

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

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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.