

ASSEMBLY, No. 1802

STATE OF NEW JERSEY

INTRODUCED MARCH 28, 1996

By Assemblyman GUSCIORA, Assemblywomen WEINBERG,
Buono and Assemblyman Barnes

1 AN ACT limiting certain campaign contributions, abolishing the
2 formation and use of legislative leadership committees, amending
3 various parts of the statutory law, supplementing P.L.1973, c.83,
4 and repealing section 16 of P.L.1993, c.65.

5

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

8

9 1. (New section) This act shall be known and may be cited as "The
10 Clean Elections Act of 1996."

11

12 2. Section 3 of P.L.1973, c.83 (C.19:44A-3) is amended to read as
13 follows:

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

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

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

18 c. The term "candidate" means: (1) an individual seeking
19 nomination for election or election to a public office of the State or of
20 a county, municipality or school district at an election; except that the
21 term shall not include an individual seeking party office; [and] (2) an
22 individual who shall have been elected [or failed of election] to an
23 office, other than a party office, for which he sought election and who
24 receives contributions and makes expenditures for any of the purposes
25 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during the
26 period of his service in that office; and (3) an individual who, having
27 sought such nomination for election or election to an office, other than
28 a party office, shall have failed of such nomination or election, but
29 with respect to whose candidate committee or joint candidates
30 committee, notwithstanding such failure, no certification that the
31 election fund of that committee has wound up and been dissolved shall
32 have been filed under subsection b. of section 16 of P.L.1973, c.83
33 (C.19:44A-16).

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

Matter underlined thus is new matter.

1 d. The terms "contributions" and "expenditures" include all loans
2 and transfers of money or other thing of value to or by any candidate,
3 candidate committee, joint candidates committee, political committee,
4 continuing political committee[,] or political party committee [or
5 legislative leadership committee] and all pledges or other commitments
6 or assumptions of liability to make any such transfer; and for purposes
7 of reports required under the provisions of this act shall be deemed to
8 have been made upon the date when such commitment is made or
9 liability assumed.

10 e. The term "election" means any election described in section 4 of
11 this act.

12 f. The term "paid personal services" means personal, clerical,
13 administrative or professional services of every kind and nature
14 including, without limitation, public relations, research, legal,
15 canvassing, telephone, speech writing or other such services,
16 performed other than on a voluntary basis, the salary, cost or
17 consideration for which is paid, borne or provided by someone other
18 than the committee, candidate or organization for whom such services
19 are rendered. In determining the value, for the purpose of reports
20 required under this act, of contributions made in the form of paid
21 personal services, the person contributing such services shall furnish
22 to the treasurer through whom such contribution is made a statement
23 setting forth the actual amount of compensation paid by said
24 contributor to the individuals actually performing said services for the
25 performance thereof. But if any individual or individuals actually
26 performing such services also performed for the contributor other
27 services during the same period, and the manner of payment was such
28 that payment for the services contributed cannot readily be segregated
29 from contemporary payment for the other services, the contributor
30 shall in his statement to the treasurer so state and shall either (1) set
31 forth his best estimate of the dollar amount of payment to each such
32 individual which is attributable to the contribution of his paid personal
33 services, and shall certify the substantial accuracy of the same, or (2)
34 if unable to determine such amount with sufficient accuracy, set forth
35 the total compensation paid by him to each such individual for the
36 period of time during which the services contributed by him were
37 performed. If any candidate is a holder of public office to whom there
38 is attached or assigned, by virtue of said office, any aide or aides
39 whose services are of a personal or confidential nature in assisting him
40 to carry out the duties of said office, and whose salary or other
41 compensation is paid in whole or part out of public funds, the services
42 of such aide or aides which are paid for out of public funds shall be for
43 public purposes only; but they may contribute their personal services,
44 on a voluntary basis, to such candidate for election campaign
45 purposes.

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

1 h. The term "political information" means any statement including,
2 but not limited to, press releases, pamphlets, newsletters,
3 advertisements, flyers, form letters, or radio or television programs or
4 advertisements which reflects the opinion of the members of the
5 organization on any candidate or candidates for public office, on any
6 public question, or which contains facts on any such candidate, or
7 public question whether or not such facts are within the personal
8 knowledge of members of the organization.

9 i. The term "political committee" means any two or more persons
10 acting jointly, or any corporation, partnership, or any other
11 incorporated or unincorporated association which is organized to, or
12 does, aid or promote the nomination, election or defeat of any
13 candidate or candidates for public office, or which is organized to, or
14 does, aid or promote the passage or defeat of a public question in any
15 election, if the persons, corporation, partnership or incorporated or
16 unincorporated association raises or expends \$1,000.00 or more to so
17 aid or promote the nomination, election or defeat of a candidate or
18 candidates or the passage or defeat of a public question; provided that
19 for the purposes of this act, the term "political committee" shall not
20 include a "continuing political committee," as defined by subsection n.
21 of this section, a "political party committee," as defined by subsection
22 p. of this section, a "candidate committee," as defined by subsection
23 q. of this section[,] or a "joint candidates committee," as defined by
24 subsection r. of this section [or a "legislative leadership committee,"
25 as defined by subsection s. of this section].

26 j. The term "public solicitation" means any activity by or on behalf
27 of any candidate, political committee, continuing political committee,
28 candidate committee, joint candidates committee[, legislative
29 leadership committee] or political party committee whereby either (1)
30 members of the general public are personally solicited for cash
31 contributions not exceeding \$20.00 from each person so solicited and
32 contributed on the spot by the person so solicited to a person soliciting
33 or through a receptacle provided for the purpose of depositing
34 contributions, or (2) members of the general public are personally
35 solicited for the purchase of items having some tangible value as
36 merchandise, at a price not exceeding \$20.00 per item, which price is
37 paid on the spot in cash by the person so solicited to the person so
38 soliciting, when the net proceeds of such solicitation are to be used by
39 or on behalf of such candidate, political committee, continuing
40 political committee, candidate committee, joint candidates committee
41 [, legislative leadership committee] or political party committee.

42 k. The term "testimonial affair" means an affair of any kind or
43 nature including, without limitation, cocktail parties, breakfasts,
44 luncheons, dinners, dances, picnics or similar affairs directly or
45 indirectly intended to raise campaign funds in behalf of a person who
46 holds, or who is or was a candidate for nomination or election to a

1 public office in this State, or directly or indirectly intended to raise
2 funds in behalf of any political party committee or in behalf of a
3 political committee, continuing political committee, candidate
4 committee[,] or joint candidates committee [or legislative leadership
5 committee].

6 1. The term "other thing of value" means any item of real or
7 personal property, tangible or intangible, but shall not be deemed to
8 include personal services other than paid personal services.

9 m. The term "qualified candidate" means:

10 (1) Any candidate for election to the office of Governor whose
11 name appears on the general election ballot; who has deposited and
12 expended \$150,000.00 pursuant to section 7 of P.L.1974, c.26
13 (C.19:44A-32); and who, not later than September 1 preceding a
14 general election in which the office of Governor is to be filled, (a)
15 notifies the Election Law Enforcement Commission in writing that the
16 candidate intends that application will be made on the candidate's
17 behalf for monies for general election campaign expenses under
18 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)
19 signs a statement of agreement, in a form to be prescribed by the
20 commission, to participate in two interactive gubernatorial election
21 debates under the provisions of sections 9 through 11 of P.L.1989, c.4
22 (C.19:44A-45 through C.19:44A-47); or

23 (2) Any candidate for election to the office of Governor whose
24 name does not appear on the general election ballot; who has
25 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 September 1
27 preceding a general election in which the office of Governor is to be
28 filled, (a) notifies the Election Law Enforcement Commission in
29 writing that the candidate intends that application will be made on the
30 candidate's behalf for monies for general election campaign expenses
31 under subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and
32 (b) signs a statement of agreement, in a form to be prescribed by the
33 commission, to participate in two interactive gubernatorial election
34 debates under the provisions of sections 9 through 11 of P.L.1989, c.4
35 (C.19:44A-45 through C.19:44A-47); or

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

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

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

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

36 o. The term "statement of agreement" means a written declaration,
37 by a candidate for nomination for election or for election to the office
38 of Governor who intends that application will be made on that
39 candidate's behalf to receive monies for primary election or general
40 election campaign expenses under subsection a. or subsection b.,
41 respectively, of section 8 of P.L.1974, c.26 (C.19:44A-33), that the
42 candidate undertakes to abide by the terms of any rules established by
43 any private organization sponsoring a gubernatorial primary or general
44 election debate, as appropriate, to be held under the provisions of
45 sections 9 through 11 of P.L.1989, c.4 (C.19:44A-45 through
46 C.19:44A-47) and in which the candidate is to participate. The

1 statement of agreement shall include an acknowledgment of notice to
2 the candidate who signs it that failure on that candidate's part to
3 participate in any of the gubernatorial debates may be cause for the
4 termination of the payment of such monies on the candidate's behalf
5 and for the imposition of liability for the return to the commission of
6 such monies as may previously have been so paid.

7 p. The term "political party committee" means the State committee
8 of a political party, as organized pursuant to R.S.19:5-4, any county
9 committee of a political party, as organized pursuant to R.S.19:5-3, or
10 any municipal committee of a political party, as organized pursuant to
11 R.S.19:5-2.

12 q. The term "candidate committee" means a committee established
13 pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9)
14 for the purpose of receiving contributions and making expenditures.

15 r. The term "joint candidates committee" means a committee
16 established pursuant to subsection a. of section 9 of P.L.1973, c.83
17 (C.19:44A-9) by at least two candidates for the same elective public
18 offices in the same election in a legislative district, county,
19 municipality or school district, but not more candidates than the total
20 number of the same elective public offices to be filled in that election,
21 for the purpose of receiving contributions and making expenditures.
22 For the purpose of this subsection: the offices of member of the Senate
23 and members of the General Assembly shall be deemed to be the same
24 elective public offices in a legislative district; the offices of member of
25 the board of chosen freeholders and county executive shall be deemed
26 to be the same elective public offices in a county; and the offices of
27 mayor and member of the municipal governing body shall be deemed
28 to be the same elective public offices in a municipality.

29 s. [The term "legislative leadership committee" means a committee
30 established, authorized to be established, or designated by the
31 President of the Senate, the Minority Leader of the Senate, the
32 Speaker of the General Assembly or the Minority Leader of the
33 General Assembly pursuant to section 16 of P.L.1993, c.65
34 (C.19:44A-10.1) for the purpose of receiving contributions and
35 making expenditures.] (Deleted by amendment, P.L. , c. .)
36 (cf: P.L.1995, c.194, s.1.)

37

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

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

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

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

27 Each campaign treasurer of a political committee shall file written
28 notice with the commission of a contribution in excess of ~~[\$500]~~ \$75
29 received during the period between the 13th day prior to the election
30 and the date of the election, and of an expenditure of money or other
31 thing of value in excess of ~~[\$500]~~ \$75 made, incurred or authorized by
32 the political committee to support or defeat a candidate in an election,
33 or to aid the passage or defeat of any public question, during the
34 period between the 13th day prior to the election and the date of the
35 election. The notice of a contribution shall be filed in writing or by
36 telegram within 48 hours of the receipt of the contribution and shall
37 set forth the amount and date of the contribution, the name and
38 mailing address of the contributor, and where the contributor is an
39 individual, the individual's occupation and the name and mailing
40 address of the individual's employer. The notice of an expenditure
41 shall be filed in writing or by telegram within 48 hours of the making,
42 incurring or authorization of the expenditure and shall set forth the
43 name and mailing address of the person, firm or organization to whom
44 or which the expenditure was paid and the amount and purpose of the
45 expenditure.

46 (2) When a political committee or an individual seeking party office

1 makes or authorizes an expenditure on behalf of a candidate, it shall
2 provide immediate written notification to the candidate of the
3 expenditure.

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

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

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

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

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

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

11 If any continuing political committee submitting cumulative
12 quarterly reports as provided under this subsection receives a
13 contribution from a single source of more than ~~[\$500]~~ \$75 after the
14 final day of a quarterly reporting period and on or before a primary,
15 general, municipal, school or special election which occurs after that
16 final day but prior to the final day of the next reporting period it shall,
17 in writing or by telegram, report that contribution to the commission
18 within 48 hours of the receipt thereof, including in that report the
19 amount and date of the contribution; the name and mailing address of
20 the contributor; and where the contributor is an individual, the
21 individual's occupation and the name and mailing address of the
22 individual's employer. If any continuing political committee makes or
23 authorizes an expenditure of money or other thing of value in excess
24 of ~~[\$500]~~ \$75, or incurs any obligation therefor, to support or defeat
25 a candidate in an election, or to aid the passage or defeat of any public
26 question, after March 31 and on or before the day of the primary
27 election, or after September 30 and on or before the day of the general
28 election, it shall, in writing or by telegram, report that expenditure to
29 the commission within 48 hours of the making, authorizing or
30 incurring thereof.

