, or to aid the passage or defeat of any
10 public question, ¹or to aid the passage or defeat of legislation or
11 regulation in the case of an independent expenditure committee.¹ after
12 March 31 and on or before the day of the primary election, or after
13 September 30 and on or before the day of the general election, it
14 shall, in writing or by **[telegram]** electronic transmission, report
15 that expenditure to the commission within 48 hours of the making,
16 authorizing or incurring thereof.

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

38 **g.** Any report filed pursuant to the provisions of this section
39 shall include an itemized accounting of all receipts and
40 expenditures relative to any testimonial affairs held since the date
41 of the most recent report filed, which accounting shall include the
42 name and mailing address of each contributor in excess of \$300 to
43 such testimonial affair and the amount contributed by each; in the
44 case of an individual contributor, the occupation of the individual
45 and the name and mailing address of the individual's employer; the
46 expenses incurred; and the disposition of the proceeds of such
47 testimonial affair.

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

6
7 3. Section 21 of P.L.1993, c.65 (C.19:44A-8.1) is amended to
8 read as follows:

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

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

26 (2) the mailing address of the committee and the name and
27 resident address of a resident of this State who shall have been
28 designated by the committee as its agent to accept service of
29 process; and

30 (3) a descriptive statement prepared by the organizers or officers
31 of the committee that identifies (a) the names and mailing addresses
32 of the persons having control over the affairs of the committee,
33 including but not limited to persons in whose name or at whose
34 direction or suggestion the committee solicits funds, and persons
35 participating in any decision to make a contribution of such funds to
36 any candidate, political committee or continuing political
37 committee and, in the case of an independent expenditure
38 committee, any decision to expend funds for the purpose of
39 influencing or attempting to influence the outcome of any election
40 or the nomination, election, or defeat of any person to State or local
41 elective public office or the passage or defeat of any public
42 question, ¹legislation, or regulation,¹ or in providing political
43 information on any candidate or public question ¹, legislation, or
44 regulation¹ ; (b) the name and mailing address of any person not
45 included among the persons identified under subparagraph (a) of
46 this paragraph who, directly or through an agent, participated in the
47 initial organization of the committee; (c) in the case of any person
48 identified under subparagraph (a) or subparagraph (b) who is an

1 individual, the occupation of that individual, the individual's home
2 address, and the name and mailing address of the individual's
3 employer, or, in the case of any such person which is a corporation,
4 partnership, unincorporated association, or other organization, the
5 name and mailing address of the organization; and (d) any other
6 information which the Election Law Enforcement Commission may,
7 under such regulations as it shall adopt pursuant to the provisions of
8 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
9 seq.), require as being material to the fullest possible disclosure of
10 the economic, political and other particular interests and objectives
11 which the committee has been organized to or does advance. The
12 commission shall be informed, in writing, of any change in the
13 information required by this paragraph within three days of the
14 occurrence of the change. Legislative leadership committees shall
15 be exempt from the requirements of subparagraphs (a), (b) and (c)
16 of this paragraph.

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

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

47 d. Any political committee, continuing political committee,
48 independent expenditure committee, or legislative leadership

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

21 ¹e. No foreign national, government, instrumentality, or agent
22 may register as an independent expenditure committee for the purpose
23 of making independent expenditures in any State or local
24 election.¹

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

26

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

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

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

1 depository, and of the campaign treasurer, with the Election Law
2 Enforcement Commission.

3 Every independent expenditure committee may designate a
4 chairman of the committee, but no person serving as the chairman
5 of a political party committee or a legislative leadership committee
6 shall be eligible to be appointed or to serve as the chairman of an
7 independent expenditure committee. No candidate³ or holder of
8 public office³, directly or indirectly, shall establish, authorize the
9 establishment of, maintain, or participate in the management or
10 control of any independent expenditure committee. Every
11 independent expenditure committee, not later than the date on
12 which it first receives any contribution or makes or incurs any
13 expenditure for the purpose of influencing or attempting to
14 influence the outcome of any election or the nomination, election,
15 or defeat of any person to State or local elective public office or the
16 passage or defeat of any public question¹, legislation, or
17 regulation,¹ or providing political information on any candidate or
18 public question,¹ legislation, or regulation,¹ shall appoint a single
19 organizational treasurer and designate an organizational depository,
20 but no person serving as the chairman of a political party committee
21 or a legislative leadership committee shall be eligible to be
22 appointed or to serve as the organizational treasurer of an
23 independent expenditure committee. Not later than the 10th day
24 after the initial designation of the organizational depository, the
25 committee shall file the name and address of the depository, and of
26 the organizational treasurer, with the Election Law Enforcement
27 Commission.

