

SENATE, No. 750

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1996

By Senators LYNCH, MacINNES, Codey, Adler, Lipman,
Lesniak, Casey, Rice, Baer, O'Connor, Kenny, McGreevey and
Schluter

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

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

Matter underlined thus is new matter.

1 certain committees, to reduce the amount of money that may be given
2 by certain contributors in an election and to equalize the competition
3 for elected public office between challengers and incumbents.

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

5

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 m. The term "qualified candidate" means:

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

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

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

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

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

45 n. The term "continuing political committee" means any group of
46 two or more persons acting jointly, or any corporation, partnership, or

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

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

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

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

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

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

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

18

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

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

1 organization to whom expenditures have been paid since 48 hours
2 preceding the date on which the previous such report was made and
3 the amount and purpose of each such expenditure. The cumulative
4 report shall be filed with the Election Law Enforcement Commission
5 on the dates designated in section 16 hereof.

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

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

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

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

1 partnership, association or other organization is a continuing political
2 committee, it shall so notify that continuing political committee.

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

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

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

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

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

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

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

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

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

1 purpose of each such expenditure. The treasurer of the political party
2 committee [or legislative leadership committee] reporting shall certify
3 to the correctness of each cumulative quarterly report.

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

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

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

44 e. A political committee shall be exempt from any requirement to
45 file reports pursuant to this section of contributions received or
46 expenditures made in behalf of two or more joint candidates in any

1 election if the committee files with the Election Law Enforcement
2 Commission a sworn statement to the effect that the total amount to
3 be expended on behalf of their candidacies shall not exceed \$4,000.00;
4 provided, that if a committee which has filed such a sworn statement
5 receives contributions from any one source aggregating more than
6 \$200.00, it shall forthwith report that fact, including the name and
7 mailing address of the source; where the source is an individual, the
8 occupation of the individual and the name and mailing address of the
9 individual's employer; and the aggregate total of contributions from
10 the source to the commission. Any sworn statement under this
11 subsection may be filed with the notice of designation by a political
12 committee of a campaign treasurer and campaign depository under
13 section 10 of P.L.1973, c.83 (C.19:44A-10), if that committee knows
14 or has reason to believe, at the time when the notice of designation is
15 given, that the total amount to be so expended shall not exceed
16 \$4,000.00.

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

18

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

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

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

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

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

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

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

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

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

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

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

1 . c. .)

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

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

8

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 It shall be lawful, however, for any person, not acting in concert
 46 with any other person or group, to expend personally from his own

1 funds a sum which is not to be repaid to him for any purpose not
2 prohibited by law, or to contribute his own personal services and
3 personal traveling expenses, to support or defeat a candidate or to aid
4 the passage or defeat of a public question; provided, however, that any
5 person making such expenditure shall be required to report his or her
6 name and mailing address and the amount of all such expenditures and
7 expenses, except personal traveling expenses, if the total of the money
8 so expended, exclusive of such traveling expenses, exceeds \$500, and
9 also, where the person is an individual, to report the individual's
10 occupation and the name and mailing address of the individual's
11 employer, to the Election Law Enforcement Commission at the same
12 time and in the same manner as a political committee subject to the
13 provisions of section 8 of this act.

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

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

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

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

40

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

43 12. An organizational or campaign treasurer or deputy
44 organizational or campaign treasurer of a candidate committee or joint
45 candidates committee, a political committee, a continuing political
46 committee[,] or a political party committee [or a legislative leadership

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

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

37

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

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

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

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

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

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

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

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

45 The cumulative quarterly report shall contain the name and mailing
46 address of each person or group from whom moneys, loans, paid

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

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

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

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

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

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

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

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

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

1 receipt of the contribution and shall set forth the amount and date of
2 the contribution, the name and mailing address of the contributor, and
3 where the contributor is an individual, the occupation of the individual
4 and the name and mailing address of the individual's employer.

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

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

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

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

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

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

46 c. Notwithstanding the provisions of subsection b. of this section,

1 it shall be lawful for any natural person, not acting in concert with any
2 other person or group, to make personally a public solicitation the
3 entire proceeds of which, without deduction for the expenses of
4 solicitation, are to be expended by him personally or under his
5 personal direction to finance any lawful activity in support of or
6 opposition to any candidate or public question or to provide political
7 information on any candidate or public question or to seek to influence
8 the content, introduction, passage or defeat of legislation; provided,
9 however, that any individual making such solicitation who receives
10 gross contributions exceeding \$200 in respect to activities relating to
11 any one election shall be required to make a report stating (1) the
12 amount so collected, (2) the method of solicitation, (3) the purpose or
13 purposes for which the funds so collected were expended and the
14 amount expended for each such purpose and (4) the individual's name
15 and mailing address, the individual's occupation and the name and
16 mailing address of the individual's employer.