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

41 c. Each political party committee [and each legislative leadership
42 committee] shall file with the Election Law Enforcement Commission,
43 not later than April 15, July 15, October 15 and January 15 of each
44 calendar year, a cumulative quarterly report of all moneys, loans, paid
45 personal services or other things of value contributed to it during the
46 period ending on the 15th day preceding that date and commencing on

1 January 1 of that calendar year or, in the case of the cumulative
2 quarterly report to be filed not later than January 15, of the previous
3 calendar year, and all expenditures made, incurred, or authorized by
4 it during the period, whether or not such expenditures were made,
5 incurred or authorized in furtherance of the election or defeat of any
6 candidate, or in aid of the passage or defeat of any public question or
7 to provide information on any candidate or public question.

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

24 If a political party committee [or a legislative leadership committee]
25 submitting cumulative quarterly reports as provided under this
26 subsection receives a contribution from a single source of more than
27 [\$500] \$75 after the final day of a quarterly reporting period and on
28 or before a primary, general, municipal, school or special election
29 which occurs after that final day but prior to the final day of the next
30 reporting period it shall, in writing or by telegram, report that
31 contribution to the commission within 48 hours of the receipt thereof,
32 including in that report the amount and date of the contribution; the
33 name and mailing address of the contributor; and where the
34 contributor is an individual, the individual's occupation and the name
35 and mailing address of the individual's employer.

36 d. In any report filed pursuant to the provisions of this section the
37 organization or committee reporting may exclude from the report the
38 name of and other information relating to any contributor whose
39 contributions during the period covered by the report did not exceed
40 [\$200] \$50, provided, however, that (1) such exclusion is unlawful if
41 any person responsible for the preparation or filing of the report knew
42 that it was made with respect to any person whose contributions
43 relating to the same election or issue and made to the reporting
44 organization or committee aggregate, in combination with the
45 contribution in respect of which such exclusion is made, more than
46 [\$200] \$50 and (2) any person who knowingly prepares, assists in

1 preparing, files or acquiesces in the filing of any report from which the
2 identification of a contributor has been excluded contrary to the
3 provisions of this section is subject to the provisions of section 21 of
4 this act, but (3) nothing in this proviso shall be construed as requiring
5 any committee or organization reporting pursuant to this act to report
6 the amounts, dates or other circumstantial data regarding
7 contributions made to any other organization or political committee,
8 political party committee or campaign organization of a candidate.

9 Any report filed pursuant to the provisions of this section shall
10 include an itemized accounting of all receipts and expenditures relative
11 to any testimonial affairs held since the date of the most recent report
12 filed, which accounting shall include the name and mailing address of
13 each contributor in excess of ~~[\$200]~~ \$50 to such testimonial affair and
14 the amount contributed by each; in the case of an individual
15 contributor, the occupation of the individual and the name and mailing
16 address of the individual's employer; the expenses incurred; and the
17 disposition of the proceeds of such testimonial affair.

18 e. A political committee shall be exempt from any requirement to
19 file reports pursuant to this section of contributions received or
20 expenditures made in behalf of two or more joint candidates in any
21 election if the committee files with the Election Law Enforcement
22 Commission a sworn statement to the effect that the total amount to
23 be expended on behalf of their candidacies shall not exceed
24 ~~[\$4,000.00]~~ \$2,000; provided, that if a committee which has filed such
25 a sworn statement receives contributions from any one source
26 aggregating more than ~~[\$200.00]~~ \$50, it shall forthwith report that
27 fact, including the name and mailing address of the source; where the
28 source is an individual, the occupation of the individual and the name
29 and mailing address of the individual's employer; and the aggregate
30 total of contributions from the source to the commission. Any sworn
31 statement under this subsection may be filed with the notice of
32 designation by a political committee of a campaign treasurer and
33 campaign depository under section 10 of P.L.1973, c.83
34 (C.19:44A-10), if that committee knows or has reason to believe, at
35 the time when the notice of designation is given, that the total amount
36 to be so expended shall not exceed ~~[\$4,000.00]~~ \$2,000.

37 f. All individuals and committees required to file reports with the
38 commission pursuant to the provisions of this section may do so by
39 electronic means, following such procedures and using such equipment
40 as shall be prescribed or furnished by the commission.

41 (cf: P.L.1993, c.65, s.3)

42

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

45 9. a. Unless already established, each candidate, as defined in
46 paragraph (1) of subsection c. of section 3 of P.L.1973, c.83

1 (C.19:44A-3), shall, no later than the date on which that candidate
2 first receives any contribution or makes or incurs any expenditures in
3 connection with an election, establish (1) a candidate committee, (2)
4 a joint candidates committee, or (3) both, for the purpose of receiving
5 contributions and making expenditures. No person serving as the
6 chairman of a political party committee [or a legislative leadership
7 committee] shall be eligible to be appointed or to serve as the
8 chairman of a candidate committee or joint candidates committee,
9 other than a candidate committee or joint candidates committee
10 established to further the nomination for election or the election of
11 that person as a candidate for public office. Subsequent to an election,
12 a candidate, whether or not successful in that election, shall maintain
13 a candidate committee or a joint candidates committee so long as
14 contributions are received or expenditures made by that former
15 candidate. An elected officeholder who receives contributions and
16 who has not maintained a candidate committee or a joint candidates
17 committee shall establish a candidate committee, a joint candidates
18 committee, or both, in a timely manner for the purpose of receiving
19 contributions and making expenditures.

20 b. The candidate or candidates, as the case may be, shall file with
21 the Election Law Enforcement Commission a certificate of
22 organization on a form prescribed by the commission. The certificate
23 shall identify the name of the committee, which shall be the sole name
24 under which the committee receives contributions, makes
25 expenditures, and otherwise does business and which shall include the
26 surname or surnames, as appropriate, of the candidate or candidates,
27 except that in the case of a joint candidates committee, the name of the
28 committee, the name of the committee need not include such surnames
29 if it identifies the legislative district, county, municipality or other
30 jurisdiction in which the candidates jointly seek nomination for
31 election or election and, in any case in which they seek nomination for
32 election or election as the candidates of a political party, the name of
33 that party, provided that no joint candidates committee so named shall
34 take the same name as that of any committee of a political party or
35 another joint candidates committee. In the case of a candidate
36 committee, the name of the committee shall identify the office sought
37 by the candidate. The certificate shall provide for the initial
38 appointment by the candidate, or candidates, of a campaign treasurer
39 and for the designation by the candidate, or candidates, of that
40 treasurer of the candidate committee, or joint candidates committee,
41 as the campaign treasurer of the candidate, or candidates, for the
42 purposes of subsection a. of section 8 of P.L.1973, c.83 (C.19:44A-8)
43 and shall generally identify and be signed by the candidate, or
44 candidates, and the chairman and the treasurer of the candidate
45 committee or joint candidates committee, as the case may be. No
46 person serving as the chairman of a political party committee [or a

1 legislative leadership committee] shall be eligible to be appointed or
2 to serve as the treasurer of a candidate committee or joint candidates
3 committee, other than a candidate committee or joint candidates
4 committee established to further the nomination for election or the
5 election of that person as a candidate for public office. The certificate
6 shall be filed prior to or simultaneously with the filing of a notification
7 of the designation of a campaign depository as provided under
8 subsection c. of this section. Upon the filing of such a certificate of
9 organization and until the termination of the committee, the candidate
10 committee or joint candidates committee shall file the reports which
11 the campaign treasurer or treasurers of the candidate or candidates
12 would otherwise be required to file under subsection a. of section 16
13 of P.L.1973, c.83 (C.19:44A-16).

14 c. Each candidate, or the candidates comprising a joint candidates
15 committee, shall designate a campaign depository. Any bank
16 authorized by law to transact business in the State may be designated
17 as the campaign depository. Notification of the designation of the
18 campaign depository shall be made by the candidate's, candidates' or
19 committee's filing the name and address of such depository with the
20 Election Law Enforcement Commission no later than the tenth day
21 after receipt by the candidate or the committee of any contribution on
22 behalf of the candidate or candidates or after the making or incurring
23 by the candidate or candidates of any expenditure on behalf of that
24 candidacy, whichever comes first.

25 d. Each candidate and campaign treasurer shall certify the
26 correctness of each report filed by the candidate committee or joint
27 candidates committee with the commission and that each report
28 conforms with the limitations on contributions and expenditures
29 provided for in sections 18, 19 and 20 of P.L.1993, c.65
30 (C.19:44A-11.3, C.19:44A-11.4 and C.19:44A-11.5).

31 e. A campaign treasurer of a candidate or candidates may appoint
32 deputy campaign treasurers as required and may designate additional
33 campaign depositories in each county in which the campaign is
34 conducted. The candidate or candidates shall file the names and
35 addresses of deputy campaign treasurers and additional campaign
36 depositories with the Election Law Enforcement Commission.

37 f. A candidate or candidates may remove a campaign treasurer or
38 deputy campaign treasurer. In the case of the death, resignation or
39 removal of a campaign treasurer, the candidate or candidates shall
40 appoint a successor as soon as practicable and shall file the name and
41 address of that person with the Election Law Enforcement
42 Commission within three days. A candidate may serve as his or her
43 own campaign treasurer. One of the candidates in a joint candidates
44 committee may serve as the campaign treasurer of the entire
45 committee.

46 g. An individual who is a candidate for two or more public offices

1 in an election or in separate elections shall establish separate candidate
2 committees or separate joint candidates committees or both for each
3 office contested.

4 h. (1) On and after the 366th day following the effective date of
5 P.L.1993, c.65, no candidate shall establish, authorize the
6 establishment of, maintain, or participate directly or indirectly in the
7 management or control of, any political committee or any continuing
8 political committee. Within one year after the enactment of this act,
9 every candidate who maintains, or who participates either directly or
10 indirectly in the management or control of, one or more political
11 committees or one or more continuing political committees, or both,
12 shall wind up or cause to be wound up the affairs of those committees
13 in accordance with the provisions of section 8 of P.L.1973, c.83
14 (C.19:44A-8) and transfer all of the funds therein into a candidate
15 committee or a joint candidates committee. All funds thus transferred
16 shall be subject to the provisions of section 17 of P.L.1993, c.65
17 (C.19:44A-11.2).

18 (2) [The person or persons having control over a legislative
19 leadership committee shall not be required to wind up the affairs of
20 that committee but shall be required to conform to the requirements
21 of paragraph (1) of this subsection with regard to any other political
22 committees or continuing political committees under the control of the
23 person or persons and used by that person for the purpose of receiving
24 contributions and making expenditures.](Deleted by amendment,
P.L. , c. .)

26 i. No candidate committee or joint candidates committee shall be
27 organized or used for the sole purpose of receiving contributions and
28 making contributions to or expenditures on behalf of another candidate
29 committee, joint candidates committee, a political committee,
30 continuing political committee or political party committee.

31 (cf: P.L.1995, c.194, s.2)

32

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

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

41 Every political committee may designate a chairman of the
42 committee, but no person serving as the chairman of a political party
43 committee [or a legislative leadership committee] shall be eligible to
44 be appointed or to serve as the chairman of a political committee.
45 Every political committee shall, not later than the date on which it first
46 receives any contribution or makes or incurs any expenditure in the

1 furtherance or aid of the election or defeat of any candidate or the
2 passage or defeat of any public question, appoint a single campaign
3 treasurer and designate a campaign depository, but no person serving
4 as the chairman of a political party committee [or a legislative
5 leadership committee] shall be eligible to be appointed or to serve as
6 the campaign treasurer of a political committee. Not later than the
7 tenth day after the initial designation of the campaign depository, the
8 committee shall file the name and address of the depository, and of the
9 campaign treasurer, with the Election Law Enforcement Commission.

10 Every continuing political committee shall, not later than the date
11 on which it first receives any contribution or makes or incurs any
12 expenditure in the furtherance or aid of the election or defeat of any
13 candidate or the passage or defeat of any public question, appoint a
14 single organizational treasurer and designate an organizational
15 depository, provided that no person who is the chairman of a political
16 party committee [or a legislative leadership committee] shall be
17 eligible to be appointed or to serve as the organizational treasurer of
18 a continuing political committee. Not later than the tenth day after the
19 initial designation of the organizational depository, the committee shall
20 file the name and address of the depository, and of the organizational
21 treasurer, with the Election Law Enforcement Commission.

22 [Every legislative leadership committee shall, not later than the date
23 on which it first receives any contribution or makes or incurs any
24 expenditure in the furtherance or aid of the election or defeat of any
25 candidate or the passage or defeat of any public question, appoint a
26 single organizational treasurer and designate an organizational
27 depository. Not later than the tenth day after the initial designation of
28 the organizational depository, the committee shall file the name and
29 address of the depository, and of the organizational treasurer, with the
30 Election Law Enforcement Commission.]

