

ASSEMBLY, No. 2693

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1997

By Assemblyman BARNES, Assemblywomen BUONO and Friscia

1 AN ACT limiting certain campaign contributions and abolishing the  
2 formation and use of legislative leadership committees, amending  
3 various parts of the statutory law and repealing section 16 of  
4 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. Section 2 of P.L.1973, c.83 (C.19:44A-2) is amended to read as  
10 follows:

11 2. a. It is hereby declared to be in the public interest and to be the  
12 policy of the State to limit political contributions and to require the  
13 reporting of all contributions received and expenditures made to aid or  
14 promote the nomination, election or defeat of any candidate for public  
15 office or to aid or promote the passage or defeat of a public question  
16 in any election and to require the reporting of all contributions  
17 received and expenditures made to provide political information on  
18 any candidate for public office, or on any public question.

19 b. It is further declared that:

20 (1) Reducing the influence of special interests fosters significantly  
21 public trust in State government and in the electoral process.

22 (2) The public's interest in a fair and democratic system of electing  
23 public officials is well served by promoting equitable competition  
24 among different types of contributors and between incumbents and  
25 challengers.

26 (3) It is desirable to insure that no single elected official or groups  
27 of elected officials are able to exert an undue amount of power and  
28 influence over election campaigns at the State and local levels.

29 (4) It is also desirable to provide the public, candidates and  
30 election committees with a set of campaign finance rules that are easy  
31 to understand and simple to administer.

32 (5) Given the justness of these principles, it is necessary to abolish  
33 certain committees, to reduce the amount of money that may be given

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 by certain contributors in an election and to equalize the competition  
2 for elected public office between challengers and incumbents.

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

4

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

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

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

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

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

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

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

38 f. The term "paid personal services" means personal, clerical,  
39 administrative or professional services of every kind and nature  
40 including, without limitation, public relations, research, legal,  
41 canvassing, telephone, speech writing or other such services,  
42 performed other than on a voluntary basis, the salary, cost or  
43 consideration for which is paid, borne or provided by someone other  
44 than the committee, candidate or organization for whom such services  
45 are rendered. In determining the value, for the purpose of reports  
46 required under this act, of contributions made in the form of paid

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

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

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

35 i. The term "political committee" means any two or more persons  
36 acting jointly, or any corporation, partnership, or any other  
37 incorporated or unincorporated association which is organized to, or  
38 does, aid or promote the nomination, election or defeat of any  
39 candidate or candidates for public office, or which is organized to, or  
40 does, aid or promote the passage or defeat of a public question in any  
41 election, if the persons, corporation, partnership or incorporated or  
42 unincorporated association raises or expends \$1,000.00 or more to so  
43 aid or promote the nomination, election or defeat of a candidate or  
44 candidates or the passage or defeat of a public question; provided that  
45 for the purposes of this act, the term "political committee" shall not  
46 include a "continuing political committee," as defined by subsection n.

1 of this section, a "political party committee," as defined by subsection  
2 p. of this section, a "candidate committee," as defined by subsection  
3 q. of this section[,] or a "joint candidates committee," as defined by  
4 subsection r. of this section [or a "legislative leadership committee,"  
5 as defined by subsection s. of this section].

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

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

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

35 m. The term "qualified candidate" means:

36 (1) Any candidate for election to the office of Governor whose  
37 name appears on the general election ballot; who has deposited and  
38 expended \$150,000.00 pursuant to section 7 of P.L.1974, c.26  
39 (C.19:44A-32); and who, not later than September 1 preceding a  
40 general election in which the office of Governor is to be filled, (a)  
41 notifies the Election Law Enforcement Commission in writing that the  
42 candidate intends that application will be made on the candidate's  
43 behalf for monies for general election campaign expenses under  
44 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)  
45 signs a statement of agreement, in a form to be prescribed by the  
46 commission, to participate in two interactive gubernatorial election

1 debates under the provisions of sections 9 through 11 of P.L.1989, c.4  
2 (C.19:44A-45 through C.19:44A-47); or

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

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

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

44 n. The term "continuing political committee" means any group of  
45 two or more persons acting jointly, or any corporation, partnership, or  
46 any other incorporated or unincorporated association, including a

1 political club, political action committee, civic association or other  
2 organization, which in any calendar year contributes or expects to  
3 contribute at least \$2,500.00 to the aid or promotion of the candidacy  
4 of an individual, or of the candidacies of individuals, for elective public  
5 office, or the passage or defeat of a public question or public  
6 questions, and which may be expected to make contributions toward  
7 such aid or promotion or passage or defeat during a subsequent  
8 election, provided that the group, corporation, partnership, association  
9 or other organization has been determined to be a continuing political  
10 committee under subsection b. of section 8 of P.L.1973, c.83  
11 (C.19:44A-8); provided that for the purposes of this act, the term  
12 "continuing political committee" shall not include a "political party  
13 committee," as defined by subsection p. of this section [, or a  
14 "legislative leadership committee," as defined by subsection s. of this  
15 section].

16 o. The term "statement of agreement" means a written declaration,  
17 by a candidate for nomination for election or for election to the office  
18 of Governor who intends that application will be made on that  
19 candidate's behalf to receive monies for primary election or general  
20 election campaign expenses under subsection a. or subsection b.,  
21 respectively, of section 8 of P.L.1974, c.26 (C.19:44A-33), that the  
22 candidate undertakes to abide by the terms of any rules established by  
23 any private organization sponsoring a gubernatorial primary or general  
24 election debate, as appropriate, to be held under the provisions of  
25 sections 9 through 11 of P.L.1989, c.4 (C.19:44A-45 through  
26 C.19:44A-47) and in which the candidate is to participate. The  
27 statement of agreement shall include an acknowledgment of notice to  
28 the candidate who signs it that failure on that candidate's part to  
29 participate in any of the gubernatorial debates may be cause for the  
30 termination of the payment of such monies on the candidate's behalf  
31 and for the imposition of liability for the return to the commission of  
32 such monies as may previously have been so paid.

33 p. The term "political party committee" means the State committee  
34 of a political party, as organized pursuant to R.S.19:5-4, any county  
35 committee of a political party, as organized pursuant to R.S.19:5-3, or  
36 any municipal committee of a political party, as organized pursuant to  
37 R.S.19:5-2.

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

41 r. The term "joint candidates committee" means a committee  
42 established pursuant to subsection a. of section 9 of P.L.1973, c.83  
43 (C.19:44A-9) by at least two candidates for the same elective public  
44 offices in the same election in a legislative district, county,  
45 municipality or school district, but not more candidates than the total  
46 number of the same elective public offices to be filled in that election,

1 for the purpose of receiving contributions and making expenditures.  
2 For the purpose of this subsection: the offices of member of the Senate  
3 and members of the General Assembly shall be deemed to be the same  
4 elective public offices in a legislative district; the offices of member of  
5 the board of chosen freeholders and county executive shall be deemed  
6 to be the same elective public offices in a county; and the offices of  
7 mayor and member of the municipal governing body shall be deemed  
8 to be the same elective public offices in a municipality.

9 s. [The term "legislative leadership committee" means a committee  
10 established, authorized to be established, or designated by the  
11 President of the Senate, the Minority Leader of the Senate, the  
12 Speaker of the General Assembly or the Minority Leader of the  
13 General Assembly pursuant to section 16 of P.L.1993, c.65  
14 (C.19:44A-10.1) for the purpose of receiving contributions and  
15 making expenditures.] (~~Deleted by amendment, P.L. . . . , c. . . .~~)  
16 (cf: P.L.1995, c.194, s.1.)  
17

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

20 8. a. (1) Each political committee shall make a full cumulative  
21 report, upon a form prescribed by the Election Law Enforcement  
22 Commission, of all contributions in the form of moneys, loans, paid  
23 personal services, or other things of value made to it and all  
24 expenditures made, incurred, or authorized by it in furtherance of the  
25 nomination, election or defeat of any candidate, or in aid of the  
26 passage or defeat of any public question, or to provide political  
27 information on any candidate or public question, during the period  
28 ending 48 hours preceding the date of the report and beginning on the  
29 date on which the first of those contributions was received or the first  
30 of those expenditures was made, whichever occurred first. The  
31 cumulative report, except as hereinafter provided, shall contain the  
32 name and mailing address of each person or group from whom  
33 moneys, loans, paid personal services or other things of value have  
34 been contributed since 48 hours preceding the date on which the  
35 previous such report was made and the amount contributed by each  
36 person or group, and where the contributor is an individual, the report  
37 shall indicate the occupation of the individual and the name and  
38 mailing address of the individual's employer. In the case of any loan  
39 reported pursuant to this subsection, the report shall contain the name  
40 and mailing address of each person who has cosigned such loan since  
41 48 hours preceding the date on which the previous such report was  
42 made, and where an individual has cosigned such loans, the report  
43 shall indicate the occupation of the individual and the name and  
44 mailing address of the individual's employer. The cumulative report  
45 shall also contain the name and address of each person, firm or  
46 organization to whom expenditures have been paid since 48 hours

1 preceding the date on which the previous such report was made and  
2 the amount and purpose of each such expenditure. The cumulative  
3 report shall be filed with the Election Law Enforcement Commission  
4 on the dates designated in section 16 hereof.

5 The campaign treasurer of the political committee reporting shall  
6 certify to the correctness of each report.

7 Each campaign treasurer of a political committee shall file written  
8 notice with the commission of a contribution in excess of \$500  
9 received during the period between the 13th day prior to the election  
10 and the date of the election, and of an expenditure of money or other  
11 thing of value in excess of \$500 made, incurred or authorized by the  
12 political committee to support or defeat a candidate in an election, or  
13 to aid the passage or defeat of any public question, during the period  
14 between the 13th day prior to the election and the date of the election.  
15 The notice of a contribution shall be filed in writing or by telegram  
16 within 48 hours of the receipt of the contribution and shall set forth  
17 the amount and date of the contribution, the name and mailing address  
18 of the contributor, and where the contributor is an individual, the  
19 individual's occupation and the name and mailing address of the  
20 individual's employer. The notice of an expenditure shall be filed in  
21 writing or by telegram within 48 hours of the making, incurring or  
22 authorization of the expenditure and shall set forth the name and  
23 mailing address of the person, firm or organization to whom or which  
24 the expenditure was paid and the amount and purpose of the  
25 expenditure.

26 (2) When a political committee or an individual seeking party office  
27 makes or authorizes an expenditure on behalf of a candidate, it shall  
28 provide immediate written notification to the candidate of the  
29 expenditure.