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

41 Every legislative leadership committee shall, not later than the
42 date on which it first receives any contribution or makes or incurs
43 any expenditure in the furtherance or aid of the election or defeat of
44 any candidate or the passage or defeat of any public question,
45 appoint a single organizational treasurer and designate an
46 organizational depository. Not later than the tenth day after the
47 initial designation of the organizational depository, the committee
48 shall file the name and address of the depository, and of the

1 organizational treasurer, with the Election Law Enforcement
2 Commission.

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

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

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

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

30

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

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

43 a. The duly appointed campaign treasurer or deputy campaign
44 treasurers of the candidate committee or joint candidates
45 committee;

46 b. The duly appointed organizational treasurer or deputy
47 organizational treasurers of a political party committee or a
48 continuing political committee;

1 c. The duly appointed campaign treasurer or deputy campaign
2 treasurers of a political committee; **【or】**

3 d. The duly appointed organizational treasurer or deputy
4 organizational treasurer of a legislative leadership committee; or

5 e. The duly appointed organizational treasurer or deputy
6 organizational treasurer of an independent expenditure committee.

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

29 No contribution of money shall be made in currency, except
30 contributions in response to a public solicitation, provided that
31 cumulative currency contributions of up to \$200 may be made to a
32 candidate committee or joint candidates committee, a political
33 committee, a continuing political committee, an independent
34 expenditure committee, a legislative leadership committee or a
35 political party committee if the contributor submits with the
36 currency contribution a written statement of a form as prescribed by
37 the commission, indicating the contributor's name, mailing address
38 and occupation and the amount of the contribution, including the
39 contributor's signature and the name and mailing address of the
40 contributor's employer. Adjustments to the \$200 limit established in
41 this paragraph which have been made by the Election Law
42 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
43 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
44 rescinded. The \$200 limit established in this paragraph shall remain
45 as stated in this paragraph without further adjustment by the
46 commission in the manner prescribed by section 22 of P.L.1993,
47 c.65 (C.19:44A-7.2).

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

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

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

17

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

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

1 purpose, in whole or in part, of collective bargaining, or of dealing
2 with employers concerning the grievances, terms or conditions of
3 employment, or of other mutual aid or protection in connection with
4 employment, or any group any contribution of money or other thing
5 of value which in the aggregate exceeds **[\$2,600]** \$3,000 per
6 election, and no candidates who have established only a joint
7 candidates committee, or their campaign treasurer, deputy campaign
8 treasurer, 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 **[\$2,600]** \$3,000 per election
11 per candidate, and no candidate who has established both a
12 candidate committee and a joint candidates committee, the
13 campaign treasurers, deputy campaign treasurers, or candidate
14 committee or joint candidates committee shall knowingly accept
15 from any such source any contribution of money or other thing of
16 value which in the aggregate exceeds **[\$2,600]** \$3,000 per election.

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

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

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

1 likewise be applicable to the making or payment of such a
2 contribution by such a county committee.

3 With respect to the limitations in this paragraph, the Legislature
4 finds and declares that:

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

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

14 (c) Furthermore, the risk of actual or perceived corruption is
15 raised by the potential for contributors to circumvent limits on
16 contributions to candidates by funneling money to candidates
17 through county committees;

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

23 (e) It is, therefore, reasonable for the State to promote this
24 compelling interest by limiting the amount a county committee may
25 give to a legislative candidate based upon the degree to which the
26 population of the legislative district overlaps with the population of
27 that county.

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

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

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

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

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

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

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

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

31 e. For the purpose of determining the amount of a contribution
32 to be attributed as given to or by each candidate in a joint
33 candidates committee, the amount of the contribution to or by such
34 a committee shall be divided equally among all the candidates in the
35 committee.

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

37

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

40 19. a. (1) Except as otherwise provided in paragraph (2) of this
41 subsection, no individual, no corporation of any kind organized and
42 incorporated under the laws of this State or any other state or any
43 country other than the United States, no labor organization of any
44 kind which exists or is constituted for the purpose, in whole or in
45 part, of collective bargaining, or of dealing with employers
46 concerning the grievances, terms or conditions of employment, or
47 of other mutual aid or protection in connection with employment,
48 no political committee, continuing political committee, candidate

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

33 (2) No national committee of a political party shall pay or make
34 any contribution of money or other thing of value to the campaign
35 treasurer, deputy treasurer or other representative of the State
36 committee of a political party which in the aggregate exceeds
37 **[\$72,000]** \$82,000 per year, and no campaign treasurer, deputy
38 campaign treasurer or other representative of the State committee of
39 a political party shall knowingly accept from the national committee
40 of a political party any contribution of money or other thing of
41 value which in the aggregate exceeds **[\$72,000]** \$82,000 per year.