31 An organizational treasurer of a political party committee[,] or a
32 continuing political committee[, or a legislative leadership committee]
33 and a campaign treasurer of a political committee may appoint deputy
34 organizational or campaign treasurers as may be required and may
35 designate additional organizational or campaign depositories. Such
36 committees shall file the names and addresses of such deputy
37 treasurers and additional depositories with the Election Law
38 Enforcement Commission not later than the fifth day after their
39 appointment or designation, respectively.

40 Any political party committee, any political committee[,] and any
41 continuing political committee [and any legislative leadership
42 committee] may remove its organizational or campaign treasurer or
43 deputy treasurer. In the case of the death, resignation or removal of
44 its organizational or campaign treasurer, the committee shall appoint
45 a successor as soon as practicable and shall file his name and address
46 with the Election Law Enforcement Commission within three days.

1 (cf: P.L.1993, c.65, s.5)

2

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

5 11. No contribution of money or other thing of value, nor
6 obligation therefor, including but not limited to contributions, loans or
7 obligations of a candidate himself or of his family, shall be made or
8 received, and no expenditure of money or other thing of value, nor
9 obligation therefor, including expenditures, loans or obligations of a
10 candidate himself or of his family, shall be made or incurred, directly
11 or indirectly, to support or defeat a candidate in any election, or to aid
12 the passage or defeat of any public question, except through:

13 a. The duly appointed campaign treasurer or deputy campaign
14 treasurers of the candidate committee or joint candidates committee;

15 b. The duly appointed organizational treasurer or deputy
16 organizational treasurers of a political party committee or a continuing
17 political committee; or

18 c. The duly appointed campaign treasurer or deputy campaign
19 treasurers of a political committee[; or] .

20 d. [The duly appointed organizational treasurer or deputy
21 organizational treasurer of a legislative leadership committee.](Deleted
22 by amendment, P.L. , c. .)

23 It shall be lawful, however, for any person, not acting in concert
24 with any other person or group, to expend personally from his own
25 funds a sum which is not to be repaid to him for any purpose not
26 prohibited by law, or to contribute his own personal services and
27 personal traveling expenses, to support or defeat a candidate or to aid
28 the passage or defeat of a public question; provided, however, that any
29 person making such expenditure shall be required to report his or her
30 name and mailing address and the amount of all such expenditures and
31 expenses, except personal traveling expenses, if the total of the money
32 so expended, exclusive of such traveling expenses, exceeds [\$500]
33 \$75, and also, where the person is an individual, to report the
34 individual's occupation and the name and mailing address of the
35 individual's employer, to the Election Law Enforcement Commission
36 at the same time and in the same manner as a political committee
37 subject to the provisions of section 8 of this act.

38 No contribution of money shall be made in currency, except
39 contributions in response to a public solicitation, provided that
40 cumulative currency contributions of up to [\$200] \$50 may be made
41 to a candidate committee or joint candidates committee, a political
42 committee, a continuing political committee[, a legislative leadership
43 committee] or a political party committee if the contributor submits
44 with the currency contribution a written statement of a form as
45 prescribed by the commission, indicating the contributor's name,
46 mailing address and occupation and the amount of the contribution,

1 including the contributor's signature and the name and mailing address
2 of the contributor's employer.

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

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

17 All contributions of money to a candidate or a committee from any
18 source that exceed \$25 shall be in the form of a check or money order
19 and shall include the name, mailing address and occupation or business
20 of the contributor, and, if the contributor is an individual, the name
21 and mailing address of that individual's employer. Any such
22 contribution in excess of \$25 that does not include the name, mailing
23 address and occupation or business of the contributor, and, if the
24 contributor is an individual, the name and mailing address of that
25 individual's employer shall be returned unredeemed to the contributor.

26

27 (cf: P.L.1995, c.391, s.3)

28

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

31 12. An organizational or campaign treasurer or deputy
32 organizational or campaign treasurer of a candidate committee or joint
33 candidates committee, a political committee, a continuing political
34 committee[,] or a political party committee [or a legislative leadership
35 committee] shall make a written record of all funds which he receives
36 as contributions to the candidate committee, joint candidates
37 committee, political committee, continuing political committee[,] or
38 political party committee [or legislative leadership committee],
39 including in that record the name and mailing address of the
40 contributor, the amount and date of the contribution, and where the
41 contributor is an individual, the occupation of the individual and the
42 name and mailing address of the individual's employer. The
43 organizational or campaign treasurer shall retain that record for a
44 period of not less than four years. All funds so received shall be
45 deposited by the campaign or organizational treasurer or deputy
46 campaign or organizational treasurer in a campaign depository of the

1 candidate committee or joint candidates committee, the continuing
2 political committee, political committee[,] or political party committee
3 [or legislative leadership committee] no later than the tenth calendar
4 day following receipt of such funds; except that any such treasurer or
5 deputy treasurer may, when authorized by the candidate, candidates or
6 committee of which he is the campaign or organizational treasurer or
7 deputy campaign or organizational treasurer, transfer any such funds
8 to the duly designated campaign or organizational treasurer or deputy
9 campaign or organizational treasurer of another candidate or
10 committee, for inclusion in the campaign depository thereof, without
11 first so depositing them; provided, however, that the amount so
12 transferred shall not be in excess of the amount that may be
13 contributed by one candidate to another candidate in an election
14 pursuant to section 18 of P.L.1993, c.65 (C.19:44A-11.3), but this
15 proviso shall not be construed to prohibit a county or municipal
16 committee of a political party from making a contribution or
17 contributions, or from transferring funds as hereinabove authorized, to
18 any candidate, candidate committee, joint candidates committee,
19 political committee, continuing political committee[,] or political party
20 committee[, or legislative leadership committee]. A record of all
21 nondeposited funds so transferred shall be attached to the statement
22 required under this section, identifying them as to source and amount
23 in the same manner as deposited funds.

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

25

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

28 16. a. The campaign treasurer of each candidate committee and
29 joint candidates committee shall make a full cumulative report, upon
30 a form prescribed by the Election Law Enforcement Commission, of
31 all contributions in the form of moneys, loans, paid personal services
32 or other things of value, made to him or to the deputy campaign
33 treasurers of the candidate committee or joint candidates committee,
34 and all expenditures paid out of the election fund of the candidate or
35 candidates, during the period ending with the second day preceding the
36 date of the cumulative report and beginning on the date of the first of
37 those contributions, the date of the first of those expenditures, or the
38 date of the appointment of the campaign treasurer, whichever occurred
39 first. The report shall also contain the name and mailing address of
40 each person or group from whom moneys, loans, paid personal
41 services or other things of value were contributed after the second day
42 preceding the date of the previous cumulative report and the amount
43 contributed by each person or group, and where an individual has
44 made such contributions, the report shall indicate the occupation of the
45 individual and the name and mailing address of the individual's
46 employer. In the case of any loan reported pursuant to this section,

1 the report shall further contain the name and mailing address of each
2 person who cosigns such loan, the occupation of the person and the
3 name and mailing address of the person's employer. If no moneys,
4 loans, paid personal services or other things of value were contributed,
5 the report shall so indicate, and if no expenditures were paid or
6 incurred, the report shall likewise so indicate. The campaign treasurer
7 and the candidate or several candidates shall certify the correctness of
8 the report.

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

32 The Election Law Enforcement Commission shall promulgate
33 regulations providing for the termination of post-election campaign
34 reporting requirements applicable to political committees, candidate
35 committees and joint candidates committees. The requirements to file
36 quarterly reports after the first post-election report may be waived by
37 the commission, notwithstanding that the certification has not been
38 filed, if the commission determines under any regulations so
39 promulgated that the outstanding obligations of the political
40 committee, candidate committee or joint candidates committee do not
41 exceed 10% of the expenditures of the campaign fund with respect to
42 the election or \$1,000.00, whichever is less, or are likely to be
43 discharged or forgiven.

44 A candidate committee or joint candidates committee shall file with
45 the Election Law Enforcement Commission, not later than April 15,
46 July 15, October 15 of each calendar year in which the candidate or

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

21 The commission, on any form it shall prescribe for the reporting of
22 expenditures by a candidate committee or joint candidates committee,
23 shall provide for the grouping together of all expenditures under the
24 category of "campaign expenses" under paragraph (1) of subsection a.
25 of section 17 of P.L.1993, c.65, identified as such, and for the
26 grouping together, separately, of all other expenditures under the
27 categories prescribed by paragraphs (2) through (6) of that subsection.
28 The cumulative quarterly report due on April 15 in a year immediately
29 after the year in which the candidate or candidates does or do run for
30 election or reelection shall contain a report of all of the contributions
31 received and expenditures made by the candidate or candidates since
32 the 18th day after that election.

33 The cumulative quarterly report shall contain the name and mailing
34 address of each person or group from whom moneys, loans, paid
35 personal services or other things of value have been contributed and
36 the amount contributed by each person or group, and where an
37 individual has made such contributions, the report shall indicate the
38 occupation of the individual and the name and mailing address of the
39 individual's employer. In the case of any loan reported pursuant to this
40 section, the report shall contain the name and address of each person
41 who cosigns such loan, and where an individual has cosigned such
42 loans, the report shall indicate the occupation of the individual and the
43 name and mailing address of his employer. The report shall also
44 contain the name and address of each person, firm or organization to
45 whom expenditures have been paid and the amount and purpose of
46 each such expenditure. The treasurer of the candidate committee or

1 joint candidates committee and the candidate or candidates shall
2 certify to the correctness of each cumulative quarterly report.

3 c. In the case of an election of a candidate for an office elected by
4 a municipal or countywide constituency or a school district a duplicate
5 copy of the campaign treasurer's report, duly certified, shall be filed at
6 the same time with the county clerk of the county in which the
7 candidate resides and the county clerk shall retain a written record of
8 that filing for a period of not less than four years following the date of
9 the election.

10 d. There shall be no obligation to file the reports required by this
11 section on behalf of a candidate if such candidate files with the
12 Election Law Enforcement Commission a sworn statement to the
13 effect that the total amount to be expended in behalf of his candidacy
14 by the candidate committee, by any political party committee, by any
15 political committee, or by any person shall not in the aggregate exceed
16 ~~[\$2,000.00]~~ \$1,000 or ~~[\$4,000]~~ \$2,000 for any joint candidates
17 committee containing two candidates or ~~[\$6,000]~~ \$3,000 for any joint
18 candidates committee containing three or more candidates. The sworn
19 statement may be submitted at the time when the name and address of
20 the campaign treasurer and depository is filed with the Election Law
21 Enforcement Commission, provided that in any case the sworn
22 statement is filed no later than the 29th day before an election. If a
23 candidate who has filed such a sworn statement receives contributions
24 from any one source aggregating more than ~~[\$200]~~ \$50 he shall
25 forthwith make report of the same, including the name and mailing
26 address of the source and the aggregate total of contributions
27 therefrom, and where the source is an individual, the occupation of the
28 individual and the name and mailing address of the individual's
29 employer, to the Election Law Enforcement Commission.

30 e. There shall be no obligation imposed upon a candidate seeking
31 election to a public office of a school district to file either the reports
32 required under subsection b. of this section or the sworn statement
33 referred to in subsection d. of this section, if the total amount
34 expended and to be expended in behalf of his candidacy by the
35 candidate committee, any political committee, any continuing political
36 committee, or a political party committee or by any person, does not
37 in the aggregate exceed ~~[\$2,000.00]~~ \$1,000 per election or ~~[\$4,000]~~
38 \$2,000 for any joint candidates committee containing two candidates
39 or ~~[\$6,000]~~ \$3,000 for any joint candidates committee containing
40 three or more candidates; provided, that if such candidate receives
41 contributions from any one source aggregating more than ~~[\$200]~~ \$50,
42 he shall forthwith make a report of the same, including the name and
43 mailing address of the source, the aggregate total of contributions
44 therefrom, and where the source is an individual, the occupation of the
45 individual and the name and mailing address of the individual's
46 employer, to the commission.

1 f. In any report filed pursuant to the provisions of this section, the
2 names and addresses of contributors whose contributions during the
3 period covered by the report did not exceed [\$200] \$50 may be
4 excluded; provided, however, that (1) such exclusion is unlawful if any
5 person responsible for the preparation or filing of the report knew that
6 such exclusion was made with respect to any person whose total
7 contributions relating to the same election and made to the reporting
8 candidate or to an allied campaign organization or organizations
9 aggregate, in combination with the total contributions in respect of
10 which such exclusion is made, more than [\$200] \$50, and (2) any
11 person who knowingly prepares, assists in preparing, files or
12 acquiesces in the filing of any report from which the identity of any
13 contributor has been excluded contrary to the provisions of this
14 section is subject to the provisions of section 21 of this act, but (3)
15 nothing in this proviso shall be construed as requiring any candidate
16 committee or joint candidates committee reporting pursuant to this act
17 to report the amounts, dates or other circumstantial data regarding
18 contributions made to any other candidate committee, joint candidates
19 committee, political committee, continuing political committee[,] or
20 political party committee [or legislative leadership committee].

