

SENATE, No. 663

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator SAMUEL D. THOMPSON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Prohibits former elected official from receiving for five years compensation from charitable or non-profit organization when official's candidate committee donated campaign contributions to organization.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning certain compensation received by former
2 elected officials, amending P.L.1971, c.182 and supplementing
3 P.L.1991, c.29 (C.40A:9-22.1 et seq.) and P.L.1991, c.393
4 (C.18A:12-21 et seq.).

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

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9 1. Section 6 of P.L.1971, c.182 (C.52:13D-17) is amended to
10 read as follows:

11 6. a. No State officer or employee or special State officer or
12 employee, subsequent to the termination of his office or
13 employment in any State agency, shall represent, appear for,
14 negotiate on behalf of, or provide information not generally
15 available to members of the public or services to, or agree to
16 represent, appear for, negotiate on behalf of, or provide information
17 not generally available to members of the public or services to,
18 whether by himself or through any partnership, firm or corporation
19 in which he has an interest or through any partner, officer or
20 employee thereof, any person or party other than the State in
21 connection with any cause, proceeding, application or other matter
22 with respect to which such State officer or employee or special
23 State officer or employee shall have made any investigation,
24 rendered any ruling, given any opinion, or been otherwise
25 substantially and directly involved at any time during the course of
26 his office or employment.

27 b. A member of the Legislature, subsequent to the termination
28 of the member's office, shall not accept, from a charitable or non-
29 profit organization that has received funding in an amount greater
30 than \$500 from the candidate committee of that member pursuant to
31 paragraph (2) of subsection a. of section 17 of P.L.1993, c.65
32 (C.19:44A-11.2), any compensation, fee, gift, honoraria or thing of
33 value for services performed for the organization, or for
34 representation, appearance, or negotiation on behalf of the
35 organization, or for information provided to the organization,
36 whether by himself or through any partnership, firm or corporation
37 in which the former member has an interest or through any partner,
38 officer or employee thereof, within five years following the receipt
39 of funding by the organization.

40 c. Any person who willfully violates the provisions of this
41 section is a disorderly person, and shall be subject to a fine not to
42 exceed **[\$500.00]** \$1,000 or imprisonment not to exceed six
43 months, or both. For a violation of subsection b. of this section,
44 reimbursement of the amount of the compensation, fee, gift,
45 honoraria or thing of value to the charitable or nonprofit
46 organization shall be ordered.

47 (cf: P.L.1987, c.432, s.4)

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.

2. (New section) a. A person elected to any office of a local government agency, subsequent to the termination of the person's office, shall not accept, from a charitable or non-profit organization that has received funding in an amount greater than \$500 from the candidate committee of that person pursuant to paragraph (2) of subsection a. of section 17 of P.L.1993, c.65 (C.19:44A-11.2), any compensation, fee, gift, honoraria or thing of value for services performed for the organization, or for representation, appearance, or negotiation on behalf of the organization, or for information provided to the organization, whether by himself or through any partnership, firm or corporation in which the person has an interest or through any partner, officer or employee thereof, within five years following the receipt of funding by the organization.

b. Any person who willfully violates this section is a disorderly person, and shall be subject to a fine not to exceed \$1,000 or imprisonment not to exceed six months, or both. For a violation of subsection a. of this section, reimbursement of the amount of the compensation, fee, gift, honoraria or thing of value to the charitable or nonprofit organization shall be ordered.

3. (New section) a. An elected member of a board of education, subsequent to the termination of the person's office, shall not accept, from a charitable or non-profit organization that has received funding in an amount greater than \$500 from the candidate committee of that person pursuant to paragraph (2) of subsection a. of section 17 of P.L.1993, c.65 (C.19:44A-11.2), any compensation, fee, gift, honoraria or thing of value for services performed for the organization, or for representation, appearance, or negotiation on behalf of the organization, or for information provided to the organization, whether by himself or through any partnership, firm or corporation in which the person has an interest or through any partner, officer or employee thereof, within five years following the receipt of funding by the organization.

b. Any person who willfully violates this section is a disorderly person, and shall be subject to a fine not to exceed \$1,000 or imprisonment not to exceed six months, or both. For a violation of subsection a. of this section, reimbursement of the amount of the compensation, fee, gift, honoraria or thing of value to the charitable or nonprofit organization shall be ordered.

41 4. This act shall take effect immediately.

STATEMENT

46 This bill prohibits a former member of the Legislature, former
47 elected county and municipal official and former elected school
48 board member from receiving any compensation, fee, gift,

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1 honoraria or thing of value, for services performed, from a
2 charitable or non-profit organization when the organization received
3 funding in an amount greater than \$500 from the political
4 contributions held by the candidate committee of that former
5 elected official. This prohibition would apply for a period of five
6 years following the receipt of funding by the organization and
7 would apply also to the partnership, firm or corporation in which
8 the former elected official has an interest or any partner, officer or
9 employee thereof. A willful violation of this prohibition would be a
10 disorderly persons offense and punishable by a fine of \$1,000,
11 imprisonment of six months, or both. Reimbursement would also
12 be required.