

[Fourth Reprint]

SENATE, No. 1500

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

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SYNOPSIS

Requires disclosure by independent expenditure committees.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on March 18, 2019, with amendments.

(Sponsorship Updated As Of: 3/26/2019)

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.

⁴Assembly AAP committee amendments adopted March 18, 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 to
11 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 person⁴ [, a group of two or more persons, or an organization]⁴
31 organized under section 527 of the federal Internal Revenue Code
32 (26 U.S.C. s.527) or under⁴ [paragraph] paragraphs⁴ (4) ⁴or (6)⁴ of
33 subsection⁴ [c.] (c)⁴ of section 501 of the federal Internal Revenue
34 Code (26 U.S.C. s.501) that does not fall within the definition of
35 any other organization subject to the provisions of P.L.1973, c.83
36 (C.19:44A-1 et seq.), that engages in influencing or attempting to
37 influence the outcome of any election or the nomination, election,
38 or defeat of any person to any State or local elective public office,
39 or the passage or defeat of any public question, ¹legislation, or
40 regulation,¹ or in providing political information on any candidate
41 or public question, ¹legislation, or regulation,¹ and raises or
42 expends \$3,000 or more in the aggregate for any such purpose
43 annually, but does not coordinate its activities with any candidate or
44 political party ¹as determined by the Election Law Enforcement
45 Commission pursuant to the provisions of section ²[16] ⁴[15²] ¹¹⁴
46 of P.L. , c. (C.) (pending before the Legislature as this bill)¹ .

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

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

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

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

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

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

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

29 Each campaign treasurer of a political committee shall file
30 written notice with the commission of a contribution in excess of
31 **[\$500]** ⁴**[\$1,400]** \$500⁴ received during the period between the
32 13th day prior to the election and the date of the election, and of an
33 expenditure of money or other thing of value in excess of **[\$500]**
34 ⁴**[\$1,400]** \$500⁴ made, incurred or authorized by the political
35 committee to support or defeat a candidate in an election, or to aid
36 the passage or defeat of any public question, during the period
37 between the 13th day prior to the election and the date of the
38 election. The notice of a contribution shall be filed in writing or by
39 **[telegram]** electronic transmission within 48 hours of the receipt of
40 the contribution and shall set forth the amount and date of the
41 contribution, the name and mailing address of the contributor, and
42 where the contributor is an individual, the individual's occupation
43 and the name and mailing address of the individual's employer. The
44 notice of an expenditure shall be filed in writing or by **[telegram]**
45 electronic transmission within 48 hours of the making, incurring or
46 authorization of the expenditure and shall set forth the name and
47 mailing address of the person, firm or organization to whom or

1 which the expenditure was paid and the amount and purpose of the
2 expenditure.

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

7 b. (1) A group of two or more persons acting jointly, or any
8 corporation, partnership, or any other incorporated or
9 unincorporated association including a political club, political
10 action committee, civic association or other organization, which in
11 any calendar year contributes or expects to contribute at least
12 ~~[\$2,500.00]~~ ⁴~~[\$5,500]~~ \$2,500⁴ to the aid or promotion of the
13 candidacy of an individual, or of the candidacies of individuals, for
14 elective public office or the passage or defeat of a public question
15 or public questions and which expects to make contributions toward
16 such aid or promotion, or toward such passage or defeat, during a
17 subsequent election shall certify that fact to the commission, and
18 the commission, upon receiving that certification and on the basis
19 of any information as it may require of the group, corporation,
20 partnership, association or other organization, shall determine
21 whether the group, corporation, partnership, association or other
22 organization is a continuing political committee for the purposes of
23 this act. If the commission determines that the group, corporation,
24 partnership, association or other organization is a continuing
25 political committee, it shall so notify that continuing political
26 committee.