21 g. Any report filed pursuant to the provisions of this section shall
22 include an itemized accounting of all receipts and expenditures relative
23 to any testimonial affair held since the date of the most recent report
24 filed, which accounting shall include the name and mailing address of
25 each contributor in excess of [\$200] \$50 to such testimonial affair and
26 the amount contributed by each; in the case of any individual
27 contributor, the occupation of the individual and the name and mailing
28 address of the individual's employer; the expenses incurred; and the
29 disposition of the proceeds of such testimonial affair.

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

31 i. Each campaign treasurer of a candidate committee or joint
32 candidates committee shall file written notice with the commission of
33 a contribution in excess of [\$500] \$75 received during the period
34 between the 13th day prior to the election and the date of the election.
35 The notice shall be filed in writing or by telegram within 48 hours of
36 the receipt of the contribution and shall set forth the amount and date
37 of the contribution, the name and mailing address of the contributor,
38 and where the contributor is an individual, the occupation of the
39 individual and the name and mailing address of the individual's
40 employer.

41 j. All individuals and candidates required to file reports with the
42 commission pursuant to the provisions of this section may do so by
43 electronic means, following such procedures and using such equipment

1 as shall be prescribed or furnished by the commission.

2 (cf: P.L.1993, c.65, s.9)

3

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

6 18. If any former candidate or any political committee or any
7 person or association of persons in behalf of such political committee
8 or former candidate shall receive any contributions or make any
9 expenditures with relation to any election after the date set in section
10 16 of this act for the final report subsequent to such election, or shall
11 conduct any testimonial affair or public solicitation for the purpose of
12 raising funds to cover any part of the expenses of a candidate or
13 political committee or organization in such election, all such
14 contributions, expenditures, testimonial affairs or public solicitations
15 shall be reported to the Election Law Enforcement Commission by the
16 person or persons receiving such contributions or making such
17 expenditures or conducting such testimonial affairs or public
18 solicitations. Such report shall be made by any person receiving any
19 such contribution or contributions, or making any such expenditure or
20 expenditures, which in the aggregate total more than [\$100.00] \$50,
21 or conducting any testimonial affair or public solicitation of which the
22 net proceeds exceed [\$100.00] \$50; and shall be made within 20 days
23 from the date upon which the aggregate of such contributions,
24 expenditures or proceeds exceed [\$100.00] \$50 for the period
25 commencing with the 19th day following such election or with the date
26 upon which any previous report was made pursuant to this section,
27 whichever is sooner. Such report shall be made in the same form and
28 shall contain the same detail prescribed for any other report made
29 pursuant to section 8 or 16 of this act.

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

31

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

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

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

3 b. Whenever a public solicitation has been authorized by a
4 treasurer during a period covered by a report required to be filed
5 under sections 8 and 16 of this act, there shall be filed with such report
6 and as a part thereof an itemized report on any such solicitation of
7 which the net proceeds exceed [\$200] \$50, in such form and detail as
8 required by the rules of the Election Law Enforcement Commission,
9 which report shall include:

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

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

25 c. Notwithstanding the provisions of subsection b. of this section,
26 it shall be lawful for any natural person, not acting in concert with any
27 other person or group, to make personally a public solicitation the
28 entire proceeds of which, without deduction for the expenses of
29 solicitation, are to be expended by him personally or under his
30 personal direction to finance any lawful activity in support of or
31 opposition to any candidate or public question or to provide political
32 information on any candidate or public question or to seek to influence
33 the content, introduction, passage or defeat of legislation; provided,
34 however, that any individual making such solicitation who receives
35 gross contributions exceeding [\$200] \$50 in respect to activities
36 relating to any one election shall be required to make a report stating
37 (1) the amount so collected, (2) the method of solicitation, (3) the
38 purpose or purposes for which the funds so collected were expended
39 and the amount expended for each such purpose and (4) the
40 individual's name and mailing address, the individual's occupation and
41 the name and mailing address of the individual's employer.

42 Such report shall be made to the Election Law Enforcement
43 Commission at the same time and in the same manner as a political
44 committee, continuing political committee[,] or political party
45 committee [or a legislative leadership committee] subject to the
46 provisions of section 8 of this act.

1 d. Contributions or purchases made in response to a public
2 solicitation conducted in conformity with the requirements and
3 conditions of this act shall not be deemed anonymous within the
4 meaning of sections 11 and 20 of this act.

5 e. No person contributing in good faith to a public solicitation not
6 duly authorized in compliance with the provisions of this act shall be
7 liable to any penalty under this act by reason of having made such
8 contribution.

9 (cf: P.L.1993, c.65, s.10)

10

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

13 20. No contribution of money or other thing of value, nor
14 obligation therefor, shall be made, and no expenditure of money or
15 other thing of value, nor obligation therefor, shall be made or incurred
16 whether anonymously, in a fictitious name, or by one person or group
17 in the name of another, to support or defeat a candidate in an election
18 or to aid the passage or defeat of any public question or to provide
19 political information on any candidate or public question or to seek to
20 influence the content, introduction, passage or defeat of legislation.

21 No individual, either alone or jointly with one or more other
22 individuals, and no corporation, partnership, membership organization
23 or other incorporated or unincorporated association shall loan or
24 advance to any individual, group of individuals, corporation,
25 partnership, membership organization or other incorporated or
26 unincorporated association any money or other thing of value
27 expressly for the purpose of inducing the recipient thereof, or any
28 other individual, group, corporation, partnership, organization or
29 association, to make a contribution, either directly or indirectly, of
30 money or other thing of value to a candidate or the candidate
31 committee or joint candidates committee of a candidate.

32 No person shall contribute, or purport to contribute, to any
33 candidate, candidate committee or joint candidates committee, political
34 committee, continuing political committee[,] or political party
35 committee [or legislative leadership committee] funds or property
36 which does not actually belong to him and is not in his full custody and
37 control; which has been given or furnished to him by any other person
38 or group for the purpose of making a contribution thereof, except in
39 the case of group contributions by persons who are members of the
40 contributing group; or which has been loaned or advanced expressly
41 for the purpose of inducing the making of a contribution to a
42 candidate, candidate committee or joint candidates committee.

43 No treasurer, candidate or member of a candidate committee, joint
44 candidates committee, political committee, continuing political
45 committee[,] or political party committee [or legislative leadership
46 committee] shall solicit or knowingly accept, agree to accept or

1 concur in or abet the solicitation or acceptance of any contribution
2 contrary to the provisions of this section.
3 (cf: P.L.1993, c.65, s.11)

4

5 12. Section 22 of P.L.1973, c.83 (C.19:44A-22) is amended to
6 read as follows:

7 22. a. (1) Except as provided in subsection e. or f., any person,
8 including any candidate, treasurer, candidate committee or joint
9 candidates committee, political committee, continuing political
10 committee[,] or political party committee [or legislative leadership
11 committee], charged with the responsibility under the terms of this act
12 for the preparation, certification, filing or retention of any reports,
13 records, notices or other documents, who fails, neglects or omits to
14 prepare, certify, file or retain any such report, record, notice or
15 document at the time or during the time period, as the case may be,
16 and in the manner prescribed by law, or who omits or incorrectly
17 states or certifies any of the information required by law to be included
18 in such report, record, notice or document, any person who proposes
19 to undertake or undertakes a public solicitation, testimonial affair or
20 other activity relating to contributions or expenditures in any way
21 regulated by the provisions of this act who fails to comply with those
22 regulatory provisions, and any other person who in any way violates
23 any of the provisions of this act shall, in addition to any other penalty
24 provided by law, be liable to a penalty of not more than \$3,000.00 for
25 the first offense and not more than \$6,000.00 for the second and each
26 subsequent offense.

27 (2) No person shall willfully and intentionally agree with another
28 person to make a contribution to a candidate, candidate committee,
29 joint candidates committee, political committee, continuing political
30 committee[,] or political party committee[, or legislative leadership
31 committee] with the intent, or upon the condition, understanding or
32 belief, that the recipient candidate or committee shall make or have
33 made a contribution to another such candidate or committee, but this
34 paragraph shall not be construed to prohibit a county or municipal
35 committee of a political party from making a contribution or
36 contributions to any candidate, candidate committee, joint candidates
37 committee, political committee, continuing political committee[,] or
38 political party committee[, or legislative leadership committee]. A
39 finding of a violation of this paragraph shall be made only upon clear
40 and convincing evidence. A person who violates the provisions of this
41 paragraph shall be liable to a penalty equal to three times the amount
42 of the contribution which that person agreed to make to the recipient
43 candidate or committee.

44 b. Upon receiving evidence of any violation of this section, the
45 Election Law Enforcement Commission shall have power to hold, or
46 to cause to be held under the provisions of subsection d. of this

1 section, hearings upon such violation and, upon finding any person to
2 have committed such a violation, to assess such penalty, within the
3 limits prescribed in subsection a. of this section, as it deems proper
4 under the circumstances, which penalty shall be paid forthwith into
5 the State Treasury for the general purposes of the State.

6 c. In assessing any penalty under this section, the Election Law
7 Enforcement Commission may provide for the remission of all or any
8 part of such penalty conditioned upon the prompt correction of any
9 failure, neglect, error or omission constituting the violation for which
10 said penalty was assessed.

11 d. The commission may designate a hearing officer to hear
12 complaints of violations of this act. Such hearing officer shall take
13 testimony, compile a record and make factual findings, and shall
14 submit the same to the commission, which shall have power to assess
15 penalties within the limits and under the conditions prescribed in
16 subsections b. and c. of this section. The commission shall review the
17 record and findings of the hearing officer, but it may also seek such
18 additional testimony as it deems necessary. The commission's
19 determination shall be by majority vote of the entire authorized
20 membership thereof.

21 e. Any person who willfully and intentionally makes or accepts any
22 contribution in violation of section 4 of P.L.1974, c.26 (C.19:44A-29)
23 [or], section 18, 19 or 20 of P.L.1993, c.65 (C.19:44A-11.3,
24 C.19:44A-11.4 or C.19:44A-11.5) or section 24 or 25 of P.L. ,
25 c. (C.) (now pending before the Legislature as this bill), shall be
26 liable to a penalty of:

27 (1) Not more than \$5,000.00 if the cumulative total amount of
28 those contributions is less than or equal to \$5,000.00;

29 (2) Not more than \$75,000.00 if the cumulative total amount of
30 those contributions was more than \$5,000.00 but less than \$75,000;
31 and

32 (3) Not more than \$100,000.00 if the cumulative total amount of
33 those contributions is equal to or more than \$75,000.00.

34 f. In addition to any penalty imposed pursuant to subsection e. of
35 this section, a person holding any elective public office shall forfeit
36 that public office if the Election Law Enforcement Commission
37 determines that the cumulative total amount of the illegal contributions
38 was more than \$50,000.00 and that the violation had a significant
39 impact on the outcome of the election.

40 g. Any penalty prescribed in this section shall be enforced in a
41 summary proceeding under "the penalty enforcement law,"
42 N.J.S.2A:58-1 et seq.

43 (cf: P.L.1993, c.65, s.13)

44

45 13. Section 4 of P.L.1974, c.26 (C.19:44A-29) is amended to read
46 as follows:

1 4. a. Except in the case of a candidate, as provided in subsection
2 g. of this section, no person, candidate committee or joint candidates
3 committee, political committee[,] or continuing political committee [or
4 legislative leadership committee], otherwise eligible to make
5 contributions, shall make any contribution or contributions to a
6 candidate, his campaign treasurer or deputy campaign treasurer,
7 candidate committee, a political party committee, or to any other
8 person or committee, in aid of the candidacy of or in behalf of a
9 candidate for nomination for election or for election to the office of
10 Governor in any primary or general election in the aggregate in excess
11 of \$1,500.00, or in the case of a joint candidates committee when that
12 is the only committee established by the candidates, in excess of
13 \$1,500.00 per candidate in the joint candidates committee, or in the
14 case of a candidate committee and a joint candidates committee when
15 both are established by a candidate, \$1,500.00 from that candidate.
16 No candidate for nomination for election or for election to the office
17 of Governor in any primary or general election and no campaign
18 treasurer deputy campaign or treasurer of such candidate shall
19 knowingly accept from any person, candidate, candidate committee,
20 joint candidates committee, political committee[,] or continuing
21 political committee [or legislative leadership committee] any
22 contribution or contributions in aid of the candidacy of or in behalf of
23 such candidate in the aggregate in excess of \$1,500.00, or in the case
24 of a joint candidates committee when that is the only committee
25 established by the candidates, in excess of \$1,500.00 per candidate in
26 the joint candidates committee, or in the case of a candidate committee
27 and a joint candidates committee when both are established by a
28 candidate, \$1,500.00 from that candidate, in any primary or general
29 election. No provision of this act shall be construed to prohibit a
30 contribution or contributions in the aggregate in aid of the candidacy
31 of or in behalf of any candidate for nomination for election to the
32 office of Governor in a primary election not in excess of \$1,500.00, or
33 in the case of a contribution or contributions by a joint candidates
34 committee when that is the only committee established by the
35 candidates, in excess of \$1,500.00 per candidate in the joint candidates
36 committee, or in the case of a candidate committee and a joint
37 candidates committee when both are established by a candidate,
38 \$1,500.00 from that candidate, and another contribution or
39 contributions in the aggregate in the aid of the candidacy of or in
40 behalf of any candidate for election to the office of Governor in a
41 general election not in excess of \$1,500.00, or in the case of a
42 contribution or contributions by a joint candidates committee when
43 that is the only committee established by the candidates, in excess of
44 \$1,500.00 per candidate in the joint candidates committee, or in the
45 case of a candidate committee and a joint candidates committee when
46 both are established by a candidate, \$1,500.00 from that candidate.