42 b. No individual, no corporation of any kind organized and
43 incorporated under the laws of this State or any other state or any
44 country other than the United States, no labor organization of any
45 kind which exists or is constituted for the purpose, in whole or in
46 part, of collective bargaining, or of dealing with employers
47 concerning the grievances, terms or conditions of employment, or
48 of other mutual aid or protection in connection with employment,

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

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 employers
35 concerning the grievances, terms or conditions of employment, or
36 of other mutual aid or protection in connection with employment,
37 no political committee, continuing political committee, candidate
38 committee or joint candidates committee or any other group shall
39 pay or make any contribution of money or other thing of value to
40 any municipal committee of a political party, which in the aggregate
41 exceeds **[\$7,200]** \$8,200 per year, or in the case of a joint
42 candidates committee when that is the only committee established
43 by the candidates, **[\$7,200]** \$8,200 per year per candidate in the
44 joint candidates committee, or in the case of a candidate committee
45 and a joint candidates committee when both are established by a
46 candidate, **[\$7,200]** \$8,200 per year from that candidate. No
47 campaign treasurer, deputy campaign treasurer or other
48 representative of a municipal committee of a political party shall

1 knowingly accept from an individual, a corporation of any kind
2 organized and incorporated under the laws of this State or any other
3 state or any country other than the United States, a labor
4 organization of any kind which exists or is constituted for the
5 purpose, in whole or in part, of collective bargaining, or of dealing
6 with employers concerning the grievances, terms or conditions of
7 employment, or of other mutual aid or protection in connection with
8 employment, a political committee, a continuing political
9 committee, a candidate committee or a joint candidates committee
10 or any other group, any contribution of money or other thing of
11 value which in the aggregate exceeds ~~[\$7,200]~~ \$8,200 per year, or
12 in the case of a joint candidates committee when that is the only
13 committee established by the candidates, ~~[\$7,200]~~ \$8,200 per year
14 per candidate in the joint candidates committee, or in the case of a
15 candidate committee and a joint candidates committee when both
16 are established by a candidate, ~~[\$7,200]~~ \$8,200 per year from that
17 candidate.

18 No county committee of a political party in any county shall pay
19 or make any contribution of money or other thing of value to a
20 municipal committee of a political party in a municipality not
21 located in that county which in the aggregate exceeds the amount of
22 aggregate contributions which, under this subsection, a continuing
23 political committee is permitted to pay or make to a municipal
24 committee of a political party. No campaign treasurer, deputy
25 campaign treasurer or other representative of a municipal committee
26 of a political party in any municipality shall knowingly accept from
27 any county committee of a political party in any county other than
28 the county in which the municipality is located any contribution of
29 money or other thing of value which in the aggregate exceeds the
30 amount of contributions permitted to be so paid or made under that
31 subsection.

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

37

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

40 20. a. No candidate who has established only a candidate
41 committee, his campaign treasurer, deputy treasurer or candidate
42 committee shall pay or make any contribution of money or other
43 thing of value to a political committee, other than a political
44 committee which is organized to, or does, aid or promote the
45 passage or defeat of a public question in any election, or a
46 continuing political committee, which in the aggregate exceeds, in
47 the case of such a political committee, ~~[\$7,200]~~ \$8,200 per
48 election, or in the case of a continuing political committee,