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

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

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

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

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

16 If any continuing political committee submitting cumulative
17 quarterly reports as provided under this subsection receives a
18 contribution from a single source of more than **[\$500]** ⁴**[\$1,400]**
19 **\$500**⁴ after the final day of a quarterly reporting period and on or
20 before a primary, general, municipal, school or special election
21 which occurs after that final day but prior to the final day of the
22 next reporting period it shall, in writing or by **[telegram]** electronic
23 transmission, report that contribution to the commission within 48
24 hours of the receipt thereof, including in that report the amount and
25 date of the contribution; the name and mailing address of the
26 contributor; and where the contributor is an individual, the
27 individual's occupation and the name and mailing address of the
28 individual's employer. If any continuing political committee makes
29 or authorizes an expenditure of money or other thing of value in
30 excess of **[\$500]** ⁴**[\$1,400]** **\$500**⁴, or incurs any obligation
31 therefor, to support or defeat a candidate in an election, or to aid the
32 passage or defeat of any public question, after March 31 and on or
33 before the day of the primary election, or after September 30 and on
34 or before the day of the general election, it shall, in writing or by
35 **[telegram]** electronic transmission, report that expenditure to the
36 commission within 48 hours of the making, authorizing or incurring
37 thereof.

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

1 c. Each political party committee ~~and each~~ ¹and each
2 legislative leadership committee ¹and independent expenditure
3 committee¹ shall file with the Election Law Enforcement
4 Commission, not later than April 15, July 15, October 15 and
5 January 15 of each calendar year, a cumulative quarterly report of
6 all moneys, loans, paid personal services or other things of value
7 contributed to it during the period ending on the 15th day preceding
8 that date and commencing on January 1 of that calendar year or, in
9 the case of the cumulative quarterly report to be filed not later than
10 January 15, of the previous calendar year, and all expenditures
11 made, incurred, or authorized by it during the period, whether or not
12 such expenditures were made, incurred or authorized in furtherance
13 of the election or defeat of any candidate, or in aid of the passage or
14 defeat of any public question or to provide information on any
15 candidate or public question.

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

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

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

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

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

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

42 e. When a political party committee 【or a】 legislative
43 leadership committee 【submitting cumulative quarterly reports as
44 provided under this subsection】 or independent expenditure
45 committee receives a contribution from a single source of more than
46 【\$500】 ⁴【\$1,400】 \$500⁴ after the final day of a quarterly reporting
47 period and on or before a primary, general, municipal, school, or

1 special election which occurs after that final day but prior to the
2 final day of the next reporting period it shall, in writing or by
3 **【telegram】** electronic transmission, report that contribution to the
4 commission within 48 hours of the receipt thereof, including in that
5 report the amount and date of the contribution; the name and
6 mailing address of the contributor; and where the contributor is an
7 individual, the individual's occupation and the name and mailing
8 address of the individual's employer. **【If】** When a political party
9 committee **【or a】**, legislative leadership committee **【submitting**
10 **cumulative quarterly reports as provided under this subsection】**, or
11 an independent expenditure committee makes or authorizes an
12 expenditure of money or other thing of value in excess of **【\$800】**
13 **⁴【\$1,400】 \$800⁴**, or incurs any obligation therefor, to support or
14 defeat a candidate in an election, or to aid the passage or defeat of
15 any public question, ¹or to aid the passage or defeat of legislation or
16 regulation in the case of an independent expenditure committee.¹
17 after March 31 and on or before the day of the primary election, or
18 after September 30 and on or before the day of the general election,
19 it shall, in writing or by **【telegram】** electronic transmission, report
20 that expenditure to the commission within 48 hours of the making,
21 authorizing or incurring thereof.

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

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

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

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

10 (cf: P.L.2004, c.33, s.1)

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

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

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

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

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

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

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

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

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

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

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

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

31
32 4. Section 10 of P.L.1973, c.83 (C.19:44A-10) is amended to
33 read as follows:

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

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

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

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

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

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

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

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

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

26 Any political party committee, any political committee, any
27 independent expenditure committee, any continuing political
28 committee, and any legislative leadership committee may remove
29 its organizational or campaign treasurer or deputy treasurer. In the
30 case of the death, resignation or removal of its organizational or
31 campaign treasurer, the committee shall appoint a successor as soon
32 as practicable and shall file his name and address with the Election
33 Law Enforcement Commission within three days.
34 (cf: P.L.2004, c.22, s.3)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 (cf: P.L.2009, c.66, s.12) **】⁴**

41

42 **⁴【**7. Section 19 of P.L.1993, c.65 (C.19:44A-11.4) is amended
43 to read as follows:

44 19. a. (1) Except as otherwise provided in paragraph (2) of this
45 subsection, no individual, no corporation of any kind organized and
46 incorporated under the laws of this State or any other state or any
47 country other than the United States, no labor organization of any
48 kind which exists or is constituted for the purpose, in whole or in

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

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

46 b. No individual, no corporation of any kind organized and
47 incorporated under the laws of this State or any other state or any
48 country other than the United States, no labor organization of any

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

34 c. No individual, no corporation of any kind organized and
35 incorporated under the laws of this State or any other state or any
36 country other than the United States, no labor organization of any
37 kind which exists or is constituted for the purpose, in whole or in
38 part, of collective bargaining, or of dealing with employers
39 concerning the grievances, terms or conditions of employment, or
40 of other mutual aid or protection in connection with employment,
41 no political committee, continuing political committee, candidate
42 committee or joint candidates committee or any other group shall
43 pay or make any contribution of money or other thing of value to
44 any municipal committee of a political party, which in the aggregate
45 exceeds **[\$7,200]** \$8,200 per year, or in the case of a joint
46 candidates committee when that is the only committee established
47 by the candidates, **[\$7,200]** \$8,200 per year per candidate in the
48 joint candidates committee, or in the case of a candidate committee

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

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

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

41
42 ⁴[8. Section 20 of P.L.1993, c.65 (C.19:44A-11.5) is amended
43 to read as follows:

44 20. a. No candidate who has established only a candidate
45 committee, his campaign treasurer, deputy treasurer or candidate
46 committee shall pay or make any contribution of money or other
47 thing of value to a political committee, other than a political
48 committee which is organized to, or does, aid or promote the

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

1 the contribution by such a committee shall be divided equally
2 among all the candidates in the committee.

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

24 c. No individual, no corporation of any kind organized and
25 incorporated under the laws of this State or any other state or any
26 country other than the United States, no labor organization of any
27 kind which exists or is constituted for the purpose, in whole or in
28 part, of collective bargaining, or of dealing with employees
29 concerning the grievances, terms or conditions of employment, or
30 of other mutual aid or protection in connection with employment,
31 nor any other group, shall pay or make any contribution of money
32 or other thing of value to a political committee, other than a
33 political committee which is organized to, or does, aid or promote
34 the passage or defeat of a public question in any election, or a
35 continuing political committee, which in the aggregate exceeds, in
36 the case of such a political committee, **[\$7,200]** \$8,200 per
37 election, or in the case of a continuing political committee,
38 **[\$7,200]** \$8,200 per year, and no such political committee or
39 continuing political committee shall knowingly accept any
40 contribution in excess of those amounts from an individual or from
41 such corporation, labor organization, or other group.
42 (cf: P.L.2001, c.384, s.3)]⁴

43

44 ⁴**[9.]** 6.⁴ Section 12 of P.L.1973, c.83 (C.19:44A-12) is
45 amended to read as follows:

46 12. An organizational or campaign treasurer or deputy
47 organizational or campaign treasurer of a candidate committee or
48 joint candidates committee, a political committee, a continuing

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

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

41
42 ⁴10. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to
43 read as follows:

44 16. a. The campaign treasurer of each candidate committee and
45 joint candidates committee shall make a full cumulative report,
46 upon a form prescribed by the Election Law Enforcement
47 Commission, of all contributions in the form of moneys, loans, paid
48 personal services or other things of value, made to him or to the

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

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

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

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

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

1 expenditures made by the candidate or candidates since the 18th day
2 after that election.

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

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

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

47 e. There shall be no obligation imposed upon a candidate
48 seeking election to a public office of a school district to file either

1 the reports required under subsection b. of this section or the sworn
2 statement referred to in subsection d. of this section, if the total
3 amount expended and to be expended in behalf of his candidacy by
4 the candidate committee, any political committee, any continuing
5 political committee, or a political party committee or by any person,
6 does not in the aggregate exceed \$2,000.00 per election or \$4,000
7 for any joint candidates committee containing two candidates or
8 \$6,000 for any joint candidates committee containing three or more
9 candidates; provided, that if such candidate receives contributions
10 from any one source aggregating more than \$300, he shall forthwith
11 make a report of the same, including the name and mailing address
12 of the source, the aggregate total of contributions therefrom, and
13 where the source is an individual, the occupation of the individual
14 and the name and mailing address of the individual's employer, to
15 the commission.