1 For the purpose of determining the amount of a contribution to be
2 attributed as given by each candidate in a joint candidates committee,
3 the amount of the contribution by such a committee shall be divided
4 equally among all the candidates in the committee.

5 b. (Deleted by amendment, P.L.1980, c.74.)

6 c. The spouse of any contributor may make a contribution or
7 contributions in the aggregate in aid of the candidacy of or in behalf
8 of a candidate for nomination for election or for election to the office
9 of Governor of up to \$1,500.00.

10 d. No State committee of any political party shall knowingly accept
11 from any person, candidate committee, joint candidates committee,
12 political committee[,] ~~or~~ continuing political committee [or legislative
13 leadership committee], any contribution or contributions in the
14 aggregate in aid of the candidacy of or in behalf of a candidate for
15 election to the office of Governor in a general election in excess of
16 \$1,500.00, or in the case of a contribution or contributions by a joint
17 candidates committee when that is the only committee established by
18 the candidates, in excess of \$1,500.00 per candidate in the joint
19 candidates committee, or in the case of a candidate committee and a
20 joint candidates committee when both are established by a candidate,
21 \$1,500.00 from that candidate. A State committee may allocate a
22 contribution of up to \$1,500.00, and up to \$1,500.00 of a contribution
23 in excess of \$1,500.00 in aid of the candidacy of or in behalf of such
24 candidate, except that in the case of a contribution from a joint
25 candidates committee when that is the only committee established by
26 the candidates, the amounts which may be so allocated shall be
27 \$1,500.00 per candidate in the joint candidates committee, and in the
28 case of a candidate committee and a joint candidates committee when
29 both are established by a candidate, the amount which may be so
30 allocated shall be \$1,500.00 from that candidate. For the purpose of
31 determining the amount of a contribution to be attributed as given by
32 each candidate in a joint candidates committee, the amount of the
33 contribution by such a committee shall be divided equally among all
34 the candidates in the committee. A State committee shall create an
35 account in a national or State bank in behalf of any candidate the
36 committee intends to or does assist for election to the office of
37 Governor in a general election, shall deposit in such account and
38 report to the Election Law Enforcement Commission the name of the
39 contributor of all moneys accepted or allocated in aid of the candidacy
40 of or in behalf of such candidate, and may make a contribution or
41 contributions from such account in any amount in aid of the candidacy
42 of or in behalf of such candidate. No State committee may make any
43 contribution or contributions in aid of the candidacy of or in behalf of
44 such candidate of moneys not deposited in a bank account pursuant to
45 this subsection, and no State committee may make a contribution or
46 contributions in aid of the candidacy of or in behalf of such candidate

1 of moneys or other thing of value pledged or received in a calendar
2 year in which no gubernatorial election was held.

3 e. The county committee of a political party in a county and the
4 municipal committees of that political party in the same county may
5 make an expenditure or expenditures in the aggregate of \$10,000.00
6 in aid of the candidacy of or in behalf of any candidate for election to
7 the office of Governor in a general election. No county committee or
8 municipal committee may transfer or contribute any funds to any such
9 candidate or to such candidate's campaign treasurer or deputy
10 campaign treasurer, or to any political committee supporting such
11 candidate. A candidate or his campaign treasurer or deputy campaign
12 treasurer shall determine the exact amount that individual county
13 committees or municipal committees may contribute in aid of the
14 candidacy of or in behalf of such candidate, and shall file a report of
15 such determination with the Election Law Enforcement Commission
16 no later than the seventh day prior to the general election being
17 funded.

18 f. Communications on any subject by a corporation to its
19 stockholders and their families, or by a labor organization to its
20 members and their families, and nonpartisan registration and
21 get-out-the-vote campaigns by a corporation aimed at its stockholders
22 and their families, or by a labor organization aimed at its members and
23 their families, shall not be construed to be in aid of the candidacy of or
24 in behalf of a candidate for election to the office of Governor in any
25 primary or general election.

26 g. No candidate receiving public funds may make expenditures
27 from his own funds, including any contributions from his own funds,
28 in aid of his candidacy for nomination or election to the office of
29 Governor in excess of \$25,000.00 for the primary election and
30 \$25,000.00 for the general election.

31 As used in this subsection "own funds" means funds to which the
32 candidate is legally and beneficially entitled, but shall not include funds
33 as to which he is a trustee, or funds given or otherwise transferred to
34 the candidate by any person other than the spouse of the candidate for
35 use in aid of his candidacy.

36 (cf: P.L.1993, c.65, s.14)

37

38 14. Section 15 of P.L.1993, c.65 (C.19:44A-20.1) is amended to
39 read as follows:

40 15. a. No corporation or labor organization of any kind shall
41 provide to any of its officers, directors, attorneys, agents or other
42 employees any additional increment of salary, bonus or monetary
43 remuneration of any kind which, in whole or in part, is intended by
44 that corporation or labor organization to be used for the express
45 purpose of paying or making a contribution, either directly or
46 indirectly, of money or other thing of value to any candidate, candidate

1 committee, joint candidates committee, political party committee,
2 [legislative leadership committee,] political committee or continuing
3 political committee.

4 Any corporation or labor organization of any kind found to be in
5 violation of this subsection shall, in addition to any other penalty
6 provided by law, be liable to a penalty of not more than \$3,000 for the
7 first offense and not more than \$6,000 for the second and each
8 subsequent offense. Any officer, director, attorney, agent or other
9 employee of a corporation or labor organization that provides to
10 another employee of that corporation or labor organization any
11 additional increment of salary, bonus or monetary remuneration of any
12 kind for the purpose described in this subsection is guilty of a crime of
13 the fourth degree.

14 b. No officer, director, attorney, agent or other employee of a
15 corporation or labor organization of any kind shall use any part of any
16 additional increment of salary, bonus or monetary remuneration of any
17 kind which, in whole or in part, is intended by that corporation or
18 labor organization to be used for the express and intentional purpose
19 of paying or making a contribution, either directly or indirectly, of
20 money or other thing of value to a candidate, candidate committee,
21 joint candidates committee, political party committee, [legislative
22 leadership committee,] political committee or continuing political
23 committee by a corporation or labor organization of any kind, for the
24 purpose of paying or making a contribution, either directly or
25 indirectly, of money or other thing of value to a candidate, candidate
26 committee, joint candidates committee, political party committee,
27 [legislative leadership committee,] political committee or continuing
28 political committee.

29 Any officer, director, attorney, agent or other employee of a
30 corporation or labor organization of any kind found to be in violation
31 of this subsection of this section is guilty of a crime of the fourth
32 degree.

33 (cf: P.L.1993, c.65, s.15)

34

35 15. Section 17 of P.L.1993, c.65 (C.19:44A-11.2) is amended to
36 read as follows:

37 17. a. All contributions received by a candidate, candidate
38 committee[, a] or joint candidates committee [or a legislative
39 leadership committee] shall be used only for the following purposes:

40 (1) the payment of campaign expenses;

41 (2) contributions to any charitable organization described in section
42 170(c) of the Internal Revenue Code of 1954, as amended or modified,
43 or nonprofit organization which is exempt from taxation under section
44 501(c) of the Internal Revenue Code of 1954;

45 (3) transmittal to another candidate, candidate committee, or joint
46 candidates committee, or to a political committee, continuing political

1 committee[, legislative leadership committee] or political party
2 committee, for the lawful use by such other candidate or committee;
3 (4) the payment of the overhead and administrative expenses
4 related to the operation of the candidate committee or joint candidates
5 committee of a candidate [or a legislative leadership committee];
6 (5) the pro rata repayment of contributors; or
7 (6) the payment of ordinary and necessary expenses of holding
8 public office.

9 As used in this subsection, "campaign expenses" means any expense
10 incurred or expenditure made by a candidate, candidate committee[,]
11 or joint candidates committee [or legislative leadership committee] for
12 the purpose of paying for or leasing items or services used in
13 connection with an election campaign, other than those items or
14 services which may reasonably be considered to be for the personal use
15 of the candidate[,] or any person associated with the candidate [or any
16 of the members of a legislative leadership committee].

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

22 c. Any funds remaining in the campaign depository of a candidate's
23 candidate committee or joint candidates committee upon the death of
24 the candidate shall be used only for one or more of the purposes
25 established in subsection a. of this section by the committee's
26 organizational treasurer or deputy treasurer or whoever has control of
27 the depository upon the death of the candidate.

28 (cf: P.L.1993, c.65, s.17)

29

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

32 18. a. No individual, other than an individual who is a candidate,
33 no corporation of any kind organized and incorporated under the laws
34 of this State or any other state or any country other than the United
35 States, no labor organization of any kind which exists or is constituted
36 for the purpose, in whole or in part, of collective bargaining, or of
37 dealing with employers concerning the grievances, terms or conditions
38 of employment, or of other mutual aid or protection in connection with
39 employment, or any group shall: (1) pay or make any contribution of
40 money or other thing of value to a candidate who has established only
41 a candidate committee, his campaign treasurer, deputy campaign
42 treasurer or candidate committee, other than a candidate for
43 nomination for election or for election to the office of Governor,
44 which in the aggregate exceeds [\$1,500] \$100 per election or \$250 per
45 election for a candidate for nomination for election or for election to
46 the office of member of the Legislature or a candidate for public office

1 in a county or municipality with a population that equals or exceeds
2 that of the legislative district with the least population established by
3 the Apportionment Commission, pursuant to Section III, Article IV of
4 the New Jersey Constitution, following the most recent federal
5 decennial census of the United States, or (2) pay or make any
6 contribution of money or other thing of value to candidates who have
7 established only a joint candidates committee, their campaign
8 treasurer, deputy campaign treasurer, or joint candidates committee,
9 which in the aggregate exceeds [\$1,500] \$100 per election per
10 candidate or \$250 per election per candidate, if applicable, or (3) pay
11 or make any contribution of money or other thing of value to a
12 candidate who has established both a candidate committee and a joint
13 candidates committee, the campaign treasurers, deputy campaign
14 treasurers, or candidate committee or joint candidates committee,
15 other than a candidate for nomination for election or for election to the
16 office of Governor, which in the aggregate exceeds [\$1,500] \$100 per
17 election or \$250 per election, if applicable. No candidate who has
18 established only a candidate committee, his campaign treasurer, deputy
19 campaign treasurer or candidate committee, other than a candidate for
20 nomination for election or for election to the office of Governor shall
21 knowingly accept from an individual, other than an individual who is
22 a candidate, a corporation of any kind organized and incorporated
23 under the laws of this State or any other state or any country other
24 than the United States, a labor organization of any kind which exists
25 or is constituted for the purpose, in whole or in part, of collective
26 bargaining, or of dealing with employers concerning the grievances,
27 terms or conditions of employment, or of other mutual aid or
28 protection in connection with employment, or any group any
29 contribution of money or other thing of value which in the aggregate
30 exceeds [\$1,500] \$100 per election or \$250 per election if for a
31 candidate for nomination for election or for election to the office of
32 member of the Legislature or a candidate for public office in a county
33 or municipality with a population that equals or exceeds that of the
34 legislative district with the least population established by the
35 Apportionment Commission, pursuant to Section III, Article IV of the
36 New Jersey Constitution, following the most recent federal decennial
37 census of the United States, and no candidates who have established
38 only a joint candidates committee, or their campaign treasurer, deputy
39 campaign treasurer, or joint candidates committee, shall knowingly
40 accept from any such source any contribution of money or other thing
41 of value which in the aggregate exceeds [\$1,500] \$100 per election
42 per candidate or \$250 per election per candidate, if applicable, and no
43 candidate who has established both a candidate committee and a joint
44 candidates committee, the campaign treasurers, deputy campaign
45 treasurers, or candidate committee or joint candidates committee,
46 other than a candidate for nomination for election or for election to the

1 office of Governor, shall knowingly accept from any such source any
2 contribution of money or other thing of value which in the aggregate
3 exceeds [\$1,500] \$100 per election or \$250, if applicable.