30 b. (1) A group of two or more persons acting jointly, or any  
31 corporation, partnership, or any other incorporated or unincorporated  
32 association including a political club, political action committee, civic  
33 association or other organization, which in any calendar year  
34 contributes or expects to contribute at least \$2,500.00 to the aid or  
35 promotion of the candidacy of an individual, or of the candidacies of  
36 individuals, for elective public office or the passage or defeat of a  
37 public question or public questions and which expects to make  
38 contributions toward such aid or promotion, or toward such passage  
39 or defeat, during a subsequent election shall certify that fact to the  
40 commission, and the commission, upon receiving that certification and  
41 on the basis of any information as it may require of the group,  
42 corporation, partnership, association or other organization, shall  
43 determine whether the group, corporation, partnership, association or  
44 other organization is a continuing political committee for the purposes  
45 of this act. If the commission determines that the group, corporation,  
46 partnership, association or other organization is a continuing political

1 committee, it shall so notify that continuing political committee.

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

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

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

34 Each continuing political committee shall provide immediate written  
35 notification to each candidate of all expenditures made or authorized  
36 on behalf of the candidate.

37 If any continuing political committee submitting cumulative  
38 quarterly reports as provided under this subsection receives a  
39 contribution from a single source of more than \$500 after the final day  
40 of a quarterly reporting period and on or before a primary, general,  
41 municipal, school or special election which occurs after that final day  
42 but prior to the final day of the next reporting period it shall, in writing  
43 or by telegram, report that contribution to the commission within 48  
44 hours of the receipt thereof, including in that report the amount and  
45 date of the contribution; the name and mailing address of the  
46 contributor; and where the contributor is an individual, the individual's

1 occupation and the name and mailing address of the individual's  
2 employer. If any continuing political committee makes or authorizes  
3 an expenditure of money or other thing of value in excess of \$500, or  
4 incurs any obligation therefor, to support or defeat a candidate in an  
5 election, or to aid the passage or defeat of any public question, after  
6 March 31 and on or before the day of the primary election, or after  
7 September 30 and on or before the day of the general election, it shall,  
8 in writing or by telegram, report that expenditure to the commission  
9 within 48 hours of the making, authorizing or incurring thereof.

10 A continuing political committee which ceases making contributions  
11 toward the aiding or promoting of the candidacy of an individual, or  
12 of the candidacies of individuals, for elective public office in this State  
13 or the passage or defeat of a public question or public questions in this  
14 State shall certify that fact in writing to the commission, and that  
15 certification shall be accompanied by a final accounting of any fund  
16 relating to such aiding or promoting including the final disposition of  
17 any balance in such fund at the time of dissolution. Until that  
18 certification has been filed, the committee shall continue to file the  
19 quarterly reports as provided under this subsection.

20 c. Each political party committee [and each legislative leadership  
21 committee] shall file with the Election Law Enforcement Commission,  
22 not later than April 15, July 15, October 15 and January 15 of each  
23 calendar year, a cumulative quarterly report of all moneys, loans, paid  
24 personal services or other things of value contributed to it during the  
25 period ending on the 15th day preceding that date and commencing on  
26 January 1 of that calendar year or, in the case of the cumulative  
27 quarterly report to be filed not later than January 15, of the previous  
28 calendar year, and all expenditures made, incurred, or authorized by  
29 it during the period, whether or not such expenditures were made,  
30 incurred or authorized in furtherance of the election or defeat of any  
31 candidate, or in aid of the passage or defeat of any public question or  
32 to provide information on any candidate or public question.

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 subsection, the report shall contain the name and address of each  
41 person who cosigns such loan, and where an individual has cosigned  
42 such loans, the report shall indicate the occupation of the individual  
43 and the name and mailing address of the individual's employer. The  
44 report shall also contain the name and address of each person, firm or  
45 organization to whom expenditures have been paid and the amount and  
46 purpose of each such expenditure. The treasurer of the political party

1 committee [or legislative leadership committee] reporting shall certify  
2 to the correctness of each cumulative quarterly report.

3 If a political party committee [or a legislative leadership committee]  
4 submitting cumulative quarterly reports as provided under this  
5 subsection receives a contribution from a single source of more than  
6 \$500 after the final day of a quarterly reporting period and on or  
7 before a primary, general, municipal, school or special election which  
8 occurs after that final day but prior to the final day of the next  
9 reporting period it shall, in writing or by telegram, report that  
10 contribution to the commission within 48 hours of the receipt thereof,  
11 including in that report the amount and date of the contribution; the  
12 name and mailing address of the contributor; and where the  
13 contributor is an individual, the individual's occupation and the name  
14 and mailing address of the individual's employer.

15 d. In any report filed pursuant to the provisions of this section the  
16 organization or committee reporting may exclude from the report the  
17 name of and other information relating to any contributor whose  
18 contributions during the period covered by the report did not exceed  
19 \$200, provided, however, that (1) such exclusion is unlawful if any  
20 person responsible for the preparation or filing of the report knew that  
21 it was made with respect to any person whose contributions relating  
22 to the same election or issue and made to the reporting organization  
23 or committee aggregate, in combination with the contribution in  
24 respect of which such exclusion is made, more than \$200 and (2) any  
25 person who knowingly prepares, assists in preparing, files or  
26 acquiesces in the filing of any report from which the identification of  
27 a contributor has been excluded contrary to the provisions of this  
28 section is subject to the provisions of section 21 of this act, but (3)  
29 nothing in this proviso shall be construed as requiring any committee  
30 or organization reporting pursuant to this act to report the amounts,  
31 dates or other circumstantial data regarding contributions made to any  
32 other organization or political committee, political party committee or  
33 campaign organization of a candidate.

34 Any report filed pursuant to the provisions of this section shall  
35 include an itemized accounting of all receipts and expenditures relative  
36 to any testimonial affairs held since the date of the most recent report  
37 filed, which accounting shall include the name and mailing address of  
38 each contributor in excess of \$200 to such testimonial affair and the  
39 amount contributed by each; in the case of an individual contributor,  
40 the occupation of the individual and the name and mailing address of  
41 the individual's employer; the expenses incurred; and the disposition  
42 of the proceeds of such testimonial affair.

43 e. A political committee shall be exempt from any requirement to  
44 file reports pursuant to this section of contributions received or  
45 expenditures made in behalf of two or more joint candidates in any  
46 election if the committee files with the Election Law Enforcement

1 Commission a sworn statement to the effect that the total amount to  
2 be expended on behalf of their candidacies shall not exceed \$4,000.00;  
3 provided, that if a committee which has filed such a sworn statement  
4 receives contributions from any one source aggregating more than  
5 \$200.00, it shall forthwith report that fact, including the name and  
6 mailing address of the source; where the source is an individual, the  
7 occupation of the individual and the name and mailing address of the  
8 individual's employer; and the aggregate total of contributions from  
9 the source to the commission. Any sworn statement under this  
10 subsection may be filed with the notice of designation by a political  
11 committee of a campaign treasurer and campaign depository under  
12 section 10 of P.L.1973, c.83 (C.19:44A-10), if that committee knows  
13 or has reason to believe, at the time when the notice of designation is  
14 given, that the total amount to be so expended shall not exceed  
15 \$4,000.00.

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

17

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

20 9. a. Unless already established, each candidate, as defined in  
21 paragraph (1) of subsection c. of section 3 of P.L.1973, c.83  
22 (C.19:44A-3), shall, no later than the date on which that candidate  
23 first receives any contribution or makes or incurs any expenditures in  
24 connection with an election, establish (1) a candidate committee, (2)  
25 a joint candidates committee, or (3) both, for the purpose of receiving  
26 contributions and making expenditures. No person serving as the  
27 chairman of a political party committee [or a legislative leadership  
28 committee] shall be eligible to be appointed or to serve as the  
29 chairman of a candidate committee or joint candidates committee,  
30 other than a candidate committee or joint candidates committee  
31 established to further the nomination for election or the election of  
32 that person as a candidate for public office. Subsequent to an election,  
33 a candidate, whether or not successful in that election, shall maintain  
34 a candidate committee or a joint candidates committee so long as  
35 contributions are received or expenditures made by that former  
36 candidate. An elected officeholder who receives contributions and  
37 who has not maintained a candidate committee or a joint candidates  
38 committee shall establish a candidate committee, a joint candidates  
39 committee, or both, in a timely manner for the purpose of receiving  
40 contributions and making expenditures.

41 b. The candidate or candidates, as the case may be, shall file with  
42 the Election Law Enforcement Commission a certificate of  
43 organization on a form prescribed by the commission. The certificate  
44 shall identify the name of the committee, which shall be the sole name  
45 under which the committee receives contributions, makes  
46 expenditures, and otherwise does business and which shall include the

1 surname or surnames, as appropriate, of the candidate or candidates,  
2 except that in the case of a joint candidates committee, the name of the  
3 committee, the name of the committee need not include such surnames  
4 if it identifies the legislative district, county, municipality or other  
5 jurisdiction in which the candidates jointly seek nomination for  
6 election or election and, in any case in which they seek nomination for  
7 election or election as the candidates of a political party, the name of  
8 that party, provided that no joint candidates committee so named shall  
9 take the same name as that of any committee of a political party or  
10 another joint candidates committee. In the case of a candidate  
11 committee, the name of the committee shall identify the office sought  
12 by the candidate. The certificate shall provide for the initial  
13 appointment by the candidate, or candidates, of a campaign treasurer  
14 and for the designation by the candidate, or candidates, of that  
15 treasurer of the candidate committee, or joint candidates committee,  
16 as the campaign treasurer of the candidate, or candidates, for the  
17 purposes of subsection a. of section 8 of P.L.1973, c.83 (C.19:44A-8)  
18 and shall generally identify and be signed by the candidate, or  
19 candidates, and the chairman and the treasurer of the candidate  
20 committee or joint candidates committee, as the case may be. No  
21 person serving as the chairman of a political party committee [or a  
22 legislative leadership committee] shall be eligible to be appointed or  
23 to serve as the treasurer of a candidate committee or joint candidates  
24 committee, other than a candidate committee or joint candidates  
25 committee established to further the nomination for election or the  
26 election of that person as a candidate for public office. The certificate  
27 shall be filed prior to or simultaneously with the filing of a notification  
28 of the designation of a campaign depository as provided under  
29 subsection c. of this section. Upon the filing of such a certificate of  
30 organization and until the termination of the committee, the candidate  
31 committee or joint candidates committee shall file the reports which  
32 the campaign treasurer or treasurers of the candidate or candidates  
33 would otherwise be required to file under subsection a. of section 16  
34 of P.L.1973, c.83 (C.19:44A-16).