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

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

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

45 g. Any report filed pursuant to the provisions of this section
46 shall include an itemized accounting of all receipts and
47 expenditures relative to any testimonial affair held since the date of
48 the most recent report filed, which accounting shall include the

1 name and mailing address of each contributor in excess of \$300 to
 2 such testimonial affair and the amount contributed by each; in the
 3 case of any individual contributor, the occupation of the individual
 4 and the name and mailing address of the individual's employer; the
 5 expenses incurred; and the disposition of the proceeds of such
 6 testimonial affair.

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

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

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

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

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

47 (cf: P.L.2014, c.58, s.1)**】⁴**

1 ⁴**[11.] 7.**⁴ Section 18 of P.L.1973, c.83 (C.19:44A-18) is
2 amended to read as follows:

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

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

32
33 ⁴**[12.] 8.**⁴ Section 19 of P.L.1973, c.83 (C.19:44A-19) is
34 amended to read as follows:

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

1 to a public solicitation conducted pursuant to written authorization
2 of a treasurer shall be deemed to have been made through such
3 treasurer.

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

12 (1) The name and mailing address of the person authorized to
13 conduct such solicitation, the method of solicitation and, where the
14 person is an individual, the occupation of the individual and the
15 name and mailing address of the individual's employer;

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

28 Adjustments to the \$200 limit established in this subsection
29 which have been made by the Election Law Enforcement
30 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
31 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The
32 \$200 limit established in this subsection shall remain as stated in
33 this subsection without further adjustment by the commission in the
34 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

35 c. Notwithstanding the provisions of subsection b. of this
36 section, it shall be lawful for any natural person, not acting in
37 concert with any other person or group, to make personally a public
38 solicitation the entire proceeds of which, without deduction for the
39 expenses of solicitation, are to be expended by him personally or
40 under his personal direction to finance any lawful activity in
41 support of or opposition to any candidate or public question or to
42 provide political information on any candidate or public question or
43 to seek to influence the content, introduction, passage or defeat of
44 legislation; provided, however, that any individual making such
45 solicitation who receives gross contributions exceeding \$200 in
46 respect to activities relating to any one election shall be required to
47 make a report stating (1) the amount so collected, (2) the method of
48 solicitation, (3) the purpose or purposes for which the funds so

1 collected were expended and the amount expended for each such
2 purpose and (4) the individual's name and mailing address, the
3 individual's occupation and the name and mailing address of the
4 individual's employer. Adjustments to the \$200 limit established in
5 this subsection which have been made by the Election Law
6 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
7 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
8 rescinded. The \$200 limit established in this subsection shall
9 remain as stated in this subsection without further adjustment by the
10 commission in the manner prescribed by section 22 of P.L.1993,
11 c.65 (C.19:44A-7.2).

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

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

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

29 ⁴**[13.] 9.**⁴ Section 20 of P.L.1973, c.83 (C.19:44A-20) is
30 amended to read as follows:

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

40 No individual, either alone or jointly with one or more other
41 individuals, and no corporation, partnership, membership
42 organization or other incorporated or unincorporated association
43 shall loan or advance to any individual, group of individuals,
44 corporation, partnership, membership organization or other
45 incorporated or unincorporated association any money or other
46 thing of value expressly for the purpose of inducing the recipient
47 thereof, or any other individual, group, corporation, partnership,
48 organization or association, to make a contribution, either directly

1 or indirectly, of money or other thing of value to a candidate or the
2 candidate committee or joint candidates committee of a candidate.

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

15 No treasurer, candidate or member of a candidate committee,
16 joint candidates committee, political committee, continuing political
17 committee, independent expenditure committee, political party
18 committee or legislative leadership committee shall solicit or
19 knowingly accept, agree to accept or concur in or abet the
20 solicitation or acceptance of any contribution contrary to the
21 provisions of this section.