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

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

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

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

31

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

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

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

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

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

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

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

25

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

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

1 subsequent offense.

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

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

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

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

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

46 (1) Not more than \$5,000.00 if the cumulative total amount of

1 those contributions is less than or equal to \$5,000.00;

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

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

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

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

17

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

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

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

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

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

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

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

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

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

1 in behalf of a candidate for election to the office of Governor in any
2 primary or general election.

3 g. No candidate receiving public funds may make expenditures
4 from his own funds, including any contributions from his own funds,
5 in aid of his candidacy for nomination or election to the office of
6 Governor in excess of \$25,000.00 for the primary election and
7 \$25,000.00 for the general election.

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

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

14

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

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

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

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

1 purpose of paying or making a contribution, either directly or
2 indirectly, of money or other thing of value to a candidate, candidate
3 committee, joint candidates committee, political party committee,
4 [legislative leadership committee,] political committee or continuing
5 political committee.

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

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

11

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

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

17 (1) the payment of campaign expenses;

18 (2) contributions to any charitable organization described in section
19 170(c) of the Internal Revenue Code of 1954, as amended or modified,
20 or nonprofit organization which is exempt from taxation under section
21 501(c) of the Internal Revenue Code of 1954;

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

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

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

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

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

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

45 c. Any funds remaining in the campaign depository of a candidate's
46 candidate committee or joint candidates committee upon the death of

1 the candidate shall be used only for one or more of the purposes
2 established in subsection a. of this section by the committee's
3 organizational treasurer or deputy treasurer or whoever has control of
4 the depository upon the death of the candidate.

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

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

9 18. a. No individual, other than an individual who is a candidate,
10 no corporation of any kind organized and incorporated under the laws
11 of this State or any other state or any country other than the United
12 States, no labor organization of any kind which exists or is constituted
13 for the purpose, in whole or in part, of collective bargaining, or of
14 dealing with employers concerning the grievances, terms or conditions
15 of employment, or of other mutual aid or protection in connection with
16 employment, or any group shall: (1) pay or make any contribution of
17 money or other thing of value to a candidate who has established only
18 a candidate committee, his campaign treasurer, deputy campaign
19 treasurer or candidate committee which in the aggregate exceeds
20 ~~[\$1,500]~~ \$1,800 per election, or (2) pay or make any contribution of
21 money or other thing of value to candidates who have established only
22 a joint candidates committee, their campaign treasurer, deputy
23 campaign treasurer, or joint candidates committee, which in the
24 aggregate exceeds ~~[\$1,500]~~ \$1,800 per election per candidate, or (3)
25 pay or make any contribution of money or other thing of value to a
26 candidate who has established both a candidate committee and a joint
27 candidates committee, the campaign treasurers, deputy campaign
28 treasurers, or candidate committee or joint candidates committee,
29 which in the aggregate exceeds ~~[\$1,500]~~ \$1,800 per election. No
30 candidate who has established only a candidate committee, his
31 campaign treasurer, deputy campaign treasurer or candidate committee
32 shall knowingly accept from an individual, other than an individual
33 who is a candidate, a corporation of any kind organized and
34 incorporated under the laws of this State or any other state or any
35 country other than the United States, a labor organization of any kind
36 which exists or is constituted for the purpose, in whole or in part, of
37 collective bargaining, or of dealing with employers concerning the
38 grievances, terms or conditions of employment, or of other mutual aid
39 or protection in connection with employment, or any group any
40 contribution of money or other thing of value which in the aggregate
41 exceeds ~~[\$1,500]~~ \$1,800 per election, and no candidates who have
42 established only a joint candidates committee, or their campaign
43 treasurer, deputy campaign treasurer, or joint candidates committee,
44 shall knowingly accept from any such source any contribution of
45 money or other thing of value which in the aggregate exceeds ~~[\$1,500]~~
46 \$1,800 per election per candidate, and no candidate who has

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

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

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

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

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

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

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

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

1 confidence in the integrity of the electoral process;

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

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

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

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

1 recipient committee, and no candidate who has established both a
2 candidate committee and a joint candidates committee, the campaign
3 treasurers, deputy campaign treasurers, or candidate committee or
4 joint candidates committee, shall knowingly accept from any such
5 source any contribution of money or other thing of value which in the
6 aggregate exceeds ~~[\$5,000]~~ \$1,800 per election.

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

1 knowingly accept from any such source any contribution of money or
2 other thing of value which in the aggregate exceeds, on the basis of
3 each candidate in the contributing joint candidates committee,
4 ~~[\$5,000]~~ \$1,800 per election.

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

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

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

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

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

19

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

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

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

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

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

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

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

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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.