1 **[\$7,200]** \$8,200 per year, and no candidates who have established
2 only a joint candidates committee, their campaign treasurer, deputy
3 campaign treasurer or joint candidates committee shall pay or make
4 any contribution of money or other thing of value to such a political
5 committee or continuing political committee which in the aggregate
6 exceeds, in the case of such a political committee, **[\$7,200]** \$8,200
7 per election per candidate in the joint candidates committee, or in
8 the case of a continuing political committee, **[\$7,200]** \$8,200 per
9 year per candidate in the joint candidates committee, and no
10 candidate who has established both a candidate committee and a
11 joint candidates committee shall pay or make any contribution of
12 money or other thing of value which in the aggregate exceeds, in
13 the case of such a political committee, **[\$7,200]** \$8,200 per election
14 from that candidate, or in the case of a continuing political
15 committee, **[\$7,200]** \$8,200 per year from that candidate. No
16 political committee, other than a political committee which is
17 organized to, or does, aid or promote the passage or defeat of a
18 public question in any election, or a continuing political committee,
19 shall knowingly accept from a candidate who has established only a
20 candidate committee, his campaign treasurer, deputy treasurer or
21 candidate committee, any contribution of money or other thing of
22 value which in the aggregate exceeds, in the case of such a political
23 committee, **[\$7,200]** \$8,200 per election, or in the case of a
24 continuing political committee, **[\$7,200]** \$8,200 per year, and no
25 such political committee or continuing political committee shall
26 knowingly accept from candidates who have established only a joint
27 candidates committee, their campaign treasurer, deputy campaign
28 treasurer, or joint candidates committee, any contribution of money
29 or other thing of value which in the aggregate exceeds, in the case
30 of such a political committee, **[\$7,200]** \$8,200 per election per
31 candidate in the joint candidates committee, or in the case of a
32 continuing political committee, **[\$7,200]** \$8,200 per year per
33 candidate in the joint candidates committee, and no such political
34 committee or continuing political committee shall knowingly accept
35 from a candidate who has established both a candidate committee
36 and a joint candidates committee any contribution of money or
37 other thing of value which in the aggregate exceeds, in the case of
38 such a political committee, **[\$7,200]** \$8,200 per election from that
39 candidate, or in the case of a continuing political committee,
40 **[\$7,200]** \$8,200 per year from that candidate. For the purpose of
41 determining the amount of a contribution to be attributed as given
42 by each candidate in a joint candidates committee, the amount of
43 the contribution by such a committee shall be divided equally
44 among all the candidates in the committee.

45 b. No political committee, other than a political committee
46 which is organized to, or does, aid or promote the passage or defeat
47 of a public question in any election, and no continuing political

1 committee shall pay or make any contribution of money or other
2 thing of value to another political committee, other than a political
3 committee which is organized to, or does, aid or promote the
4 passage or defeat of a public question in any election, or another
5 continuing political committee which in the aggregate exceeds, in
6 the case of a recipient continuing political committee, **[\$7,200]**
7 \$8,200 per year, or in the case of a recipient political committee,
8 **[\$7,200]** \$8,200 per election. No political committee, other than a
9 political committee which is organized to, or does, aid or promote
10 the passage or defeat of a public question in any election, and no
11 continuing political committee shall knowingly accept from another
12 political committee, other than a political committee which is
13 organized to, or does, aid or promote the passage or defeat of a
14 public question in any election, or another continuing political
15 committee any contribution of money or other thing of value which
16 in the aggregate exceeds, in the case of a recipient continuing
17 political committee, **[\$7,200]** \$8,200 per year, or in the case of a
18 recipient political committee, **[\$7,200]** \$8,200 per election.

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

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

38

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

41 12. An organizational or campaign treasurer or deputy
42 organizational or campaign treasurer of a candidate committee or
43 joint candidates committee, a political committee, a continuing
44 political committee, an independent expenditure committee, a
45 political party committee or a legislative leadership committee shall
46 make a written record of all funds which he receives as
47 contributions to the candidate committee, joint candidates
48 committee, political committee, continuing political committee,

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

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

36

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

39 16. a. The campaign treasurer of each candidate committee and
40 joint candidates committee shall make a full cumulative report,
41 upon a form prescribed by the Election Law Enforcement
42 Commission, of all contributions in the form of moneys, loans, paid
43 personal services or other things of value, made to him or to the
44 deputy campaign treasurers of the candidate committee or joint
45 candidates committee, and all expenditures paid out of the election
46 fund of the candidate or candidates, during the period ending with
47 the second day preceding the date of the cumulative report and
48 beginning on the date of the first of those contributions, the date of

1 the first of those expenditures, or the date of the appointment of the
2 campaign treasurer, whichever occurred first. The report shall also
3 contain the name and mailing address of each person or group from
4 whom moneys, loans, paid personal services or other things of value
5 were contributed after the second day preceding the date of the
6 previous cumulative report and the amount contributed by each
7 person or group, and where an individual has made such
8 contributions, the report shall indicate the occupation of the
9 individual and the name and mailing address of the individual's
10 employer. In the case of any loan reported pursuant to this section,
11 the report shall further contain the name and mailing address of
12 each person who cosigns such loan, the occupation of the person
13 and the name and mailing address of the person's employer. If no
14 moneys, loans, paid personal services or other things of value were
15 contributed, the report shall so indicate, and if no expenditures were
16 paid or incurred, the report shall likewise so indicate. The
17 campaign treasurer and the candidate or several candidates shall
18 certify the correctness of the report.