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

23

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

26

27 ²[¹15.] ⁴[^{14.}²] ^{10.}⁴ Section 2 of P.L.1995, c.391 (C.19:44A-
28 22.3) is amended to read as follows:

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

43 b. Whenever a candidate committee, joint candidates committee,
44 political committee, continuing political committee, independent
45 expenditure committee, political party committee or legislative
46 leadership committee, or any group other than such a committee, or
47 any person makes, incurs or authorizes an expenditure for the purpose
48 of financing a communication aiding the passage or defeat of any

1 public question or providing political information on any public
2 question , or aiding the passage or defeat of legislation or regulation in
3 the case of an independent expenditure committee, which is an
4 expenditure that the committee, group or person is required to report to
5 the Election Law Enforcement Commission pursuant to P.L.1973, c.83
6 (C.19:44A-1 et seq.), the communication shall clearly state the name
7 and business or residence address of the committee, group or person,
8 as that information appears on reports filed with the commission, and
9 that the communication has been financed by that committee, group or
10 person.

11 c. A communication that is financed by an independent
12 expenditure committee or by any person, not acting in concert with a
13 candidate or any person or committee acting on behalf of a candidate,
14 shall contain a clear and conspicuous statement that the expenditure
15 was not made with the cooperation or prior consent of, or in
16 consultation with or at the request or suggestion of, any such
17 candidate, person or committee.

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

33 e. As used in this section, "communication" means a press
34 release, pamphlet, flyer, form letter, sign, billboard, paid advertisement
35 printed in any newspaper or other publication or broadcast on radio or
36 television, or telephone call featuring a recorded message, or any other
37 form of advertising , including Internet and digital advertising,
38 directed to the electorate.

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

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

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

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

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

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

24
25 ²[¹16.] ⁴[15.²] 11.⁴ (New section) To determine whether a
26 person, candidate committee, joint candidates committee,
27 continuing political committee, or independent expenditure
28 committee has made a coordinated expenditure with any candidate
29 or political party, the Election Law Enforcement Commission shall
30 consider whether the candidate or political party, the candidate
31 committee, or any staff member or agent thereof:

32 a. cooperated with, consented to, authorized, or exercised
33 control over the production or circulation of the communication
34 expenditure;

35 b. requested or suggested that the communication expenditure
36 be made;

37 c. provided information to the person or entity making the
38 communication expenditure with regard to the content, timing,
39 location, mode, intended audience, distribution, or placement of the
40 television, radio, direct mail, or other form of communication;

41 d. discussed or negotiated with the purchaser, creator,
42 producer, or distributor of the communication concerning the
43 content, timing, location, mode, intended audience, distribution, or
44 placement of the communication;

45 e. shared information or held discussions on campaign or
46 media strategy with the person or entity making the communication
47 expenditure or with the purchaser, creator, producer, or distributor
48 of the communication;

1 f. shared its polling or other research with the person or entity
2 making the communication expenditure or whether or not the
3 person or entity making the communication expenditure shared its
4 polling or other research with the candidate, candidate committee,
5 or with any agent of the candidate or candidate committee; ²or²

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

9 h. ²engaged in any other activity the Election Law Enforcement
10 Commission determines, by regulation, constitutes a coordinated
11 expenditure.¹

12
13 ²[¹17.] ⁴[16.²] 12.⁴ (New section) If any provision of this act,
14 P.L. , c. (pending before the Legislature as this bill), or the
15 application thereof to any person or circumstance is held invalid, such
16 invalidity shall not affect other provisions or applications which can be
17 given effect without the invalid provisions or applications, and to this
18 end the provisions of this act are declared to be severable.¹

19
20 ¹[15.] ²[18.¹] ⁴[17.²] 13.⁴ This act shall take effect ¹[on the
21 January 1 next following the date of enactment] ⁴[immediately, and
22 shall be retroactive to January 1, 2018¹] on the first date, following
23 enactment, that occurs after July 16, 2019 by which a quarterly
24 report would be required to be filed pursuant to paragraph (1) of
25 subsection d. of section 8 of P.L.1973, c.83 (C.19:44A-8), but the
26 first such report shall not be required to be filed until the next
27 quarterly report filing deadline thereafter as specified in that
28 paragraph and shall include only those reportable items which occur
29 after the effective date of this act⁴.