4 b. [(1)] No political committee [or], continuing political
5 committee, State committee of a political party or county or municipal
6 committee of a political party shall: [(a)] (1) pay or make any
7 contribution of money or other thing of value to a candidate who has
8 established only a candidate committee, his campaign treasurer, deputy
9 campaign treasurer or candidate committee, other than a candidate for
10 nomination for election or for election [for] to the office of Governor,
11 which in the aggregate exceeds [\$5,000] \$100 per election or \$250 per
12 election for a candidate for nomination for election or for election to
13 the office of member of the Legislature or a candidate for public office
14 in a county or municipality with a population that equals or exceeds
15 that of the legislative district with the least population established by
16 the Apportionment Commission, pursuant to Section III, Article IV of
17 the New Jersey Constitution, following the most recent federal
18 decennial census of the United States, or [(b)] (2) pay or make any
19 contribution of money or other thing of value to candidates who have
20 established only a joint candidates committee, their campaign treasurer
21 or deputy campaign treasurer, or the joint candidates committee,
22 which in the aggregate exceeds [\$5,000] \$100 per election per
23 candidate or \$250 per election per candidate, if applicable, or [(c)] (3)
24 pay or make any contribution of money or other thing of value to a
25 candidate who has established both a candidate committee and a joint
26 candidates committee, the campaign treasurers, deputy campaign
27 treasurers, or candidate committee or joint candidates committee,
28 which in the aggregate exceeds [\$5,000] \$100 per election or \$250 per
29 election, if applicable. No candidate who has established only a
30 candidate committee, his campaign treasurer, deputy campaign
31 treasurer or candidate committee, other than a candidate for
32 nomination for election or for election [for] to the office of Governor,
33 shall knowingly accept from [any] a political committee [or] , a
34 continuing political committee, the State committee of a political party
35 or the county or municipal committee of a political party any
36 contribution of money or other thing of value which in the aggregate
37 exceeds [\$5,000] \$100 per election or \$250 per election if for a
38 candidate for nomination for election or for election to the office of
39 member of the Legislature or a candidate for public office in a county
40 or municipality with a population that equals or exceeds that of the
41 legislative district with the least population established by the
42 Apportionment Commission, pursuant to Section III, Article IV of the
43 New Jersey Constitution, following the most recent federal decennial
44 census of the United States, and no candidates who have established
45 only a joint candidates committee, their campaign treasurer, deputy
46 campaign treasurer, or joint candidates committee, shall knowingly

1 accept from any such source any contribution of money or other thing
2 of value which in the aggregate exceeds [\$5,000] \$100 per election
3 per candidate or \$250 per election per candidate, if applicable, and no
4 candidate who has established both a candidate committee and a joint
5 candidates committee, the campaign treasurers, deputy campaign
6 treasurers, or candidate committee or joint candidates committee shall
7 knowingly accept from any such source any contribution of money or
8 other thing of value which in the aggregate exceeds [\$5,000] \$100 per
9 election or \$250 per election, if applicable.

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

31 The limitation upon the knowing acceptance by a candidate,
32 campaign treasurer, deputy campaign treasurer, candidate committee
33 or joint candidates committee of any contribution of money or other
34 thing of value from a political committee or continuing political
35 committee under the provisions of paragraph (1) of this subsection,
36 except that the amount of any contribution of money or other thing of
37 value shall be in an amount which in the aggregate does not exceed
38 \$25,000, shall also be applicable to the knowing acceptance of any
39 such contribution from the county committee of a political party by a
40 candidate, or the campaign treasurer, deputy campaign treasurer,
41 candidate committee or joint candidates committee of a candidate, for
42 nomination for election or for election to the office of member of the
43 Legislature in a legislative district in which, according to the federal
44 decennial census upon the basis of which legislative districts shall have
45 been established, at least 20% but less than 40% of the population
46 resides 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 under
4 the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be
5 applicable to the making or payment of such a contribution by such a
6 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, for
11 the most part, to support candidates for elective office who will most
12 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 raised
19 by the potential for contributors to circumvent limits on contributions
20 to candidates by funnelling money to candidates through county
21 committees;

22 (d) The State has a compelling interest in preventing the actuality
23 or appearance of corruption and in protecting public confidence in
24 democratic institutions by limiting amounts which a county committee
25 may contribute to legislative candidates whose districts are not located
26 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 or for election for the office of Governor,
39 which in the aggregate exceeds [\$5,000] \$100 per election or \$250 per
40 election for a candidate for nomination for election or for election to
41 the office of member of the Legislature or a candidate for public office
42 in a county or municipality with a population that equals or exceeds
43 that of the legislative district with the least population established by
44 the Apportionment Commission, pursuant to Section III, Article IV of
45 the New Jersey Constitution, following the most recent federal
46 decennial census of the United States, or (b) pay or make any

1 contribution of money or other thing of value to candidates who have
2 established only a joint candidates committee, their campaign
3 treasurer, deputy campaign treasurer, or joint candidates committee,
4 which in the aggregate exceeds [\$5,000] \$100 per election per
5 candidate or \$250 per election per candidate, if applicable, in the
6 recipient committee, or (c) pay or make any contribution of money or
7 other thing of value to a candidate who has established both a
8 candidate committee and a joint candidates committee, the campaign
9 treasurers, deputy campaign treasurers, or candidate committee or
10 joint candidates committee, which in the aggregate exceeds [\$5,000]
11 \$100 per election or \$250 per election, if applicable. No candidate
12 who has established only a candidate committee, his campaign
13 treasurer, deputy campaign treasurer or candidate committee, other
14 than a candidate for nomination for election or for election to the
15 office of the Governor, shall knowingly accept from another
16 candidate who has established only a candidate committee, his
17 campaign treasurer, deputy campaign treasurer or candidate
18 committee, any contribution of money or other thing of value which
19 in the aggregate exceeds [\$5,000] \$100 per election or \$250 per
20 election if for a candidate for nomination for election or for election
21 to the office of member of the Legislature or a candidate for public
22 office in a county or municipality with a population that equals or
23 exceeds that of the legislative district with the least population
24 established by the Apportionment Commission, pursuant to Section
25 III, Article IV of the New Jersey Constitution, following the most
26 recent federal decennial census of the United States, and no candidates
27 who have established only a joint candidates committee, their
28 campaign treasurer, deputy campaign treasurer, or joint candidates
29 committee, shall knowingly accept from any such source any
30 contribution of money or other thing of value which in the aggregate
31 exceeds [\$5,000] \$100 per election per candidate, or \$250 per election
32 per candidate, if applicable, in the recipient committee, and no
33 candidate who has established both a candidate committee and a joint
34 candidates committee, the campaign treasurers, deputy campaign
35 treasurers, or candidate committee or joint candidates committee, shall
36 knowingly accept from any such source any contribution of money or
37 other thing of value which in the aggregate exceeds [\$5,000] \$100 per
38 election or \$250 per election, if applicable.

39 (2) No candidates who have established only a joint candidates
40 committee, their campaign treasurer, deputy campaign treasurer, or
41 joint candidates committee shall: (a) pay or make any contribution of
42 money or other thing of value to another candidate who has
43 established only a candidate committee, his campaign treasurer, deputy
44 campaign treasurer or candidate committee, other than a candidate for
45 nomination for election or for election for the office of Governor,
46 which in the aggregate exceeds, on the basis of each candidate in the

1 contributing joint candidates committee, [\$5,000] \$100 per election
2 or \$250 per election for a candidate for nomination for election or for
3 election to the office of member of the Legislature or a candidate for
4 public office in a county or municipality with a population that equals
5 or exceeds that of the legislative district with the least population
6 established by the Apportionment Commission, pursuant to Section
7 III, Article IV of the New Jersey Constitution, following the most
8 recent federal decennial census of the United States, or (b) pay or
9 make any contribution of money or other thing of value to candidates
10 who have established only a joint candidates committee, their
11 campaign treasurer, deputy campaign treasurer or joint candidates
12 committee, which in the aggregate exceeds, on the basis of each
13 candidate in the contributing joint candidates committee, [\$5,000]
14 \$100 per election per candidate, or \$250 per election per candidate, if
15 applicable, in the recipient joint candidates committee, or (c) pay or
16 make any contribution of money or other thing of value to a candidate
17 who has established both a candidate committee and a joint candidates
18 committee, the campaign treasurers, deputy campaign treasurers or
19 candidate committee or joint candidates committee, which in the
20 aggregate exceeds, on the basis of each candidate in the contributing
21 joint candidates committee, [\$5,000] \$100 per election or \$250 per
22 election, if applicable. No candidate who has established only a
23 candidate committee, his campaign treasurer, deputy campaign
24 treasurer, or candidate committee, other than a candidate for
25 nomination for election or for election for the office of Governor, shall
26 knowingly accept from other candidates who have established only a
27 joint candidates committee, their campaign treasurer, deputy campaign
28 treasurer or joint candidates committee, any contribution of money or
29 other thing of value which in the aggregate exceeds, on the basis of
30 each candidate in the contributing committee, [\$5,000] \$100 per
31 election or \$250 per election if for a candidate for nomination for
32 election or for election to the office of member of the Legislature or
33 a candidate for public office in a county or municipality with a
34 population that equals or exceeds that of the legislative district with
35 the least population established by the Apportionment Commission,
36 pursuant to Section III, Article IV of the New Jersey Constitution,
37 following the most recent federal decennial census of the United
38 States, and no candidates who have established only a joint candidates
39 committee, their campaign treasurer, deputy campaign treasurer, or
40 joint candidates committee, shall knowingly accept from any such
41 source any contribution of money or other thing of value which in the
42 aggregate exceeds, on the basis of each candidate in the contributing
43 joint candidates committee, [\$5,000] \$100 per election per candidate,
44 or \$250 per election per candidate, if applicable, in the recipient joint
45 candidates committee, and no candidate who has established both a
46 candidate committee and a joint candidates committee, the campaign

1 treasurers, deputy campaign treasurers, or candidate committee or
2 joint candidates committee, shall knowingly accept from any such
3 source any contribution of money or other thing of value which in the
4 aggregate exceeds, on the basis of each candidate in the contributing
5 joint candidates committee, [\$5,000] \$100 per election or \$250 per
6 election, if applicable.

7 (3) No candidate who has established both a candidate committee
8 and a joint candidates committee, the campaign treasurers, deputy
9 campaign treasurers, or candidate committee or joint candidates
10 committee shall: (a) pay or make any contribution of money or other
11 thing of value to another candidate who has established only a
12 candidate committee, his campaign treasurer, deputy campaign
13 treasurer or candidate committee, other than a candidate for
14 nomination for election or for election for the office of Governor,
15 which in the aggregate exceeds [\$5,000] \$100 per election or \$250 per
16 election for a candidate for nomination for election or for election to
17 the office of member of the Legislature or a candidate for public office
18 in a county or municipality with a population that equals or exceeds
19 that of the legislative district with the least population established by
20 the Apportionment Commission, pursuant to Section III, Article IV of
21 the New Jersey Constitution, following the most recent federal
22 decennial census of the United States, or (b) pay or make any
23 contribution of money or other thing of value to candidates who have
24 established only a joint candidates committee, their campaign
25 treasurer, deputy campaign treasurer or joint candidates committee,
26 which in the aggregate exceeds [\$5,000] \$100 per election per
27 candidate, or \$250 per election per candidate, if applicable, in the
28 recipient joint candidates committee, or (c) pay or make any
29 contribution of money or other thing of value to a candidate who has
30 established both a candidate committee and a joint candidates
31 committee, the campaign treasurers, deputy campaign treasurers, or
32 candidate committee or joint candidates committee, which in the
33 aggregate exceeds [\$5,000] \$100 per election or \$250 per election, if
34 applicable. No candidate who has established only a candidate
35 committee, his campaign treasurer, deputy campaign treasurer, or
36 candidate committee, other than a candidate for nomination for
37 election or for election for the office of Governor, shall knowingly
38 accept from a candidate who has established both a candidate
39 committee and a joint candidates committee, the campaign treasurers,
40 deputy campaign treasurers, or candidate committee or joint
41 candidates committee, any contribution of money or other thing of
42 value which in the aggregate exceeds [\$5,000] \$100 per election or
43 \$250 per election if for a candidate for nomination for election or for
44 election to the office of member of the Legislature or a candidate for
45 public office in a county or municipality with a population that equals
46 or exceeds that of the legislative district with the least population

1 established by the Apportionment Commission, pursuant to Section
2 III, Article IV of the New Jersey Constitution, following the most
3 recent federal decennial census of the United States, and no candidates
4 who have established only a joint candidates committee, their
5 campaign treasurer, deputy campaign treasurer, or joint candidates
6 committee, shall knowingly accept from any such source any
7 contribution of money or other thing of value which in the aggregate
8 exceeds [\$5,000] \$100 per election per candidate, or \$250 per election
9 per candidate, if applicable, in the recipient joint candidates
10 committee, and no candidate who has established both a candidate
11 committee and a joint candidates committee, the campaign treasurers,
12 deputy campaign treasurers, or candidate committee or joint
13 candidates committee shall knowingly accept from any such source any
14 contribution of money or other thing of value which in the aggregate
15 exceeds [\$5,000] \$100 per election or \$250 per election, if applicable.