19 b. During the period between the appointment of the campaign
20 treasurer and the election with respect to which contributions are
21 accepted or expenditures made by him, the campaign treasurer shall
22 file his cumulative campaign report (1) on the 29th day preceding
23 the election, and (2) on the 11th day preceding the election; and
24 after the election he shall file his report on the 20th day following
25 such election. Concurrent with the report filed on the 20th day
26 following an election, or at any time thereafter, the campaign
27 treasurer of a candidate committee or joint candidates committee
28 may certify to the Election Law Enforcement Commission that the
29 election fund of such candidate committee or joint candidates
30 committee has wound up its business and been dissolved, or that
31 business regarding the late election has been wound up but the
32 candidate committee or joint candidates committee will continue for
33 the deposit and use of contributions in accordance with section 17
34 of P.L.1993, c.65 (C.19:44A-11.2). Certification shall be
35 accompanied by a final accounting of such election fund, or of the
36 transactions relating to such election, including the final disposition
37 of any balance remaining in such fund at the time of dissolution or
38 the arrangements which have been made for the discharge of any
39 obligations remaining unpaid at the time of dissolution. Until the
40 candidate committee or joint candidates committee is dissolved,
41 each such treasurer shall continue to file reports in the form and
42 manner herein prescribed.

43 The Election Law Enforcement Commission shall promulgate
44 regulations providing for the termination of post-election campaign
45 reporting requirements applicable to political committees, candidate
46 committees and joint candidates committees. The requirements to
47 file quarterly reports after the first post-election report may be
48 waived by the commission, notwithstanding that the certification

1 has not been filed, if the commission determines under any
2 regulations so promulgated that the outstanding obligations of the
3 political committee, candidate committee or joint candidates
4 committee do not exceed 10% of the expenditures of the campaign
5 fund with respect to the election or \$1,000.00, whichever is less, or
6 are likely to be discharged or forgiven.

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

31 The commission, on any form it shall prescribe for the reporting
32 of expenditures by a candidate committee or joint candidates
33 committee, shall provide for the grouping together of all
34 expenditures under the category of "campaign expenses" under
35 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
36 identified as such, and for the grouping together, separately, of all
37 other expenditures under the categories prescribed by paragraphs
38 (2) through (6) of that subsection. The cumulative quarterly report
39 due on April 15 in a year immediately after the year in which the
40 candidate or candidates does or do run for election or reelection
41 shall contain a report of all of the contributions received and
42 expenditures made by the candidate or candidates since the 18th day
43 after that election.

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 section, the report shall contain the
4 name and address of each person who cosigns such loan, and where
5 an individual has cosigned such loans, the report shall indicate the
6 occupation of the individual and the name and mailing address of
7 his employer. The report shall also contain the name and address of
8 each person, firm or organization to whom expenditures have been
9 paid and the amount and purpose of each such expenditure. The
10 treasurer of the candidate committee or joint candidates committee
11 and the candidate or candidates shall certify to the correctness of
12 each cumulative quarterly report.

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

16 d. There shall be no obligation to file the reports required by
17 this section on behalf of a candidate if such candidate files with the
18 Election Law Enforcement Commission a sworn statement to the
19 effect that the total amount to be expended in behalf of his
20 candidacy by the candidate committee, by any political party
21 committee, by any political committee, or by any person shall not in
22 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
23 committee containing two candidates or \$6,000 for any joint
24 candidates committee containing three or more candidates. The
25 sworn statement may be submitted at the time when the name and
26 address of the campaign treasurer and depository is filed with the
27 Election Law Enforcement Commission, provided that in any case
28 the sworn statement is filed no later than the 29th day before an
29 election. If a candidate who has filed such a sworn statement
30 receives contributions from any one source aggregating more than
31 \$300 he shall forthwith make report of the same, including the name
32 and mailing address of the source and the aggregate total of
33 contributions therefrom, and where the source is an individual, the
34 occupation of the individual and the name and mailing address of
35 the individual's employer, to the Election Law Enforcement
36 Commission. The \$300 limit established in this subsection shall
37 remain as stated in this subsection without further adjustment by the
38 commission in the manner prescribed by section 22 of P.L.1993,
39 c.65 (C.19:44A-7.2).