35 c. Each candidate, or the candidates comprising a joint candidates  
36 committee, shall designate a campaign depository. Any bank  
37 authorized by law to transact business in the State may be designated  
38 as the campaign depository. Notification of the designation of the  
39 campaign depository shall be made by the candidate's, candidates' or  
40 committee's filing the name and address of such depository with the  
41 Election Law Enforcement Commission no later than the tenth day  
42 after receipt by the candidate or the committee of any contribution on  
43 behalf of the candidate or candidates or after the making or incurring  
44 by the candidate or candidates of any expenditure on behalf of that  
45 candidacy, whichever comes first.

46 d. Each candidate and campaign treasurer shall certify the

1 correctness of each report filed by the candidate committee or joint  
2 candidates committee with the commission and that each report  
3 conforms with the limitations on contributions and expenditures  
4 provided for in sections 18, 19 and 20 of P.L.1993, c.65  
5 (C.19:44A-11.3, C.19:44A-11.4 and C.19:44A-11.5).

6 e. A campaign treasurer of a candidate or candidates may appoint  
7 deputy campaign treasurers as required and may designate additional  
8 campaign depositories in each county in which the campaign is  
9 conducted. The candidate or candidates shall file the names and  
10 addresses of deputy campaign treasurers and additional campaign  
11 depositories with the Election Law Enforcement Commission.

12 f. A candidate or candidates may remove a campaign treasurer or  
13 deputy campaign treasurer. In the case of the death, resignation or  
14 removal of a campaign treasurer, the candidate or candidates shall  
15 appoint a successor as soon as practicable and shall file the name and  
16 address of that person with the Election Law Enforcement  
17 Commission within three days. A candidate may serve as his or her  
18 own campaign treasurer. One of the candidates in a joint candidates  
19 committee may serve as the campaign treasurer of the entire  
20 committee.

21 g. An individual who is a candidate for two or more public offices  
22 in an election or in separate elections shall establish separate candidate  
23 committees or separate joint candidates committees or both for each  
24 office contested.

25 h. (1) On and after the 366th day following the effective date of  
26 P.L.1993, c.65, no candidate shall establish, authorize the  
27 establishment of, maintain, or participate directly or indirectly in the  
28 management or control of, any political committee or any continuing  
29 political committee. Within one year after the enactment of this act,  
30 every candidate who maintains, or who participates either directly or  
31 indirectly in the management or control of, one or more political  
32 committees or one or more continuing political committees, or both,  
33 shall wind up or cause to be wound up the affairs of those committees  
34 in accordance with the provisions of section 8 of P.L.1973, c.83  
35 (C.19:44A-8) and transfer all of the funds therein into a candidate  
36 committee or a joint candidates committee. All funds thus transferred  
37 shall be subject to the provisions of section 17 of P.L.1993, c.65  
38 (C.19:44A-11.2).

39 (2) [The person or persons having control over a legislative  
40 leadership committee shall not be required to wind up the affairs of  
41 that committee but shall be required to conform to the requirements  
42 of paragraph (1) of this subsection with regard to any other political  
43 committees or continuing political committees under the control of the  
44 person or persons and used by that person for the purpose of receiving  
45 contributions and making expenditures.](Deleted by amendment, P.L.  
46     , c.     .)

1     i. No candidate committee or joint candidates committee shall be  
2 organized or used for the sole purpose of receiving contributions and  
3 making contributions to or expenditures on behalf of another candidate  
4 committee, joint candidates committee, a political committee,  
5 continuing political committee or political party committee.

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

7  
8     5. Section 10 of P.L.1973, c.83 (C.19:44A-10) is amended to read  
9 as follows:

10     10. Each political party committee shall, on or before July 1 in each  
11 year, designate a single organizational treasurer and an organizational  
12 depository and shall, not later than the tenth day after the designation  
13 of the organizational depository file the name and address of that  
14 depository, and of the organizational treasurer, with the Election Law  
15 Enforcement Commission.

16     Every political committee may designate a chairman of the  
17 committee, but no person serving as the chairman of a political party  
18 committee [or a legislative leadership committee] shall be eligible to  
19 be appointed or to serve as the chairman of a political committee.  
20 Every political committee shall, not later than the date on which it first  
21 receives any contribution or makes or incurs any expenditure in the  
22 furtherance or aid of the election or defeat of any candidate or the  
23 passage or defeat of any public question, appoint a single campaign  
24 treasurer and designate a campaign depository, but no person serving  
25 as the chairman of a political party committee [or a legislative  
26 leadership committee] shall be eligible to be appointed or to serve as  
27 the campaign treasurer of a political committee. Not later than the  
28 tenth day after the initial designation of the campaign depository, the  
29 committee shall file the name and address of the depository, and of the  
30 campaign treasurer, with the Election Law Enforcement Commission.

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

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

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

6 An organizational treasurer of a political party committee[,] or a  
7 continuing political committee[, or a legislative leadership committee]  
8 and a campaign treasurer of a political committee may appoint deputy  
9 organizational or campaign treasurers as may be required and may  
10 designate additional organizational or campaign depositories. Such  
11 committees shall file the names and addresses of such deputy  
12 treasurers and additional depositories with the Election Law  
13 Enforcement Commission not later than the fifth day after their  
14 appointment or designation, respectively.

15 Any political party committee, any political committee[,] and any  
16 continuing political committee [and any legislative leadership  
17 committee] may remove its organizational or campaign treasurer or  
18 deputy treasurer. In the case of the death, resignation or removal of  
19 its organizational or campaign treasurer, the committee shall appoint  
20 a successor as soon as practicable and shall file his name and address  
21 with the Election Law Enforcement Commission within three days.  
22 (cf: P.L.1993, c.65, s.5)

23

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

26 11. No contribution of money or other thing of value, nor  
27 obligation therefor, including but not limited to contributions, loans or  
28 obligations of a candidate himself or of his family, shall be made or  
29 received, and no expenditure of money or other thing of value, nor  
30 obligation therefor, including expenditures, loans or obligations of a  
31 candidate himself or of his family, shall be made or incurred, directly  
32 or indirectly, to support or defeat a candidate in any election, or to aid  
33 the passage or defeat of any public question, except through:

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

36 b. The duly appointed organizational treasurer or deputy  
37 organizational treasurers of a political party committee or a continuing  
38 political committee; or

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

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

44 It shall be lawful, however, for any person, not acting in concert  
45 with any other person or group, to expend personally from his own  
46 funds a sum which is not to be repaid to him for any purpose not

1 prohibited by law, or to contribute his own personal services and  
2 personal traveling expenses, to support or defeat a candidate or to aid  
3 the passage or defeat of a public question; provided, however, that any  
4 person making such expenditure shall be required to report his or her  
5 name and mailing address and the amount of all such expenditures and  
6 expenses, except personal traveling expenses, if the total of the money  
7 so expended, exclusive of such traveling expenses, exceeds \$500, and  
8 also, where the person is an individual, to report the individual's  
9 occupation and the name and mailing address of the individual's  
10 employer, to the Election Law Enforcement Commission at the same  
11 time and in the same manner as a political committee subject to the  
12 provisions of section 8 of this act.

13 No contribution of money shall be made in currency, except  
14 contributions in response to a public solicitation, provided that  
15 cumulative currency contributions of up to \$200 may be made to a  
16 candidate committee or joint candidates committee, a political  
17 committee, a continuing political committee[, a legislative leadership  
18 committee] or a political party committee if the contributor submits  
19 with the currency contribution a written statement of a form as  
20 prescribed by the commission, indicating the contributor's name,  
21 mailing address and occupation and the amount of the contribution,  
22 including the contributor's signature and the name and mailing address  
23 of the contributor's employer.

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

28 No person, partnership or association, either directly or through an  
29 agent, shall make any loan or advance, the proceeds of which that  
30 person, partnership or association knows or has reason to know or  
31 believe are intended to be used by the recipient thereof to make a  
32 contribution or expenditure, except by check or money order  
33 identifying the name, mailing address and occupation or business of  
34 the maker of the loan, and, if the maker is an individual, the name and  
35 mailing address of that individual's employer; provided, however, that  
36 such loans or advances to a single individual, up to a cumulative  
37 amount of \$50 in any calendar year, may be made in currency.

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

39

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

42 12. An organizational or campaign treasurer or deputy  
43 organizational or campaign treasurer of a candidate committee or joint  
44 candidates committee, a political committee, a continuing political  
45 committee[, ] or a political party committee [or a legislative leadership  
46 committee] shall make a written record of all funds which he receives

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

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

36

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

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

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

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

43 The Election Law Enforcement Commission shall promulgate  
44 regulations providing for the termination of post-election campaign  
45 reporting requirements applicable to political committees, candidate  
46 committees and joint candidates committees. The requirements to file

1 quarterly reports after the first post-election report may be waived by  
2 the commission, notwithstanding that the certification has not been  
3 filed, if the commission determines under any regulations so  
4 promulgated that the outstanding obligations of the political  
5 committee, candidate committee or joint candidates committee do not  
6 exceed 10% of the expenditures of the campaign fund with respect to  
7 the election or \$1,000.00, whichever is less, or are likely to be  
8 discharged or forgiven.

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

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

44 The cumulative quarterly report shall contain the name and mailing  
45 address of each person or group from whom moneys, loans, paid  
46 personal services or other things of value have been contributed and

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

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

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

41 e. There shall be no obligation imposed upon a candidate seeking  
42 election to a public office of a school district to file either the reports  
43 required under subsection b. of this section or the sworn statement  
44 referred to in subsection d. of this section, if the total amount  
45 expended and to be expended in behalf of his candidacy by the  
46 candidate committee, any political committee, any continuing political

1 committee, or a political party committee or by any person, does not  
2 in the aggregate exceed \$2,000.00 per election or \$4,000 for any joint  
3 candidates committee containing two candidates or \$6,000 for any  
4 joint candidates committee containing three or more candidates;  
5 provided, that if such candidate receives contributions from any one  
6 source aggregating more than \$200, he shall forthwith make a report  
7 of the same, including the name and mailing address of the source, the  
8 aggregate total of contributions therefrom, and where the source is an  
9 individual, the occupation of the individual and the name and mailing  
10 address of the individual's employer, to the commission.

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

31 g. Any report filed pursuant to the provisions of this section shall  
32 include an itemized accounting of all receipts and expenditures relative  
33 to any testimonial affair held since the date of the most recent report  
34 filed, which accounting shall include the name and mailing address of  
35 each contributor in excess of \$200 to such testimonial affair and the  
36 amount contributed by each; in the case of any individual contributor,  
37 the occupation of the individual and the name and mailing address of  
38 the individual's employer; the expenses incurred; and the disposition  
39 of the proceeds of such testimonial affair.