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

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

32 e. For the purpose of determining the amount of a contribution to
33 be attributed as given to or by each candidate in a joint candidates
34 committee, the amount of the contribution to or by such a committee
35 shall be divided equally among all the candidates in the committee.
36 (cf: P.L.1993, c.65, s.18)

37

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

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

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

35 (2) No national committee of a political party shall pay or make
36 any contribution of money or other thing of value to the campaign
37 treasurer, deputy treasurer or other representative of the State
38 committee of a political party which in the aggregate exceeds
39 [\$50,000] \$1,000 per year, and no campaign treasurer, deputy
40 campaign treasurer or other representative of the State committee of
41 a political party shall knowingly accept from the national committee
42 of a political party any contribution of money or other thing of value
43 which in the aggregate exceeds [\$50,000] \$1,000 per year.

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

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

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

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

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

43 (cf: P.L.1993, c.65, s.19)

44

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

1 20. a. No candidate who has established only a candidate
2 committee, his campaign treasurer, deputy treasurer or candidate
3 committee shall pay or make any contribution of money or other thing
4 of value to a political committee, other than a political committee
5 which is organized to, or does, aid or promote the passage or defeat
6 of a public question in any election, or a continuing political
7 committee, which in the aggregate exceeds, in the case of such a
8 political committee, [\$5,000] \$100 per election, or in the case of a
9 continuing political committee, [\$5,000] \$100 per year, and no
10 candidates who have established only a joint candidates committee,
11 their campaign treasurer, deputy campaign treasurer or joint
12 candidates committee shall pay or make any contribution of money or
13 other thing of value to such a political committee or continuing
14 political committee which in the aggregate exceeds, in the case of such
15 a political committee, [\$5,000] \$100 per election per candidate in the
16 joint candidates committee, or in the case of a continuing political
17 committee, [\$5,000] \$100 per year per candidate in the joint
18 candidates committee, and no candidate who has established both a
19 candidate committee and a joint candidates committee shall pay or
20 make any contribution of money or other thing of value which in the
21 aggregate exceeds, in the case of such a political committee, [\$5,000]
22 \$100 per election from that candidate, or in the case of a continuing
23 political committee, [\$5,000] \$100 per year from that candidate. No
24 political committee, other than a political committee which is
25 organized to, or does, aid or promote the passage or defeat of a public
26 question in any election, or a continuing political committee, shall
27 knowingly accept from a candidate who has established only a
28 candidate committee, his campaign treasurer, deputy treasurer or
29 candidate committee, any contribution of money or other thing of
30 value which in the aggregate exceeds, in the case of such a political
31 committee, [\$5,000] \$100 per election, or in the case of a continuing
32 political committee, [\$5,000] \$100 per year, and no such political
33 committee or continuing political committee shall knowingly accept
34 from candidates who have established only a joint candidates
35 committee, their campaign treasurer, deputy campaign treasurer, or
36 joint candidates committee, any contribution of money or other thing
37 of value which in the aggregate exceeds, in the case of such a political
38 committee, [\$5,000] \$100 per election per candidate in the joint
39 candidates committee, or in the case of a continuing political
40 committee, [\$5,000] \$100 per year per candidate in the joint
41 candidates committee, and no such political committee or continuing
42 political committee shall knowingly accept from a candidate who has
43 established both a candidate committee and a joint candidates
44 committee any contribution of money or other thing of value which in
45 the aggregate exceeds, in the case of such a political committee,
46 [\$5,000] \$100 per election from that candidate, or in the case of a

1 continuing political committee, [\$5,000] \$100 per year from that
2 candidate. For the purpose of determining the amount of a
3 contribution to be attributed as given by each candidate in a joint
4 candidates committee, the amount of the contribution by such a
5 committee shall be divided equally among all the candidates in the
6 committee.

7 b. No political committee, other than a political committee which
8 is organized to, or does, aid or promote the passage or defeat of a
9 public question in any election, and no continuing political committee
10 shall pay or make any contribution of money or other thing of value to
11 another political committee, other than a political committee which is
12 organized to, or does, aid or promote the passage or defeat of a public
13 question in any election, or another continuing political committee
14 which in the aggregate exceeds, in the case of a recipient continuing
15 political committee, [\$5,000] \$100 per year, or in the case of a
16 recipient political committee, [\$5,000] \$100 per election. No political
17 committee, other than a political committee which is organized to, or
18 does, aid or promote the passage or defeat of a public question in any
19 election, and no continuing political committee shall knowingly accept
20 from another political committee, other than a political committee
21 which is organized to, or does, aid or promote the passage or defeat
22 of a public question in any election, or another continuing political
23 committee any contribution of money or other thing of value which in
24 the aggregate exceeds, in the case of a recipient continuing political
25 committee, [\$5,000] \$100 per year, or in the case of a recipient
26 political committee, [\$5,000] \$100 per election.

27 (cf: P.L.1993, c.65, s.20)

28

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

31 21. a. Each political committee, as defined in subsection i. of
32 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes the
33 nomination for election or the election of a candidate or the passage
34 or defeat of a public question[,] and each continuing political
35 committee, as defined in subsection n. of section 3 of P.L.1973, c.83[,
36 and each legislative leadership committee as defined in subsection s.
37 of section 3 of P.L.1973, c.83], shall submit to the commission a
38 statement of registration which includes:

39 (1) the complete name or identifying title of the committee and the
40 general category of entity or entities, including but not limited to
41 business organizations, labor organizations, professional or trade
42 associations, candidate for or holder of public office, political party,
43 ideological grouping or civic association, the interests of which are
44 shared by the leadership, members, or financial supporters of the
45 committee;

46 (2) the mailing address of the committee and the name and

1 resident address of a resident of this State who shall have been
2 designated by the committee as its agent to accept service of process;
3 and

4 (3) a descriptive statement prepared by the organizers or officers
5 of the committee that identifies (a) the names and mailing addresses of
6 the persons having control over the affairs of the committee, including
7 but not limited to persons in whose name or at whose direction or
8 suggestion the committee solicits funds and persons participating in
9 any decision to make a contribution of such funds to any candidate,
10 political committee or continuing political committee; (b) the name and
11 mailing address of any person not included among the persons
12 identified under subparagraph (a) of this paragraph who, directly or
13 through an agent, participated in the initial organization of the
14 committee; (c) in the case of any person identified under subparagraph
15 (a) or subparagraph (b) who is an individual, the occupation of that
16 individual, the individual's home address, and the name and mailing
17 address of the individual's employer, or, in the case of any such person
18 which is a corporation, partnership, unincorporated association, or
19 other organization, the name and mailing address of the organization;
20 and (d) any other information which the Election Law Enforcement
21 Commission may, under such regulations as it shall adopt pursuant to
22 the provisions of the "Administrative Procedure Act," P.L.1968, c.410
23 (C.52:14B-1 et seq.), require as being material to the fullest possible
24 disclosure of the economic, political and other particular interests and
25 objectives which the committee has been organized to or does
26 advance. The commission shall be informed, in writing, of any change
27 in the information required by this paragraph within three days of the
28 occurrence of the change. [Legislative leadership committees shall be
29 exempt from the requirements of subparagraphs (a), (b) and (c) of this
30 paragraph.]

31 b. After submission of a statement of registration to the
32 commission pursuant to this section, the committee shall use the
33 complete name or identifying title on all documents submitted to the
34 commission, in all solicitations for contributions, in all paid media
35 advertisements purchased or paid for by the committee in support of
36 or in opposition to any candidate or public question, and in all
37 contributions made by the committee to candidates or other
38 committees.

39 c. Each report of contributions under section 8 of P.L.1973, c.83
40 (C.19:44A-8) by a political committee[,] or continuing political
41 committee [or legislative leadership committee] required under
42 subsection a. of this section to submit a statement of registration shall
43 include, in the case of each contributor who is an individual, the home
44 address of the individual if different from the individual's mailing
45 address, or, in the case of any contributor which is an organization,
46 any information, in addition to that otherwise required, which the

1 Election Law Enforcement Commission may, under such regulations
2 as it shall adopt pursuant to the provisions of the "Administrative
3 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as
4 being material to the fullest possible disclosure of the economic,
5 political and other particular interests and objectives which the
6 contributing organization has been organized to or does advance.

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

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

28

29 20. Section 22 of P.L.1993, c.65 (C.19:44A-7.2) is amended to
30 read as follows:

31 22. a. Not later than December 1 of each year preceding any year
32 in which a general election is to be held to fill the office of Governor
33 for a four-year term, the Election Law Enforcement Commission shall
34 adjust the amounts, set forth in subsection b. of this section, which
35 shall be applicable under P.L.1973, c.83 (C.19:44A-1 et al.) to primary
36 and general elections for any public office other than the office of
37 Governor, to limitations on contributions to and from political
38 committees, continuing political committees, candidate committees,
39 joint candidates committees[,] and political party committees [and
40 legislative leadership committees] and to other amounts, at a
41 percentage which shall be the same as the percentage of change that
42 the commission applies to the amounts used for the primary and
43 general elections for the office of Governor held in the third year
44 preceding the year in which that December 1 occurs, pursuant to
45 section 19 of P.L.1980, c.74 (C.19:44A-7.1), and any amount so
46 adjusted shall be rounded in the same manner as provided in that

1 section.

2 b. The amounts subject to adjustment as provided under this
3 section shall be:

4 (1) the minimum amount raised or expended by any two or more
5 persons acting jointly who qualify as a political committee and the
6 minimum amount contributed or expected to be contributed in any
7 calendar year by any group of two or more persons acting jointly who
8 qualify as a continuing political committee as defined in section 3 of
9 P.L.1973, c.83 (C.19:44A-3);

10 (2) the minimum amount of a contribution to a political
11 committee, continuing political committee[, legislative leadership
12 committee] or political party committee which triggers an obligation
13 to report that contribution to the commission pursuant to section 8 of
14 P.L.1973, c.83 (C.19:44A-8), and the minimum amount of a
15 contribution to a candidate, candidate committee or joint candidates
16 committee which triggers an obligation to report that contribution to
17 the commission pursuant to section 16 of P.L.1973, c.83
18 (C.19:44A-16);

19 (3) the minimum amount of a contribution to a political committee,
20 continuing political committee[, legislative leadership committee] or
21 a political party committee received during the period between the
22 13th day prior to the election and the date of the election, the
23 minimum amount of an expenditure by a political committee during
24 that period, and the minimum amount of an expenditure by a
25 continuing political committee during the period beginning after March
26 31 and ending on the date of the primary election and the period
27 beginning after September 30 and ending on the date of the general
28 election which triggers an obligation to report that contribution to the
29 commission pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8), and
30 the minimum amount of a contribution to a candidate, candidate
31 committee or joint candidates committee received during the period
32 between the 13th day prior to the election and the date of the election
33 which triggers an obligation to report that contribution to the
34 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

35 (4) the maximum amount which may be expended by the campaign
36 organizations of two or more candidates forming a joint candidates
37 committee without being required to file contribution reports, pursuant
38 to section 8 of P.L.1973, c.83 (C.19:44A-8);

39 (5) the maximum amount that a person, not acting in concert with
40 any other person or group, may spend to support or defeat a candidate
41 or to aid the passage or defeat of a public question without being
42 required to report all such expenditures and expenses to the
43 commission pursuant to section 11 of P.L.1973, c.83 (C.19:44A-11)
44 and the maximum amount that a person, not acting in concert with any
45 other person or group, may raise through a public solicitation and
46 expend to finance any lawful activity in support of or in opposition to

1 any candidate or public question or to seek to influence the content,
2 introduction, passage or defeat of legislation pursuant to section 19 of
3 P.L.1973, c.83 (C.19:44A-19);

4 (6) the maximum amount that may be expended, in the aggregate,
5 on behalf of a candidate without requiring that candidate to file
6 contribution reports with the commission and the maximum amount
7 that may be expended, in the aggregate, on behalf of a candidate
8 seeking election to a public office of a school district, without
9 requiring that candidate to file contribution reports with the
10 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

11 (7) the maximum amount of penalty which may be imposed by the
12 commission on any person who fails to comply with the regulatory
13 provisions of P.L.1973, c.83 (C.19:44A-1 et al.) for a first offense or
14 a second and subsequent offenses, pursuant to section 22 of P.L.1973,
15 c.83 (C.19:44A-22);

16 (8) the maximum amount of penalty which may be imposed by the
17 commission on any corporation or labor organization which provides
18 any of its employees any additional increment of salary for the express
19 purpose of making a contribution to a candidate, candidate committee,
20 joint candidates committee, political party committee, [legislative
21 leadership committee,] political committee or continuing political
22 committee for a first or a second and subsequent offenses, pursuant to
23 section 15 of P.L.1993, c.65 (C.19:44A-20.1);

24 (9) the maximum amount of contributions permitted to be made by
25 an individual, a corporation or labor organization to a candidate,
26 candidate committee or joint candidates committee, the maximum
27 amount of contributions permitted to be made by a political committee
28 or a continuing political committee to a candidate, candidate
29 committee or joint candidates committee other than the committee of
30 a candidate for nomination or election to the office of Governor and
31 the maximum amount of contributions permitted to be made by one
32 candidate, candidate committee or joint candidates committee, other
33 than the committee of a candidate for nomination or election to the
34 office of Governor, to another candidate, candidate committee or joint
35 candidates committee other than the committee of a candidate for
36 nomination or election to the office of Governor pursuant to section
37 18 of P.L.1993, c.65 (C.19:44A-11.3);

38 (10) the maximum amount of contributions permitted to be made
39 by an individual, corporation, labor organization, political committee,
40 continuing political committee, candidate committee [or], joint
41 candidates committee, political party committee or any other group to
42 any political party committee [or any legislative leadership committee]
43 pursuant to section 19 of P.L.1993, c.65 (C.19:44A-11.4);

44 (11) the maximum amount of contributions permitted to be made
45 by a candidate, candidate committee or joint candidates committee to
46 a political committee or a continuing political committee and the

1 maximum amount of contributions permitted to be made by one
2 political committee or continuing political committee to another
3 political committee or continuing political committee pursuant to
4 section 20 of P.L.1993, c.65 (C.19:44A-11.5).