40 e. There shall be no obligation imposed upon a candidate
41 seeking election to a public office of a school district to file either
42 the reports required under subsection b. of this section or the sworn
43 statement referred to in subsection d. of this section, if the total
44 amount expended and to be expended in behalf of his candidacy by
45 the candidate committee, any political committee, any continuing
46 political committee, or a political party committee or by any person,
47 does not in the aggregate exceed \$2,000.00 per election or \$4,000
48 for any joint candidates committee containing two candidates or

1 \$6,000 for any joint candidates committee containing three or more
2 candidates; provided, that if such candidate receives contributions
3 from any one source aggregating more than \$300, he shall forthwith
4 make a report of the same, including the name and mailing address
5 of the source, the aggregate total of contributions therefrom, and
6 where the source is an individual, the occupation of the individual
7 and the name and mailing address of the individual's employer, to
8 the commission.

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

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

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

38 g. Any report filed pursuant to the provisions of this section
39 shall include an itemized accounting of all receipts and
40 expenditures relative to any testimonial affair held since the date of
41 the most recent report filed, which accounting shall include the
42 name and mailing address of each contributor in excess of \$300 to
43 such testimonial affair and the amount contributed by each; in the
44 case of any individual contributor, the occupation of the individual
45 and the name and mailing address of the individual's employer; the
46 expenses incurred; and the disposition of the proceeds of such
47 testimonial affair.

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

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

6 i. Each campaign treasurer of a candidate committee or joint
7 candidates committee shall file written notice with the commission
8 of a contribution in excess of ~~【\$500】~~ \$1,400 received during the
9 period between the 13th day prior to the election and the date of the
10 election and of an expenditure of money or other thing of value in
11 excess of ~~【\$800】~~ \$1,400 made, incurred or authorized by the
12 candidate committee or joint candidates committee to support or
13 defeat a candidate in an election, or to aid the passage or defeat of
14 any public question, during the period between the 13th day prior to
15 the election and the date of the election, provided that a candidate
16 shall not be required to file written notice pursuant to this
17 subsection of an expenditure made to support his or her own
18 candidacy, or to support or defeat a candidate for the same office in
19 an election. For the purposes of this subsection, the offices of
20 member of the Senate and member of the General Assembly shall
21 be deemed to be the same office in a legislative district; the offices
22 of member of the board of chosen freeholders and county executive
23 shall be deemed to be the same office in a county; and the offices of
24 mayor and member of the municipal governing body shall be
25 deemed to be the same office in a municipality.

26 The notice of a contribution shall be filed in writing or by
27 telegram within 48 hours of the receipt of the contribution and shall
28 set forth the amount and date of the contribution, the name and
29 mailing address of the contributor, and where the contributor is an
30 individual, the occupation of the individual and the name and
31 mailing address of the individual's employer. The notice of an
32 expenditure shall be filed in writing or by telegram within 48 hours
33 of the making, incurring or authorization of the expenditure and
34 shall set forth the name and mailing address of the person, firm or
35 organization to whom or which the expenditure was paid and the
36 amount and purpose of the expenditure.

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

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

42
43 11. Section 18 of P.L.1973, c.83 (C.19:44A-18) is amended to
44 read as follows:

45 18. If any former candidate or any political committee or any
46 person or association of persons in behalf of such political
47 committee ²~~【, or any independent expenditure committee,】~~² or
48 former candidate shall receive any contributions or make any

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

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

26

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

29 19. a. No person shall conduct any public solicitation as defined
30 in this act except (1) upon written authorization of the campaign or
31 organizational treasurer of the candidate committee or joint
32 candidates committee, political committee, continuing political
33 committee, political party committee, independent expenditure
34 committee, or legislative leadership committee on whose behalf
35 such solicitation is conducted, or (2) in accordance with the
36 provisions of subsection c. of this section. A person with such
37 written authorization may employ and accept the services of others
38 as solicitors, and shall be responsible for reporting to the treasurer
39 the information required under subsection b. of this section and for
40 delivery to the treasurer the net proceeds of such solicitation in
41 compliance with section 11 of **[this act]** P.L.1973, c.83 (C.19:44A-
42 11). A contribution made through donation or purchase in response
43 to a public solicitation conducted pursuant to written authorization
44 of a treasurer shall be deemed to have been made through such
45 treasurer.