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

41 i. Each campaign treasurer of a candidate committee or joint  
42 candidates committee shall file written notice with the commission of  
43 a contribution in excess of \$500 received during the period between  
44 the 13th day prior to the election and the date of the election. The  
45 notice shall be filed in writing or by telegram within 48 hours of the  
46 receipt of the contribution and shall set forth the amount and date of

1 the contribution, the name and mailing address of the contributor, and  
2 where the contributor is an individual, the occupation of the individual  
3 and the name and mailing address of the individual's employer.

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

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

8 19. a. No person shall conduct any public solicitation as defined  
9 in this act except (1) upon written authorization of the campaign or  
10 organizational treasurer of the candidate committee or joint candidates  
11 committee, political committee, continuing political committee[,] or  
12 political party committee [or legislative leadership committee] on  
13 whose behalf such solicitation is conducted, or (2) in accordance with  
14 the provisions of subsection c. of this section. A person with such  
15 written authorization may employ and accept the services of others as  
16 solicitors, and shall be responsible for reporting to the treasurer the  
17 information required under subsection b. of this section and for  
18 delivery to the treasurer the net proceeds of such solicitation in  
19 compliance with section 11 of this act. A contribution made through  
20 donation or purchase in response to a public solicitation conducted  
21 pursuant to written authorization of a treasurer shall be deemed to  
22 have been made through such treasurer.

23 b. Whenever a public solicitation has been authorized by a  
24 treasurer during a period covered by a report required to be filed  
25 under sections 8 and 16 of this act, there shall be filed with such report  
26 and as a part thereof an itemized report on any such solicitation of  
27 which the net proceeds exceed \$200, in such form and detail as  
28 required by the rules of the Election Law Enforcement Commission,  
29 which report shall include:

30 (1) The name and mailing address of the person authorized to  
31 conduct such solicitation, the method of solicitation and, where the  
32 person is an individual, the occupation of the individual and the name  
33 and mailing address of the individual's employer;

34 (2) The gross receipts and expenses involved in the solicitation  
35 including the actual amount paid for any items purchased for resale in  
36 connection with the solicitation, or, if such items or any portion of the  
37 cost thereof was donated, the estimated actual value thereof and the  
38 actual amount paid therefor, and the names and addresses of any such  
39 donors. If it is not practicable for such itemized report to be  
40 completed in time to be included with the report due under sections 8  
41 and 16 of this act for the period during which such solicitation was  
42 held, then such itemized report may be omitted from said report and  
43 if so omitted shall be included in the report for the next succeeding  
44 period.

45 c. Notwithstanding the provisions of subsection b. of this section,  
46 it shall be lawful for any natural person, not acting in concert with any

1 other person or group, to make personally a public solicitation the  
2 entire proceeds of which, without deduction for the expenses of  
3 solicitation, are to be expended by him personally or under his  
4 personal direction to finance any lawful activity in support of or  
5 opposition to any candidate or public question or to provide political  
6 information on any candidate or public question or to seek to influence  
7 the content, introduction, passage or defeat of legislation; provided,  
8 however, that any individual making such solicitation who receives  
9 gross contributions exceeding \$200 in respect to activities relating to  
10 any one election shall be required to make a report stating (1) the  
11 amount so collected, (2) the method of solicitation, (3) the purpose or  
12 purposes for which the funds so collected were expended and the  
13 amount expended for each such purpose and (4) the individual's name  
14 and mailing address, the individual's occupation and the name and  
15 mailing address of the individual's employer.

16 Such report shall be made to the Election Law Enforcement  
17 Commission at the same time and in the same manner as a political  
18 committee, continuing political committee[,] or political party  
19 committee [or a legislative leadership committee] subject to the  
20 provisions of section 8 of this act.

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

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

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

30

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

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

41 No individual, either alone or jointly with one or more other  
42 individuals, and no corporation, partnership, membership organization  
43 or other incorporated or unincorporated association shall loan or  
44 advance to any individual, group of individuals, corporation,  
45 partnership, membership organization or other incorporated or  
46 unincorporated association any money or other thing of value

1 expressly for the purpose of inducing the recipient thereof, or any  
2 other individual, group, corporation, partnership, organization or  
3 association, to make a contribution, either directly or indirectly, of  
4 money or other thing of value to a candidate or the candidate  
5 committee or joint candidates committee of a candidate.

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

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

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

24

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

27 22. a. (1) Except as provided in subsection e. or f., any person,  
28 including any candidate, treasurer, candidate committee or joint  
29 candidates committee, political committee, continuing political  
30 committee[,] or political party committee [or legislative leadership  
31 committee], charged with the responsibility under the terms of this act  
32 for the preparation, certification, filing or retention of any reports,  
33 records, notices or other documents, who fails, neglects or omits to  
34 prepare, certify, file or retain any such report, record, notice or  
35 document at the time or during the time period, as the case may be,  
36 and in the manner prescribed by law, or who omits or incorrectly  
37 states or certifies any of the information required by law to be included  
38 in such report, record, notice or document, any person who proposes  
39 to undertake or undertakes a public solicitation, testimonial affair or  
40 other activity relating to contributions or expenditures in any way  
41 regulated by the provisions of this act who fails to comply with those  
42 regulatory provisions, and any other person who in any way violates  
43 any of the provisions of this act shall, in addition to any other penalty  
44 provided by law, be liable to a penalty of not more than \$3,000.00 for  
45 the first offense and not more than \$6,000.00 for the second and each  
46 subsequent offense.

1 (2) No person shall willfully and intentionally agree with another  
2 person to make a contribution to a candidate, candidate committee,  
3 joint candidates committee, political committee, continuing political  
4 committee[,] or political party committee[, or legislative leadership  
5 committee] with the intent, or upon the condition, understanding or  
6 belief, that the recipient candidate or committee shall make or have  
7 made a contribution to another such candidate or committee, but this  
8 paragraph shall not be construed to prohibit a county or municipal  
9 committee of a political party from making a contribution or  
10 contributions to any candidate, candidate committee, joint candidates  
11 committee, political committee, continuing political committee[,] or  
12 political party committee[, or legislative leadership committee]. A  
13 finding of a violation of this paragraph shall be made only upon clear  
14 and convincing evidence. A person who violates the provisions of this  
15 paragraph shall be liable to a penalty equal to three times the amount  
16 of the contribution which that person agreed to make to the recipient  
17 candidate or committee.

18 b. Upon receiving evidence of any violation of this section, the  
19 Election Law Enforcement Commission shall have power to hold, or  
20 to cause to be held under the provisions of subsection d. of this  
21 section, hearings upon such violation and, upon finding any person to  
22 have committed such a violation, to assess such penalty, within the  
23 limits prescribed in subsection a. of this section, as it deems proper  
24 under the circumstances, which penalty shall be paid forthwith into  
25 the State Treasury for the general purposes of the State.

26 c. In assessing any penalty under this section, the Election Law  
27 Enforcement Commission may provide for the remission of all or any  
28 part of such penalty conditioned upon the prompt correction of any  
29 failure, neglect, error or omission constituting the violation for which  
30 said penalty was assessed.

31 d. The commission may designate a hearing officer to hear  
32 complaints of violations of this act. Such hearing officer shall take  
33 testimony, compile a record and make factual findings, and shall  
34 submit the same to the commission, which shall have power to assess  
35 penalties within the limits and under the conditions prescribed in  
36 subsections b. and c. of this section. The commission shall review the  
37 record and findings of the hearing officer, but it may also seek such  
38 additional testimony as it deems necessary. The commission's  
39 determination shall be by majority vote of the entire authorized  
40 membership thereof.

41 e. Any person who willfully and intentionally makes or accepts any  
42 contribution in violation of section 4 of P.L.1974, c.26 (C.19:44A-29)  
43 or section 18, 19 or 20 of P.L.1993, c.65 (C.19:44A-11.3,  
44 C.19:44A-11.4 or C.19:44A-11.5), shall be liable to a penalty of:

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

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

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

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

12 g. Any penalty prescribed in this section shall be enforced in a  
13 summary proceeding under "the penalty enforcement law,"  
14 N.J.S.2A:58-1 et seq.  
15 (cf: P.L.1993, c.65, s.13)

16

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

19 4. a. Except in the case of a candidate, as provided in subsection  
20 g. of this section, no person, candidate committee or joint candidates  
21 committee, political committee[,] or continuing political committee [or  
22 legislative leadership committee], otherwise eligible to make  
23 contributions, shall make any contribution or contributions to a  
24 candidate, his campaign treasurer or deputy campaign treasurer,  
25 candidate committee, a political party committee, or to any other  
26 person or committee, in aid of the candidacy of or in behalf of a  
27 candidate for nomination for election or for election to the office of  
28 Governor in any primary or general election in the aggregate in excess  
29 of [~~\$1,500.00~~] \$1,800, or in the case of a joint candidates committee  
30 when that is the only committee established by the candidates, in  
31 excess of [~~\$1,500.00~~] \$1,800 per candidate in the joint candidates  
32 committee, or in the case of a candidate committee and a joint  
33 candidates committee when both are established by a candidate,  
34 [~~\$1,500.00~~] \$1,800 from that candidate. No candidate for nomination  
35 for election or for election to the office of Governor in any primary or  
36 general election and no campaign treasurer deputy campaign or  
37 treasurer of such candidate shall knowingly accept from any person,  
38 candidate, candidate committee, joint candidates committee, political  
39 committee[,] or continuing political committee [or legislative  
40 leadership committee] any contribution or contributions in aid of the  
41 candidacy of or in behalf of such candidate in the aggregate in excess  
42 of [~~\$1,500.00~~] \$1,800, or in the case of a joint candidates committee  
43 when that is the only committee established by the candidates, in  
44 excess of [~~\$1,500.00~~] \$1,800 per candidate in the joint candidates  
45 committee, or in the case of a candidate committee and a joint  
46 candidates committee when both are established by a candidate,

1    ~~[\$1,500.00]~~ \$1,800 from that candidate, in any primary or general  
2 election. No provision of this act shall be construed to prohibit a  
3 contribution or contributions in the aggregate in aid of the candidacy  
4 of or in behalf of any candidate for nomination for election to the  
5 office of Governor in a primary election not in excess of ~~[\$1,500.00]~~  
6 \$1,800, or in the case of a contribution or contributions by a joint  
7 candidates committee when that is the only committee established by  
8 the candidates, in excess of ~~[\$1,500.00]~~ \$1,800 per candidate in the  
9 joint candidates committee, or in the case of a candidate committee and  
10 a joint candidates committee when both are established by a candidate,  
11 ~~[\$1,500.00]~~ \$1,800 from that candidate, and another contribution or  
12 contributions in the aggregate in the aid of the candidacy of or in  
13 behalf of any candidate for election to the office of Governor in a  
14 general election not in excess of ~~[\$1,500.00]~~ \$1,800, or in the case of  
15 a contribution or contributions by a joint candidates committee when  
16 that is the only committee established by the candidates, in excess of  
17 ~~[\$1,500.00]~~ \$1,800 per candidate in the joint candidates committee,  
18 or in the case of a candidate committee and a joint candidates  
19 committee when both are established by a candidate, ~~[\$1,500.00]~~  
20 \$1,800 from that candidate. For the purpose of determining the  
21 amount of a contribution to be attributed as given by each candidate  
22 in a joint candidates committee, the amount of the contribution by  
23 such a committee shall be divided equally among all the candidates in  
24 the committee.