5 (12) the amount of filing fees which may be collected from a
6 candidate committee, a joint candidates committee, a continuing
7 political committee, a political party committee[, a legislative
8 leadership committee,] or any other person pursuant to section 6 of
9 P.L.1973, c.83 (C.19:44A-6) (as that section shall have been amended
10 by P.L....., c....., now pending before the Legislature as Senate
11 Committee Substitute for Senate, No. 70 (1R).

12 c. Not later than December 15 of each year preceding any year in
13 which a general election is to be held to fill the office of Governor for
14 a four-year term, the commission shall report to the Legislature and
15 make public its adjustment of limits in accordance with the provisions
16 of this section. Whenever, following the transmittal of that report, the
17 commission shall have notice that a person has declared as a candidate
18 for nomination for election or for election to any public office in a
19 forthcoming primary or general election, it shall promptly notify that
20 candidate of the amounts of those adjusted limits.

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

22

23 21. Section 1 of P.L.1993, c.370 (C.19:44A-11.7) is amended to
24 read as follows:

25 1. Any payment to any individual which is related to efforts by or
26 on behalf of a candidate, candidate committee, joint candidates
27 committee, political committee, continuing political committee[,] or
28 political party committee[, or legislative leadership committee] in aid
29 of or to promote the candidacy of an individual for nomination for
30 election or for election to elective public office or the passage or
31 defeat of a public question, or to efforts directly to promote or
32 encourage the participation of voters in an election, including but not
33 limited to payments made to campaign workers and payments to other
34 individuals which are intended for further transfer to election-day
35 workers or other ultimate payees, shall be made by check payable to
36 such named individual, and no such payment shall be made in currency.

37 Any payment to a candidate committee, joint candidates committee,
38 political committee, continuing political committee, or political party
39 committee, [or legislative leadership committee,] or to any other
40 person, association or group, by a candidate or any such committee or
41 by any other person, association or group, which payment is related to
42 efforts in aid of or to promote the candidacy of an individual for
43 nomination for election or for election to elective public office or the
44 passage or defeat of a public question, or to efforts directly to
45 promote or encourage the participation of voters in an election, shall
46 be made by check payable to the named committee, person,

1 association, or group, and no such payment shall be made in currency.

2 As used in this section, "candidate", "candidate committee", "joint
3 candidates committee," "political committee," "continuing political
4 committee[,] and "political party committee[,"] [and "legislative
5 leadership committee"] shall have the meanings prescribed for those
6 respective terms by section 3 of P.L.1973, c.83 (C.19:44A-3).

7 (cf: P.L.1993, c.370, s.1)

8

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

11 2. a. Whenever a candidate committee, joint candidates
12 committee, political committee, continuing political committee[,] or
13 political party committee [or legislative leadership committee], or any
14 group other than such a committee, or any person makes, incurs or
15 authorizes an expenditure for the purpose of financing a
16 communication aiding or promoting the nomination, election or defeat
17 of any candidate or providing political information on any candidate
18 which is an expenditure that the committee, group or person is
19 required to report to the Election Law Enforcement Commission
20 pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.), the communication
21 shall clearly state the name and business or residence address of the
22 committee, group or person, as that information appears on reports
23 filed with the commission, and that the communication has been
24 financed by that committee, group or person.

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

38 c. A communication that is financed by any person, not acting in
39 concert with a candidate or any person or committee acting on behalf
40 of a candidate, shall contain a clear and conspicuous statement that the
41 expenditure was not made with the cooperation or prior consent of,
42 or in consultation with or at the request or suggestion of, any such
43 candidate, person or committee.

44 d. Any person who accepts compensation from a committee, group
45 or individual described in subsection a. or b. of this section for the
46 purpose of printing, broadcasting, or otherwise disseminating to the

1 electorate a communication shall maintain a record of the transaction
2 which shall include an exact copy of the communication and a
3 statement of the number of copies made or the dates and times that the
4 communication was broadcast, and the name and address of the
5 committee, group or individual paying for the communication. The
6 record shall be maintained on file at the principal office of the person
7 accepting the communication for at least two years and shall be
8 available for public inspection during normal business hours.

9 e. As used in this section, "communication" means a press release,
10 pamphlet, flyer, form letter, sign, billboard or paid advertisement
11 printed in any newspaper or other publication or broadcast on radio or
12 television, or any other form of advertising directed to the electorate.

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

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

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

23 h. The Election Law Enforcement Commission shall promulgate
24 rules and regulations pursuant to the "Administrative Procedure Act,"
25 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purpose of this
26 section. The commission may, by regulation, exempt from the
27 provisions of this section small, tangible items of de minimis value
28 which are commonly used in campaigns to convey a political message,
29 including, but not limited to, buttons, combs, and nail files. The
30 commission may also, by regulation, exempt from the provisions of
31 this section advertising space purchased by a candidate committee,
32 joint candidates committee, political committee, continuing political
33 committee, political party committee, [legislative leadership
34 committee] or other person, in a political program book distributed at
35 a fund-raising event if the financial transaction is otherwise subject to
36 disclosure. An exemption granted by the commission with respect to
37 any item shall not relieve the committee, group or individual making
38 an expenditure therefor from any applicable campaign finance
39 reporting requirements.

40 In addition, the commission shall have the authority to provide, by
41 regulation, that a communication need not include the address of the
42 committee, group or person financing the communication in
43 circumstances where the name of a committee, group or person would
44 be sufficient to identify it from the commission's records.

45 (cf: P.L.1995, c.391, s.2)

46

1 23. (New section) Within one year after the enactment of this act,
2 the President of the Senate, the Minority Leader of the Senate, the
3 Speaker of the General Assembly and the Minority Leader of the
4 General Assembly, if maintaining or participating either directly or
5 indirectly in the management or control of a legislative leadership
6 committee, as defined in subsection s. of section 3 of P.L.1973, c.83
7 (C.19:44A-3) prior to the amendment of that section by this act, shall
8 wind up or cause to be wound up the affairs of that committee in
9 accordance with the provisions of section 8 of P.L.1973, c.83
10 (C.19:44A-8) and disburse all of the funds therein in accordance with
11 the provisions of section 17 of P.L.1993, c.65 (C.19:44A-11.2).

12

13 24. (New section) Any solicitation of contributions by an
14 individual, corporation, labor organization, association or other
15 organization from its executive or administrative personnel or
16 employees, or their families, which is made on behalf of a candidate for
17 the nomination for election or for election to the office of member of
18 the Legislature, or the candidate committee, joint candidates
19 committee, or both, of such a person, shall be made only by mail
20 addressed to those persons, executive or administrative personnel or
21 employees or their families at their respective residences. The
22 solicitation shall provide only for the direct transmittal of any
23 contribution by the individual, corporation, labor organization,
24 association or other organization thus solicited to the campaign
25 treasurer or organizational treasurer of the candidate, candidate
26 committee or joint candidates committee, as the case may be, on behalf
27 of whom or which the contribution is made, and not through the
28 individual, corporation, labor organization, association or organization
29 that makes the solicitation or through any other intermediary. The
30 solicitation shall be designed so that the individual, corporation, labor
31 organization, association or organization cannot determine who makes
32 a contribution as a result of such a solicitation and who does not make
33 a contribution. No such solicitation shall be made more than twice
34 during a calendar year.

35 As used in this section, "executive or administrative personnel"
36 means individuals employed by a corporation, labor organization,
37 association or other organization who are paid on a salary rather than
38 an hourly basis and who have policy-making, managerial, professional
39 or supervisory responsibilities.

40

41 25. (New section) A candidate committee, joint candidates
42 committee, political committee, continuing political committee or
43 political party committee that does not act in concert with any
44 candidate or person or committee acting on behalf of a candidate but
45 does make, incur or authorize an expenditure for the purpose of
46 financing communication aiding or promoting the election or defeat of

1 any candidate or providing political information on any candidate
2 which is an expenditure that the committee is required to report to the
3 Election Law Enforcement Commission pursuant to P.L.1973, c.83
4 (C.19:44A-1 et seq.) shall:

5 a. report to the commission all such expenditures on the same
6 schedule as that provided in section 16 of P.L.1973 c.83 (C.19:44A-
7 16) for a candidate who is running for election or reelection; and

8 b. provide with that communication the name and mailing address
9 of the committee, group or person which has contributed the greatest
10 amount of money or other thing of value to that committee, group or
11 person during the previous reporting period.

12

13 26. Section 16 of P.L.1993, c.65 (C.19:44A-10.1) is repealed.

14

15 27. This act shall take effect on January 1 following enactment.

16

17

18 STATEMENT

19

20 The purpose of this bill, entitled "The Clean Elections Act of 1996,"
21 is to restrict the amount of money and other things of value that may
22 be contributed to candidates for most public offices and to various
23 committees. The bill also abolishes the formation and use of
24 legislative leadership committees.

25 Specifically, the bill:

26 1) limits to \$100 per election the amount of money that may be
27 contributed to a candidate by a person, a group, a political committee,
28 a continuing political committee ("PAC"), the State committee of a
29 political party or a county or municipal committee of a political party,
30 except that contributions to a candidate for nomination for election or
31 for election to the office of Governor remain at \$1,800 per election,
32 and limits to \$250 per election contributions by those entities to a
33 candidate for nomination for election or for election to the office of
34 member of the Legislature and to a candidate for public office in a
35 county or municipality with a population that equals or exceeds that
36 of the legislative district with the least population established by the
37 Apportionment Commission following the most recent federal
38 decennial census (under current law, political party committees and
39 legislative leadership committees may give unlimited amounts to
40 candidates, with certain exceptions);

41 2) reduces to \$1,000 per year the amount of money that may be
42 contributed to the State committee of a political party and a county or
43 municipal committee of a political party;

44 3) abolishes the formation and use of legislative leadership
45 committees by the President of the Senate, the Minority Leader of the
46 Senate, the Speaker of the General Assembly and the Minority leader

1 of the General Assembly (under current law, each of these committees
2 can receive up to \$25,000 per year from an individual, a candidate,
3 corporation, labor union, political committee, continuing political
4 committee or any other group);

5 4) prohibits any individual, corporation, labor organization,
6 association or organization from "bundling" contributions from the
7 employees or the families thereof to a candidate for nomination for
8 election or for election to the office of member of the Legislature;

9 5) requires each committee not acting in concert with any candidate
10 or a committee acting on behalf of a candidate and that makes an
11 expenditure for the purpose of financing a communication concerning
12 a candidate to report all such expenditures on the same schedule as a
13 candidate running for election or reelection and to provide with that
14 communication the name and address of the entity which has
15 contributed the most money to that committee during the previous
16 reporting period;

17 6) lowers the threshold, from in excess of \$200 to in excess of \$50,
18 for reporting contributors' names and addresses and certain other
19 information to the Election Law Enforcement Commission (ELEC);

20 7) lowers the threshold, from in excess of \$500 to in excess of \$75,
21 for reporting a contribution or expenditure to ELEC from a single
22 source that a political committee, candidate committee or joint
23 candidates committee receives during the period between the 13th day
24 prior to the election and the date of the election and that a continuing
25 political committee or political party committee receives after the final
26 day of a quarterly reporting period and on or before an election;

27 8) lowers, from \$2,000 for a candidate committee, \$4,000 for a
28 joint candidates committee and \$6,000 for a joint committee of three
29 or more candidates to \$1,000, \$2,000 and \$3,000, respectively, the
30 threshold amount of expenditures made on behalf of a candidate by
31 certain committees that obligates a candidate to file a report with
32 ELEC describing those expenditures; and

33 9) provides that all individuals and committees required to file
34 reports may do so by electronic means, following such procedures and
35 using such equipment as shall be prescribed or furnished by ELEC.

36

37

38

39

40 Limits certain campaign contributions to \$100 per year or per election;
41 abolishes legislative leadership committees; makes various other
42 changes to campaign finance law.