46 b. Whenever a public solicitation has been authorized by a
47 treasurer during a period covered by a report required to be filed
48 under sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8

1 and C.19:44A-16), there shall be filed with such report and as a part
2 thereof an itemized report on any such solicitation of which the net
3 proceeds exceed \$200, in such form and detail as required by the
4 rules of the Election Law Enforcement Commission, which report
5 shall include:

6 (1) The name and mailing address of the person authorized to
7 conduct such solicitation, the method of solicitation and, where the
8 person is an individual, the occupation of the individual and the
9 name and mailing address of the individual's employer;

10 (2) The gross receipts and expenses involved in the solicitation
11 including the actual amount paid for any items purchased for resale
12 in connection with the solicitation, or, if such items or any portion
13 of the cost thereof was donated, the estimated actual value thereof
14 and the actual amount paid therefor, and the names and addresses of
15 any such donors. If it is not practicable for such itemized report to
16 be completed in time to be included with the report due under
17 sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8 and
18 C.19:44A-16) for the period during which such solicitation was
19 held, then such itemized report may be omitted from said report and
20 if so omitted shall be included in the report for the next succeeding
21 period.

22 Adjustments to the \$200 limit established in this subsection
23 which have been made by the Election Law Enforcement
24 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
25 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The
26 \$200 limit established in this subsection shall remain as stated in
27 this subsection without further adjustment by the commission in the
28 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

29 c. Notwithstanding the provisions of subsection b. of this
30 section, it shall be lawful for any natural person, not acting in
31 concert with any other person or group, to make personally a public
32 solicitation the entire proceeds of which, without deduction for the
33 expenses of solicitation, are to be expended by him personally or
34 under his personal direction to finance any lawful activity in
35 support of or opposition to any candidate or public question or to
36 provide political information on any candidate or public question or
37 to seek to influence the content, introduction, passage or defeat of
38 legislation; provided, however, that any individual making such
39 solicitation who receives gross contributions exceeding \$200 in
40 respect to activities relating to any one election shall be required to
41 make a report stating (1) the amount so collected, (2) the method of
42 solicitation, (3) the purpose or purposes for which the funds so
43 collected were expended and the amount expended for each such
44 purpose and (4) the individual's name and mailing address, the
45 individual's occupation and the name and mailing address of the
46 individual's employer. Adjustments to the \$200 limit established in
47 this subsection 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 subsection shall
3 remain as stated in this subsection 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 Such report shall be made to the Election Law Enforcement
7 Commission at the same time and in the same manner as a political
8 committee, continuing political committee, political party
9 committee, independent expenditure committee, or a legislative
10 leadership committee subject to the provisions of section 8 of **[this**
11 **act]** P.L.1973, c.83 (C.19:44A-8).

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

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

22
23 13. Section 20 of P.L.1973, c.83 (C.19:44A-20) is amended to
24 read as follows:

25 20. No contribution of money or other thing of value, nor
26 obligation therefor, shall be made, and no expenditure of money or
27 other thing of value, nor obligation therefor, shall be made or
28 incurred whether anonymously, in a fictitious name, or by one
29 person or group in the name of another, to support or defeat a
30 candidate in an election or to aid the passage or defeat of any public
31 question or to provide political information on any candidate or
32 public question or to seek to influence the content, introduction,
33 passage or defeat of legislation.

34 No individual, either alone or jointly with one or more other
35 individuals, and no corporation, partnership, membership
36 organization or other incorporated or unincorporated association
37 shall loan or advance to any individual, group of individuals,
38 corporation, partnership, membership organization or other
39 incorporated or unincorporated association any money or other
40 thing of value expressly for the purpose of inducing the recipient
41 thereof, or any other individual, group, corporation, partnership,
42 organization or association, to make a contribution, either directly
43 or indirectly, of money or other thing of value to a candidate or the
44 candidate committee or joint candidates committee of a candidate.

45 No person shall contribute, or purport to contribute, to any
46 candidate, candidate committee or joint candidates committee,
47 political committee, continuing political committee, independent
48 expenditure committee, political party committee or legislative

1 leadership committee funds or property which does not actually
2 belong to him and is not in his full custody and control; which has
3 been given or furnished to him by any other person or group for the
4 purpose of making a contribution thereof, except in the case of
5 group contributions by persons who are members of the
6 contributing group; or which has been loaned or advanced expressly
7 for the purpose of inducing the making of a contribution to a
8 candidate, candidate committee or joint candidates committee.

9 No treasurer, candidate or member of a candidate committee,
10 joint candidates committee, political committee, continuing political
11 committee, independent expenditure committee, political party
12 committee or legislative leadership committee shall solicit or
13 knowingly accept, agree to accept or concur in or abet the
14 solicitation or acceptance of any contribution contrary to the
15 provisions of this section.