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

26       c. The spouse of any contributor may make a contribution or  
27 contributions in the aggregate in aid of the candidacy of or in behalf  
28 of a candidate for nomination for election or for election to the office  
29 of Governor of up to ~~[\$1,500.00]~~ \$1,800.

30       d. No State committee of any political party shall knowingly accept  
31 from any person, candidate committee, joint candidates committee,  
32 political committee[, ] or continuing political committee [or legislative  
33 leadership committee], any contribution or contributions in the  
34 aggregate in aid of the candidacy of or in behalf of a candidate for  
35 election to the office of Governor in a general election in excess of  
36 ~~[\$1,500.00]~~ \$1,800, or in the case of a contribution or contributions  
37 by a joint candidates committee when that is the only committee  
38 established by the candidates, in excess of ~~[\$1,500.00]~~ \$1,800 per  
39 candidate in the joint candidates committee, or in the case of a  
40 candidate committee and a joint candidates committee when both are  
41 established by a candidate, ~~[\$1,500.00]~~ \$1,800 from that candidate.  
42 A State committee may allocate a contribution of up to ~~[\$1,500.00]~~  
43 \$1,800, and up to ~~[\$1,500.00]~~ \$1,800 of a contribution in excess of  
44 ~~[\$1,500.00]~~ \$1,800 in aid of the candidacy of or in behalf of such  
45 candidate, except that in the case of a contribution from a joint  
46 candidates committee when that is the only committee established by

1 the candidates, the amounts which may be so allocated shall be  
2 ~~[\$1,500.00]~~ \$1,800 per candidate in the joint candidates committee,  
3 and in the case of a candidate committee and a joint candidates  
4 committee when both are established by a candidate, the amount which  
5 may be so allocated shall be ~~[\$1,500.00]~~ \$1,800 from that candidate.  
6 For the purpose of determining the amount of a contribution to be  
7 attributed as given by each candidate in a joint candidates committee,  
8 the amount of the contribution by such a committee shall be divided  
9 equally among all the candidates in the committee. A State committee  
10 shall create an account in a national or State bank in behalf of any  
11 candidate the committee intends to or does assist for election to the  
12 office of Governor in a general election, shall deposit in such account  
13 and report to the Election Law Enforcement Commission the name of  
14 the contributor of all moneys accepted or allocated in aid of the  
15 candidacy of or in behalf of such candidate, and may make a  
16 contribution or contributions from such account in any amount in aid  
17 of the candidacy of or in behalf of such candidate. No State  
18 committee may make any contribution or contributions in aid of the  
19 candidacy of or in behalf of such candidate of moneys not deposited  
20 in a bank account pursuant to this subsection, and no State committee  
21 may make a contribution or contributions in aid of the candidacy of or  
22 in behalf of such candidate of moneys or other thing of value pledged  
23 or received in a calendar year in which no gubernatorial election was  
24 held.

25 e. The county committee of a political party in a county and the  
26 municipal committees of that political party in the same county may  
27 make an expenditure or expenditures in the aggregate of \$10,000.00  
28 in aid of the candidacy of or in behalf of any candidate for election to  
29 the office of Governor in a general election. No county committee or  
30 municipal committee may transfer or contribute any funds to any such  
31 candidate or to such candidate's campaign treasurer or deputy  
32 campaign treasurer, or to any political committee supporting such  
33 candidate. A candidate or his campaign treasurer or deputy campaign  
34 treasurer shall determine the exact amount that individual county  
35 committees or municipal committees may contribute in aid of the  
36 candidacy of or in behalf of such candidate, and shall file a report of  
37 such determination with the Election Law Enforcement Commission  
38 no later than the seventh day prior to the general election being  
39 funded.

40 f. Communications on any subject by a corporation to its  
41 stockholders and their families, or by a labor organization to its  
42 members and their families, and nonpartisan registration and  
43 get-out-the-vote campaigns by a corporation aimed at its stockholders  
44 and their families, or by a labor organization aimed at its members and  
45 their families, shall not be construed to be in aid of the candidacy of or  
46 in behalf of a candidate for election to the office of Governor in any

1 primary or general election.

2 g. No candidate receiving public funds may make expenditures  
3 from his own funds, including any contributions from his own funds,  
4 in aid of his candidacy for nomination or election to the office of  
5 Governor in excess of \$25,000.00 for the primary election and  
6 \$25,000.00 for the general election.

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

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

13

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

16 15. a. No corporation or labor organization of any kind shall  
17 provide to any of its officers, directors, attorneys, agents or other  
18 employees any additional increment of salary, bonus or monetary  
19 remuneration of any kind which, in whole or in part, is intended by  
20 that corporation or labor organization to be used for the express  
21 purpose of paying or making a contribution, either directly or  
22 indirectly, of money or other thing of value to any candidate, candidate  
23 committee, joint candidates committee, political party committee,  
24 [legislative leadership committee,] political committee or continuing  
25 political committee.

26 Any corporation or labor organization of any kind found to be in  
27 violation of this subsection shall, in addition to any other penalty  
28 provided by law, be liable to a penalty of not more than \$3,000 for the  
29 first offense and not more than \$6,000 for the second and each  
30 subsequent offense. Any officer, director, attorney, agent or other  
31 employee of a corporation or labor organization that provides to  
32 another employee of that corporation or labor organization any  
33 additional increment of salary, bonus or monetary remuneration of any  
34 kind for the purpose described in this subsection is guilty of a crime of  
35 the fourth degree.

36 b. No officer, director, attorney, agent or other employee of a  
37 corporation or labor organization of any kind shall use any part of any  
38 additional increment of salary, bonus or monetary remuneration of any  
39 kind which, in whole or in part, is intended by that corporation or  
40 labor organization to be used for the express and intentional purpose  
41 of paying or making a contribution, either directly or indirectly, of  
42 money or other thing of value to a candidate, candidate committee,  
43 joint candidates committee, political party committee, [legislative  
44 leadership committee,] political committee or continuing political  
45 committee by a corporation or labor organization of any kind, for the  
46 purpose of paying or making a contribution, either directly or

1 indirectly, of money or other thing of value to a candidate, candidate  
2 committee, joint candidates committee, political party committee,  
3 [legislative leadership committee,] political committee or continuing  
4 political committee.

5 Any officer, director, attorney, agent or other employee of a  
6 corporation or labor organization of any kind found to be in violation  
7 of this subsection of this section is guilty of a crime of the fourth  
8 degree.

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

10

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

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

16 (1) the payment of campaign expenses;

17 (2) contributions to any charitable organization described in section  
18 170(c) of the Internal Revenue Code of 1954, as amended or modified,  
19 or nonprofit organization which is exempt from taxation under section  
20 501(c) of the Internal Revenue Code of 1954;

21 (3) transmittal to another candidate, candidate committee, or joint  
22 candidates committee, or to a political committee, continuing political  
23 committee[, legislative leadership committee] or political party  
24 committee, for the lawful use by such other candidate or committee;

25 (4) the payment of the overhead and administrative expenses  
26 related to the operation of the candidate committee or joint candidates  
27 committee of a candidate [or a legislative leadership committee];

28 (5) the pro rata repayment of contributors; or

29 (6) the payment of ordinary and necessary expenses of holding  
30 public office.

31 As used in this subsection, "campaign expenses" means any expense  
32 incurred or expenditure made by a candidate, candidate committee[,]  
33 or joint candidates committee [or legislative leadership committee] for  
34 the purpose of paying for or leasing items or services used in  
35 connection with an election campaign, other than those items or  
36 services which may reasonably be considered to be for the personal use  
37 of the candidate[, or] any person associated with the candidate [or any  
38 of the members of a legislative leadership committee].

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

44 c. Any funds remaining in the campaign depository of a candidate's  
45 candidate committee or joint candidates committee upon the death of  
46 the candidate shall be used only for one or more of the purposes

1 established in subsection a. of this section by the committee's  
2 organizational treasurer or deputy treasurer or whoever has control of  
3 the depository upon the death of the candidate.

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

5

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

8 18. a. No individual, other than an individual who is a candidate,  
9 no corporation of any kind organized and incorporated under the laws  
10 of this State or any other state or any country other than the United  
11 States, no labor organization of any kind which exists or is constituted  
12 for the purpose, in whole or in part, of collective bargaining, or of  
13 dealing with employers concerning the grievances, terms or conditions  
14 of employment, or of other mutual aid or protection in connection with  
15 employment, or any group shall: (1) pay or make any contribution of  
16 money or other thing of value to a candidate who has established only  
17 a candidate committee, his campaign treasurer, deputy campaign  
18 treasurer or candidate committee which in the aggregate exceeds  
19 ~~[\$1,500]~~ \$1,800 per election, or (2) pay or make any contribution of  
20 money or other thing of value to candidates who have established only  
21 a joint candidates committee, their campaign treasurer, deputy  
22 campaign treasurer, or joint candidates committee, which in the  
23 aggregate exceeds ~~[\$1,500]~~ \$1,800 per election per candidate, or (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 ~~[\$1,500]~~ \$1,800 per election. No  
29 candidate who has established only a candidate committee, his  
30 campaign treasurer, deputy campaign treasurer or candidate committee  
31 shall knowingly accept from an individual, other than an individual  
32 who is a candidate, a corporation of any kind organized and  
33 incorporated under the laws of this State or any other state or any  
34 country other than the United States, a labor organization of any kind  
35 which exists or is constituted for the purpose, in whole or in part, of  
36 collective bargaining, or of dealing with employers concerning the  
37 grievances, terms or conditions of employment, or of other mutual aid  
38 or protection in connection with employment, or any group any  
39 contribution of money or other thing of value which in the aggregate  
40 exceeds ~~[\$1,500]~~ \$1,800 per election, and no candidates who have  
41 established only a joint candidates committee, or their campaign  
42 treasurer, deputy campaign treasurer, or joint candidates committee,  
43 shall knowingly accept from any such source any contribution of  
44 money or other thing of value which in the aggregate exceeds ~~[\$1,500]~~  
45 \$1,800 per election per candidate, and no candidate who has  
46 established both a candidate committee and a joint candidates

1 committee, the campaign treasurers, deputy campaign treasurers, or  
2 candidate committee or joint candidates committee shall knowingly  
3 accept from any such source any contribution of money or other thing  
4 of value which in the aggregate exceeds [~~\$1,500~~] \$1,800 per election.