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

17
18 ²[14. Section 13 of P.L.2004, c.19 (C.19:44A-11.3a) is
19 repealed]²

20
21 ²[¹15.] 14.² Section 2 of P.L.1995, c.391 (C.19:44A-22.3) is
22 amended to read as follows:

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

37 b. Whenever a candidate committee, joint candidates committee,
38 political committee, continuing political committee, independent
39 expenditure committee, political party committee or legislative
40 leadership committee, or any group other than such a committee, or
41 any person makes, incurs or authorizes an expenditure for the purpose
42 of financing a communication aiding the passage or defeat of any
43 public question or providing political information on any public
44 question, or aiding the passage or defeat of legislation or regulation in
45 the case of an independent expenditure committee, which is an
46 expenditure that the committee, group or person is required to report to
47 the Election Law Enforcement Commission pursuant to P.L.1973, c.83
48 (C.19:44A-1 et seq.), the communication shall clearly state the name

1 and business or residence address of the committee, group or person,
2 as that information appears on reports filed with the commission, and
3 that the communication has been financed by that committee, group or
4 person.

5 c. A communication that is financed by an independent
6 expenditure committee or by any person, not acting in concert with a
7 candidate or any person or committee acting on behalf of a candidate,
8 shall contain a clear and conspicuous statement that the expenditure
9 was not made with the cooperation or prior consent of, or in
10 consultation with or at the request or suggestion of, any such
11 candidate, person or committee.

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

27 e. As used in this section, "communication" means a press
28 release, pamphlet, flyer, form letter, sign, billboard, paid advertisement
29 printed in any newspaper or other publication or broadcast on radio or
30 television, or telephone call featuring a recorded message, or any other
31 form of advertising , including Internet and digital advertising,
32 directed to the electorate.

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

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

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

43 h. The Election Law Enforcement Commission shall promulgate
44 rules and regulations pursuant to the "Administrative Procedure Act,"
45 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purpose of this
46 section. The commission may, by regulation, exempt from the
47 provisions of this section small, tangible items of de minimis value
48 which are commonly used in campaigns to convey a political message,

1 including, but not limited to, buttons, combs, and nail files. The
2 commission may also, by regulation, exempt from the provisions of
3 this section advertising space purchased by a candidate committee,
4 joint candidates committee, political committee, continuing political
5 committee, political party committee, legislative leadership committee
6 or other person, in a political program book distributed at a fund-
7 raising event if the financial transaction is otherwise subject to
8 disclosure. An exemption granted by the commission with respect to
9 any item shall not relieve the committee, group or individual making
10 an expenditure therefor from any applicable campaign finance
11 reporting requirements.

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

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

18

19 ²[16.] 15.² (New section) To determine whether a person,
20 candidate committee, joint candidates committee, continuing
21 political committee, or independent expenditure committee has
22 made a coordinated expenditure with any candidate or political
23 party, the Election Law Enforcement Commission shall consider
24 whether the candidate or political party, the candidate committee, or
25 any staff member or agent thereof:

26 a. cooperated with, consented to, authorized, or exercised
27 control over the production or circulation of the communication
28 expenditure;

29 b. requested or suggested that the communication expenditure
30 be made;

31 c. provided information to the person or entity making the
32 communication expenditure with regard to the content, timing,
33 location, mode, intended audience, distribution, or placement of the
34 television, radio, direct mail, or other form of communication;

35 d. discussed or negotiated with the purchaser, creator,
36 producer, or distributor of the communication concerning the
37 content, timing, location, mode, intended audience, distribution, or
38 placement of the communication;

39 e. shared information or held discussions on campaign or
40 media strategy with the person or entity making the communication
41 expenditure or with the purchaser, creator, producer, or distributor
42 of the communication;

43 f. shared its polling or other research with the person or entity
44 making the communication expenditure or whether or not the
45 person or entity making the communication expenditure shared its
46 polling or other research with the candidate, candidate committee,
47 or with any agent of the candidate or candidate committee; ²or²

1 g. ²used the same consultants, employees, staff, or agents as
2 the person or entity making the communication expenditure to
3 create, target, or place the communication; or

4 h.]² engaged in any other activity the Election Law Enforcement
5 Commission determines, by regulation, constitutes a coordinated
6 expenditure.¹

7
8 ²[¹17.] 16.² (New section) If any provision of this act, P.L. ,
9 c. (pending before the Legislature as this bill), or the application
10 thereof to any person or circumstance is held invalid, such invalidity
11 shall not affect other provisions or applications which can be given
12 effect without the invalid provisions or applications, and to this end the
13 provisions of this act are declared to be severable.¹

14
15 ¹[15.] ²[18.¹] 17.² This act shall take effect ¹[on the January 1
16 next following the date of enactment] immediately, and shall be
17 retroactive to January 1, 2018¹.