5 b. (1) No political committee or continuing political committee  
6 shall: (a) pay or make any contribution of money or other thing of  
7 value to a candidate who has established only a candidate committee,  
8 his campaign treasurer, deputy campaign treasurer or candidate  
9 committee, other than a candidate for nomination for election or for  
10 election [~~for~~] to the office of Governor, which in the aggregate  
11 exceeds [~~\$5,000~~] \$1,800 per election, or (b) pay or make any  
12 contribution of money or other thing of value to candidates who have  
13 established only a joint candidates committee, their campaign treasurer  
14 or deputy campaign treasurer, or the joint candidates committee,  
15 which in the aggregate exceeds [~~\$5,000~~] \$1,800 per election per  
16 candidate, or (c) pay or make any contribution of money or other thing  
17 of value to a candidate who has established both a candidate  
18 committee and a joint candidates committee, the campaign treasurers,  
19 deputy campaign treasurers, or candidate committee or joint  
20 candidates committee, which in the aggregate exceeds [~~\$5,000~~]  
21 \$1,800 per election. No candidate who has established only a  
22 candidate committee, his campaign treasurer, deputy campaign  
23 treasurer or candidate committee, other than a candidate for  
24 nomination for election or for election [~~for~~] to the office of Governor,  
25 shall knowingly accept from any political committee or continuing  
26 political committee any contribution of money or other thing of value  
27 which in the aggregate exceeds [~~\$5,000~~] \$1,800 per election, and no  
28 candidates who have established only a joint candidates committee,  
29 their campaign treasurer, deputy campaign treasurer, or joint  
30 candidates committee, shall knowingly accept from any such source  
31 any contribution of money or other thing of value which in the  
32 aggregate exceeds [~~\$5,000~~] \$1,800 per election per candidate, 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~~] \$1,800  
38 per election.

39 (2) The limitation upon the knowing acceptance by a candidate,  
40 campaign treasurer, deputy campaign treasurer, candidate committee  
41 or joint candidates committee of any contribution of money or other  
42 thing of value from a political committee or continuing political  
43 committee under the provisions of paragraph (1) of this subsection  
44 shall also be applicable to the knowing acceptance of any such  
45 contribution from the county committee of a political party by a  
46 candidate or the campaign treasurer, deputy campaign treasurer,

1 candidate committee or joint candidates committee of a candidate for  
2 any elective public office in another county or, in the case of a  
3 candidate for nomination for election or for election to the office of  
4 member of the Legislature, in a legislative district in which, according  
5 to the federal decennial census upon the basis of which legislative  
6 districts shall have been established, less than 20% of the population  
7 resides within the county of that county committee. In addition, all  
8 contributor reporting requirements and other restrictions and  
9 regulations applicable to a contribution of money or other thing of  
10 value by a political committee or continuing political committee under  
11 the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be  
12 applicable to the making or payment of such a contribution by such a  
13 county committee.

14 The limitation upon the knowing acceptance by a candidate,  
15 campaign treasurer, deputy campaign treasurer, candidate committee  
16 or joint candidates committee of any contribution of money or other  
17 thing of value from a political committee or continuing political  
18 committee under the provisions of paragraph (1) of this subsection,  
19 except that the amount of any contribution of money or other thing of  
20 value shall be in an amount which in the aggregate does not exceed  
21 \$25,000, shall also be applicable to the knowing acceptance of any  
22 such contribution from the county committee of a political party by a  
23 candidate, or the campaign treasurer, deputy campaign treasurer,  
24 candidate committee or joint candidates committee of a candidate, for  
25 nomination for election or for election to the office of member of the  
26 Legislature in a legislative district in which, according to the federal  
27 decennial census upon the basis of which legislative districts shall have  
28 been established, at least 20% but less than 40% of the population  
29 resides within the county of that county committee. In addition, all  
30 contributor reporting requirements and other restrictions and  
31 regulations applicable to a contribution of money or other thing of  
32 value by a political committee or continuing political committee under  
33 the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be  
34 applicable to the making or payment of such a contribution by such a  
35 county committee.

36 With respect to the limitations in this paragraph, the Legislature  
37 finds and declares that:

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

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

1 (c) Furthermore, the risk of actual or perceived corruption is raised  
2 by the potential for contributors to circumvent limits on contributions  
3 to candidates by funnelling money to candidates through county  
4 committees;

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

10 (e) It is, therefore, reasonable for the State to promote this  
11 compelling interest by limiting the amount a county committee may  
12 give to a legislative candidate based upon the degree to which the  
13 population of the legislative district overlaps with the population of  
14 that county.

15 c. (1) No candidate who has established only a candidate  
16 committee, his campaign treasurer, deputy treasurer or candidate  
17 committee shall: (a) pay or make any contribution of money or other  
18 thing of value to another candidate who has established only a  
19 candidate committee, his campaign treasurer, deputy campaign  
20 treasurer or candidate committee, other than a candidate for  
21 nomination for election or for election for the office of Governor,  
22 which in the aggregate exceeds [\$5,000] \$1,800 per election, or (b)  
23 pay or make any contribution of money or other thing of value to  
24 candidates who have established only a joint candidates committee,  
25 their campaign treasurer, deputy campaign treasurer, or joint  
26 candidates committee, which in the aggregate exceeds [\$5,000]  
27 \$1,800 per election per candidate in the recipient committee, or (c)  
28 pay or make any contribution of money or other thing of value to a  
29 candidate who has established both a candidate committee and a joint  
30 candidates committee, the campaign treasurers, deputy campaign  
31 treasurers, or candidate committee or joint candidates committee,  
32 which in the aggregate exceeds [\$5,000] \$1,800 per election. No  
33 candidate who has established only a candidate committee, his  
34 campaign treasurer, deputy campaign treasurer or candidate  
35 committee, other than a candidate for nomination for election or for  
36 election to the office of the Governor, shall knowingly accept from  
37 another candidate who has established only a candidate committee, his  
38 campaign treasurer, deputy campaign treasurer or candidate  
39 committee, any contribution of money or other thing of value which  
40 in the aggregate exceeds [\$5,000] \$1,800 per election, and no  
41 candidates who have established only a joint candidates committee,  
42 their campaign treasurer, deputy campaign treasurer, or joint  
43 candidates committee, shall knowingly accept from any such source  
44 any contribution of money or other thing of value which in the  
45 aggregate exceeds [\$5,000] \$1,800 per election per candidate in the  
46 recipient committee, and no candidate who has established both a

1 candidate committee and a joint candidates committee, the campaign  
2 treasurers, deputy campaign treasurers, or candidate committee or  
3 joint candidates committee, shall knowingly accept from any such  
4 source any contribution of money or other thing of value which in the  
5 aggregate exceeds [~~\$5,000~~] \$1,800 per election.

6 (2) No candidates who have established only a joint candidates  
7 committee, their campaign treasurer, deputy campaign treasurer, or  
8 joint candidates committee shall: (a) pay or make any contribution of  
9 money or other thing of value to another candidate who has  
10 established only a candidate committee, his campaign treasurer, deputy  
11 campaign treasurer or candidate committee, other than a candidate for  
12 nomination for election or for election for the office of Governor,  
13 which in the aggregate exceeds, on the basis of each candidate in the  
14 contributing joint candidates committee, [~~\$5,000~~] \$1,800 per election,  
15 or (b) pay or make any contribution of money or other thing of value  
16 to candidates who have established only a joint candidates committee,  
17 their campaign treasurer, deputy campaign treasurer or joint  
18 candidates committee, which in the aggregate exceeds, on the basis of  
19 each candidate in the contributing joint candidates committee,  
20 [~~\$5,000~~] \$1,800 per election per candidate in the recipient joint  
21 candidates committee, or (c) pay or make any contribution of money  
22 or other thing of value to a candidate who has established both a  
23 candidate committee and a joint candidates committee, the campaign  
24 treasurers, deputy campaign treasurers or candidate committee or joint  
25 candidates committee, which in the aggregate exceeds, on the basis of  
26 each candidate in the contributing joint candidates committee,  
27 [~~\$5,000~~] \$1,800 per election. No candidate who has established only  
28 a candidate committee, his campaign treasurer, deputy campaign  
29 treasurer, or candidate committee, other than a candidate for  
30 nomination for election or for election for the office of Governor, shall  
31 knowingly accept from other candidates who have established only a  
32 joint candidates committee, their campaign treasurer, deputy campaign  
33 treasurer or joint candidates committee, any contribution of money or  
34 other thing of value which in the aggregate exceeds, on the basis of  
35 each candidate in the contributing committee, [~~\$5,000~~] \$1,800 per  
36 election, and no candidates who have established only a joint  
37 candidates committee, their campaign treasurer, deputy campaign  
38 treasurer, or joint candidates committee, shall knowingly accept from  
39 any such source any contribution of money or other thing of value  
40 which in the aggregate exceeds, on the basis of each candidate in the  
41 contributing joint candidates committee, [~~\$5,000~~] \$1,800 per election  
42 per candidate in the recipient joint candidates committee, 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, shall  
46 knowingly accept from any such source any contribution of money or

1 other thing of value which in the aggregate exceeds, on the basis of  
2 each candidate in the contributing joint candidates committee,  
3 ~~[\$5,000]~~ \$1,800 per election.

4 (3) No candidate who has established both a candidate committee  
5 and a joint candidates committee, the campaign treasurers, deputy  
6 campaign treasurers, or candidate committee or joint candidates  
7 committee shall: (a) pay or make any contribution of money or other  
8 thing of value to another candidate who has established only a  
9 candidate committee, his campaign treasurer, deputy campaign  
10 treasurer or candidate committee, other than a candidate for  
11 nomination for election or for election for the office of Governor,  
12 which in the aggregate exceeds ~~[\$5,000]~~ \$1,800 per election, or (b)  
13 pay or make any contribution of money or other thing of value to  
14 candidates who have established only a joint candidates committee,  
15 their campaign treasurer, deputy campaign treasurer or joint  
16 candidates committee, which in the aggregate exceeds ~~[\$5,000]~~  
17 \$1,800 per election per candidate in the recipient joint candidates  
18 committee, or (c) pay or make any contribution of money or other  
19 thing of value to a candidate who has established both a candidate  
20 committee and a joint candidates committee, the campaign treasurers,  
21 deputy campaign treasurers, or candidate committee or joint  
22 candidates committee, which in the aggregate exceeds ~~[\$5,000]~~  
23 \$1,800 per election. No candidate who has established only a  
24 candidate committee, his campaign treasurer, deputy campaign  
25 treasurer, or candidate committee, other than a candidate for  
26 nomination for election or for election for the office of Governor, shall  
27 knowingly accept from a candidate who has established both a  
28 candidate committee and a joint candidates committee, the campaign  
29 treasurers, deputy campaign treasurers, or candidate committee or  
30 joint candidates committee, any contribution of money or other thing  
31 of value which in the aggregate exceeds ~~[\$5,000]~~ \$1,800 per election,  
32 and no candidates who have established only a joint candidates  
33 committee, their campaign treasurer, deputy campaign treasurer, or  
34 joint candidates committee, shall knowingly accept from any such  
35 source any contribution of money or other thing of value which in the  
36 aggregate exceeds ~~[\$5,000]~~ \$1,800 per election per candidate in the  
37 recipient joint candidates committee, and no candidate who has  
38 established both a candidate committee and a joint candidates  
39 committee, the campaign treasurers, deputy campaign treasurers, or  
40 candidate committee or joint candidates committee shall knowingly  
41 accept from any such source any contribution of money or other thing  
42 of value which in the aggregate exceeds ~~[\$5,000]~~ \$1,800 per election.

43 (4) Expenditures by a candidate for nomination for election or for  
44 election to the office of member of the Legislature or to an office of  
45 a political subdivision of the State, or by the campaign treasurer,  
46 deputy treasurer, candidate committee or joint candidates committee

1 of such a candidate, which are made in furtherance of the nomination  
2 or election, respectively, of another candidate for the same office in  
3 the same legislative district or the same political subdivision shall not  
4 be construed to be subject to any limitation under this subsection; for  
5 the purposes of this sentence, the offices of member of the State  
6 Senate and member of the General Assembly shall be deemed to be the  
7 same office.

8 d. Nothing contained in this section shall be construed to impose  
9 any limitation on contributions by a candidate, or by a corporation,  
10 100% of the stock in which is owned by a candidate or the candidate's  
11 spouse, child, parent or sibling residing in the same household, to that  
12 candidate's campaign.

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

18

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

21 19. a. (1) Except as otherwise provided in paragraph (2) of this  
22 subsection, no individual, no corporation of any kind organized and  
23 incorporated under the laws of this State or any other state or any  
24 country other than the United States, no labor organization of any kind  
25 which exists or is constituted for the purpose, in whole or in part, of  
26 collective bargaining, or of dealing with employers concerning the  
27 grievances, terms or conditions of employment, or of other mutual aid  
28 or protection in connection with employment, no political committee,  
29 continuing political committee, candidate committee or joint  
30 candidates committee or any other group, shall pay or make any  
31 contribution of money or other thing of value to the campaign  
32 treasurer, deputy treasurer or other representative of the State  
33 committee of a political party [or the campaign treasurer, deputy  
34 campaign treasurer or other representative of any legislative leadership  
35 committee,] which in the aggregate exceeds [~~\$25,000~~] \$1,800 per  
36 year, or in the case of a joint candidates committee when that is the  
37 only committee established by the candidates, [~~\$25,000~~] \$1,800 per  
38 year per candidate in the joint candidates committee, or in the case of  
39 a candidate committee and a joint candidates committee when both are  
40 established by a candidate, [~~\$25,000~~] \$1,800 per year from that  
41 candidate. No campaign treasurer, deputy campaign treasurer or other  
42 representative of the State committee of a political party [or campaign  
43 treasurer, deputy campaign treasurer or other representative of any  
44 legislative leadership committee] shall knowingly accept from an  
45 individual, a corporation of any kind organized and incorporated under  
46 the laws of this State or any other state or any country other than the

1 United States, a labor organization of any kind which exists or is  
2 constituted for the purpose, in whole or in part, of collective  
3 bargaining, or of dealing with employers concerning the grievances,  
4 terms or conditions of employment, or of other mutual aid or  
5 protection in connection with employment, a political committee, a  
6 continuing political committee, a candidate committee or a joint  
7 candidates committee or any other group, any contribution of money  
8 or other thing of value which in the aggregate exceeds [~~\$25,000~~]  
9 \$1,800 per year, or in the case of a joint candidates committee when  
10 that is the only committee established by the candidates, [~~\$25,000~~]  
11 \$1,800 per year per candidate in the joint candidates committee, or in  
12 the case of a candidate committee and a joint candidates committee  
13 when both are established by a candidate, [~~\$25,000~~] \$1,800 per year  
14 from that candidate.

15 (2) No national committee of a political party shall pay or make  
16 any contribution of money or other thing of value to the campaign  
17 treasurer, deputy treasurer or other representative of the State  
18 committee of a political party which in the aggregate exceeds \$50,000  
19 per year, and no campaign treasurer, deputy campaign treasurer or  
20 other representative of the State committee of a political party shall  
21 knowingly accept from the national committee of a political party any  
22 contribution of money or other thing of value which in the aggregate  
23 exceeds \$50,000 per year.

24 b. No individual, no corporation of any kind organized and  
25 incorporated under the laws of this State or any other state or any  
26 country other than the United States, no labor organization of any  
27 kind which exists or is constituted for the purpose, in whole or in part,  
28 of collective bargaining, or of dealing with employers concerning the  
29 grievances, terms or conditions of employment, or of other mutual aid  
30 or protection in connection with employment, no political committee,  
31 continuing political committee, candidate committee or joint  
32 candidates committee or any other group, shall pay or make any  
33 contribution of money or other thing of value to any county committee  
34 of a political party, which in the aggregate exceeds [~~\$25,000~~] \$1,800  
35 per year, or in the case of a joint candidates committee when that is  
36 the only committee established by the candidates, [~~\$25,000~~] \$1,800  
37 per year per candidate in the joint candidates committee, or in the case  
38 of a candidate committee and a joint candidates committee when both  
39 are established by a candidate, [~~\$25,000~~] \$1,800 per year from that  
40 candidate. No campaign treasurer, deputy campaign treasurer or other  
41 representative of a county committee of a political party shall  
42 knowingly accept from an individual, a corporation of any kind  
43 organized and incorporated under the laws of this State or any other  
44 state or any country other than the United States, a labor organization  
45 of any kind which exists or is constituted for the purpose, in whole or  
46 in part, of collective bargaining, or of dealing with employers

1 concerning the grievances, terms or conditions of employment, or of  
2 other mutual aid or protection in connection with employment, a  
3 political committee, a continuing political committee, a candidate  
4 committee or a joint candidates committee or any other group, any  
5 contribution of money or other thing of value which in the aggregate  
6 exceeds ~~[\$25,000]~~ \$1,800 per year, or in the case of a joint candidates  
7 committee when that is the only committee established by the  
8 candidates, ~~[\$25,000]~~ \$1,800 per year per candidate in the joint  
9 candidates committee, or in the case of a candidate committee and a  
10 joint candidates committee when both are established by a candidate,  
11 ~~[\$25,000]~~ \$1,800 per year from that candidate.

12 c. No individual, no corporation of any kind organized and  
13 incorporated under the laws of this State or any other state or any  
14 country other than the United States, no labor organization of any kind  
15 which exists or is constituted for the purpose, in whole or in part, of  
16 collective bargaining, or of dealing with employers concerning the  
17 grievances, terms or conditions of employment, or of other mutual aid  
18 or protection in connection with employment, no political committee,  
19 continuing political committee, candidate committee or joint  
20 candidates committee or any other group shall pay or make any  
21 contribution of money or other thing of value to any municipal  
22 committee of a political party, which in the aggregate exceeds  
23 ~~[\$5,000]~~ \$1,800 per year, or in the case of a joint candidates  
24 committee when that is the only committee established by the  
25 candidates, ~~[\$5,000]~~ \$1,800 per year per candidate in the joint  
26 candidates committee, or in the case of a candidate committee and a  
27 joint candidates committee when both are established by a candidate,  
28 ~~[\$5,000]~~ \$1,800 per year from that candidate. No campaign treasurer,  
29 deputy campaign treasurer or other representative of a municipal  
30 committee of a political party shall knowingly accept from an  
31 individual, a corporation of any kind organized and incorporated under  
32 the laws of this State or any other state or any country other than the  
33 United States, a labor organization of any kind which exists or is  
34 constituted for the purpose, in whole or in part, of collective  
35 bargaining, or of dealing with employers concerning the grievances,  
36 terms or conditions of employment, or of other mutual aid or  
37 protection in connection with employment, a political committee, a  
38 continuing political committee, a candidate committee or a joint  
39 candidates committee or any other group, any contribution of money  
40 or other thing of value which in the aggregate exceeds ~~[\$5,000]~~  
41 \$1,800 per year, or in the case of a joint candidates committee when  
42 that is the only committee established by the candidates, ~~[\$5,000]~~  
43 \$1,800 per year per candidate in the joint candidates committee, or in  
44 the case of a candidate committee and a joint candidates committee  
45 when both are established by a candidate, ~~[\$5,000]~~ \$1,800 per year  
46 from that candidate.

1 No county committee of a political party in any county shall pay or  
2 make any contribution of money or other thing of value to a municipal  
3 committee of a political party in a municipality not located in that  
4 county which in the aggregate exceeds the amount of aggregate  
5 contributions which, under this subsection, a continuing political  
6 committee is permitted to pay or make to a municipal committee of a  
7 political party. No campaign treasurer, deputy campaign treasurer or  
8 other representative of a municipal committee of a political party in  
9 any municipality shall knowingly accept from any county committee of  
10 a political party in any county other than the county in which the  
11 municipality is located any contribution of money or other thing of  
12 value which in the aggregate exceeds the amount of contributions  
13 permitted to be so paid or made under that subsection.

14 d. For the purpose of determining the amount of a contribution to  
15 be attributed as given by each candidate in a joint candidates  
16 committee, the amount of the contribution by such a committee shall  
17 be divided equally among all the candidates in the committee.

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

19

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

22 20. a. No candidate who has established only a candidate  
23 committee, his campaign treasurer, deputy treasurer or candidate  
24 committee shall pay or make any contribution of money or other thing  
25 of value to a political committee, other than a political committee  
26 which is organized to, or does, aid or promote the passage or defeat  
27 of a public question in any election, or a continuing political  
28 committee, which in the aggregate exceeds, in the case of such a  
29 political committee, [~~\$5,000~~] \$1,800 per election, or in the case of a  
30 continuing political committee, [~~\$5,000~~] \$1,800 per year, and no  
31 candidates who have established only a joint candidates committee,  
32 their campaign treasurer, deputy campaign treasurer or joint  
33 candidates committee shall pay or make any contribution of money or  
34 other thing of value to such a political committee or continuing  
35 political committee which in the aggregate exceeds, in the case of such  
36 a political committee, [~~\$5,000~~] \$1,800 per election per candidate in  
37 the joint candidates committee, or in the case of a continuing political  
38 committee, [~~\$5,000~~] \$1,800 per year per candidate in the joint  
39 candidates committee, and no candidate who has established both a  
40 candidate committee and a joint candidates committee shall pay or  
41 make any contribution of money or other thing of value which in the  
42 aggregate exceeds, in the case of such a political committee, [~~\$5,000~~]  
43 \$1,800 per election from that candidate, or in the case of a continuing  
44 political committee, [~~\$5,000~~] \$1,800 per year from that candidate. No  
45 political committee, other than a political committee which is  
46 organized to, or does, aid or promote the passage or defeat of a public

1 question in any election, or a continuing political committee, shall  
2 knowingly accept from a candidate who has established only a  
3 candidate committee, his campaign treasurer, deputy treasurer or  
4 candidate committee, any contribution of money or other thing of  
5 value which in the aggregate exceeds, in the case of such a political  
6 committee, [~~\$5,000~~] \$1,800 per election, or in the case of a continuing  
7 political committee, [~~\$5,000~~] \$1,800 per year, and no such political  
8 committee or continuing political committee shall knowingly accept  
9 from candidates who have established only a joint candidates  
10 committee, their campaign treasurer, deputy campaign treasurer, or  
11 joint candidates committee, any contribution of money or other thing  
12 of value which in the aggregate exceeds, in the case of such a political  
13 committee, [~~\$5,000~~] \$1,800 per election per candidate in the joint  
14 candidates committee, or in the case of a continuing political  
15 committee, [~~\$5,000~~] \$1,800 per year per candidate in the joint  
16 candidates committee, and no such political committee or continuing  
17 political committee shall knowingly accept from a candidate who has  
18 established both a candidate committee and a joint candidates  
19 committee any contribution of money or other thing of value which in  
20 the aggregate exceeds, in the case of such a political committee,  
21 [~~\$5,000~~] \$1,800 per election from that candidate, or in the case of a  
22 continuing political committee, [~~\$5,000~~] \$1,800 per year from that  
23 candidate. For the purpose of determining the amount of a  
24 contribution to be attributed as given by each candidate in a joint  
25 candidates committee, the amount of the contribution by such a  
26 committee shall be divided equally among all the candidates in the  
27 committee.

28 b. No political committee, other than a political committee which  
29 is organized to, or does, aid or promote the passage or defeat of a  
30 public question in any election, and no continuing political committee  
31 shall pay or make any contribution of money or other thing of value to  
32 another political committee, other than a political committee which is  
33 organized to, or does, aid or promote the passage or defeat of a public  
34 question in any election, or another continuing political committee  
35 which in the aggregate exceeds, in the case of a recipient continuing  
36 political committee, [~~\$5,000~~] \$1,800 per year, or in the case of a  
37 recipient political committee, [~~\$5,000~~] \$1,800 per election. No  
38 political committee, other than a political committee which is  
39 organized to, or does, aid or promote the passage or defeat of a public  
40 question in any election, and no continuing political committee shall  
41 knowingly accept from another political committee, other than a  
42 political committee which is organized to, or does, aid or promote the  
43 passage or defeat of a public question in any election, or another  
44 continuing political committee any contribution of money or other  
45 thing of value which in the aggregate exceeds, in the case of a  
46 recipient continuing political committee, [~~\$5,000~~] \$1,800 per year, or

1 in the case of a recipient political committee, [~~\$5,000~~] \$1,800 per  
2 election.

3 c. No individual, no corporation of any kind organized and  
4 incorporated under the laws of this State or any other state or any  
5 country other than the United States, no labor organization of any kind  
6 that exists or is constituted for the purpose, in whole or in part, of  
7 collective bargaining, or of dealing with employers concerning the  
8 grievances, terms or conditions of employment, or of other mutual aid  
9 or protection in connection with employment, or any other group, shall  
10 pay or make any contribution of money or other thing of value to a  
11 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 a continuing political committee, which in  
14 the aggregate exceeds, in the case of such a political committee,  
15 \$1,800 per election, or in the case of a continuing political committee,  
16 \$1,800 per year. No political committee, other than a political  
17 committee which is organized to, or does, aid or promote the passage  
18 or defeat of a public question in any election, and no continuing  
19 political committee shall knowingly accept from an individual, a  
20 corporation of any kind organized and incorporated under the laws of  
21 this State or any other state or any country other than the United  
22 States, a labor organization of any kind that exists or is constituted for  
23 the purpose, in whole or in part, of collective bargaining, or of dealing  
24 with employers concerning the grievances, terms or conditions of  
25 employment, or of other mutual aid or protection in connection with  
26 employment, or any other group, any contribution of money or other  
27 thing of value which in the aggregate exceeds, in the case of such a  
28 political committee, \$1,800 per election, or in the case of a continuing  
29 political committee, \$1,800 per year.

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

31

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

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

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

1 shared by the leadership, members, or financial supporters of the  
2 committee;

3 (2) the mailing address of the committee and the name and  
4 resident address of a resident of this State who shall have been  
5 designated by the committee as its agent to accept service of process;  
6 and

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

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

42 c. Each report of contributions under section 8 of P.L.1973, c.83  
43 (C.19:44A-8) by a political committee[,] or continuing political  
44 committee [or legislative leadership committee] required under  
45 subsection a. of this section to submit a statement of registration shall  
46 include, in the case of each contributor who is an individual, the home

1 address of the individual if different from the individual's mailing  
2 address, or, in the case of any contributor which is an organization,  
3 any information, in addition to that otherwise required, which the  
4 Election Law Enforcement Commission may, under such regulations  
5 as it shall adopt pursuant to the provisions of the "Administrative  
6 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as  
7 being material to the fullest possible disclosure of the economic,  
8 political and other particular interests and objectives which the  
9 contributing organization has been organized to or does advance.

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

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

31

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

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

1 preceding the year in which that December 1 occurs, pursuant to  
2 section 19 of P.L.1980, c.74 (C.19:44A-7.1), and any amount so  
3 adjusted shall be rounded in the same manner as provided in that  
4 section.

5 b. The amounts subject to adjustment as provided under this  
6 section shall be:

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

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

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

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

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

1 and the maximum amount that a person, not acting in concert with any  
2 other person or group, may raise through a public solicitation and  
3 expend to finance any lawful activity in support of or in opposition to  
4 any candidate or public question or to seek to influence the content,  
5 introduction, passage or defeat of legislation pursuant to section 19 of  
6 P.L.1973, c.83 (C.19:44A-19);

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

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

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

27 (9) the maximum amount of contributions permitted to be made by  
28 an individual, a corporation or labor organization to a candidate,  
29 candidate committee or joint candidates committee, the maximum  
30 amount of contributions permitted to be made by a political committee  
31 or a continuing political committee to a candidate, candidate  
32 committee or joint candidates committee other than the committee of  
33 a candidate for nomination or election to the office of Governor and  
34 the maximum amount of contributions permitted to be made by one  
35 candidate, candidate committee or joint candidates committee, other  
36 than the committee of a candidate for nomination or election to the  
37 office of Governor, to another candidate, candidate committee or joint  
38 candidates committee other than the committee of a candidate for  
39 nomination or election to the office of Governor pursuant to section  
40 18 of P.L.1993, c.65 (C.19:44A-11.3);

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

1 (11) the maximum amount of contributions permitted to be made  
2 by a candidate, candidate committee or joint candidates committee or  
3 by an individual, corporation or labor organization to a political  
4 committee or a continuing political committee and the maximum  
5 amount of contributions permitted to be made by one political  
6 committee or continuing political committee to another political  
7 committee or continuing political committee pursuant to section 20 of  
8 P.L.1993, c.65 (C.19:44A-11.5).

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

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

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

26

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

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

41 Any payment to a candidate committee, joint candidates committee,  
42 political committee, continuing political committee, or political party  
43 committee, [or legislative leadership committee,] or to any other  
44 person, association or group, by a candidate or any such committee or  
45 by any other person, association or group, which payment is related to  
46 efforts in aid of or to promote the candidacy of an individual for

1 nomination for election or for election to elective public office or the  
2 passage or defeat of a public question, or to efforts directly to  
3 promote or encourage the participation of voters in an election, shall  
4 be made by check payable to the named committee, person,  
5 association, or group, and no such payment shall be made in currency.

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

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

12

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

24

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

26

27 23. This act shall take effect immediately.

28

29

30

#### STATEMENT

31

32 The purpose of this bill is to limit certain campaign contributions to  
33 \$1,800 per year or per election and to abolish the formation and use  
34 of legislative leadership committees.

35 Specifically, the bill:

36 1) limits to \$1,800 per election the amount of money that may be  
37 contributed to a candidate by a person, a corporation, a labor union,  
38 a group, a political committee or a continuing political committee  
39 (under current law, a person, corporation, labor union or group may  
40 contribute up to \$1,500 per election while a political committee or  
41 continuing political committee ("PAC") may contribute up to \$5,000);

42 2) limits to \$1,800 per year the amount of money that may be  
43 contributed to the State committee of a political party and a county or  
44 municipal committee of a political party by an individual, a  
45 corporation, labor union, political committee, continuing political  
46 committee or candidate (under current law, the State committee and

1 a county committee may receive up to \$25,000 per year from such  
2 entities while a municipal committee may receive up to \$5,000);

3 3) limits to \$1,800 per election the amount of money that may be  
4 contributed to a political committee by an individual, corporation or  
5 labor organization and limits to \$1,800 per year the amount of money  
6 that may be contributed to a continuing political committee by those  
7 same entities (under current law, there are no limits on such  
8 contributions); and

9 4) abolishes the formation and use of legislative leadership  
10 committees by the President of the Senate, the Minority Leader of the  
11 Senate, the Speaker of the General Assembly and the Minority leader  
12 of the General Assembly (under current law, each of these committees  
13 can receive up to \$25,000 per year from an individual, a candidate,  
14 corporation, labor union, political committee, continuing political  
15 committee or any other group).

16

17

18

19

20 Limits certain campaign contributions to \$1,800 per year or per  
21 election; abolishes the formation and use of legislative leadership  
22 committees.