

SENATE, No. 1045

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1996

By Senators CASEY, CONNORS, Adler, McGreevey and
Lynch

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

5

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

8

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

11

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

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

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

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

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

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

Matter underlined thus is new matter.

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

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

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

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

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

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

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

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

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

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

9 m. The term "qualified candidate" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32

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

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

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

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

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

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

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

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

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

2

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

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

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

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

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

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

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

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

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

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

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

17 All contributions of money to a candidate or a committee from any
18 source that exceed \$25 shall be in the form of a check or money order
19 and shall include the name, mailing address and occupation or business
20 of the contributor, and, if the contributor is an individual, the name
21 and mailing address of that individual's employer. Any such
22 contribution in excess of \$25 that does not include the name, mailing
23 address and occupation or business of the contributor, and, if the
24 contributor is an individual, the name and mailing address of that
25 individual's employer shall be returned unredeemed to the contributor.
26 (cf: P.L.1995, c.391, s.3)

27
28 7. Section 12 of P.L.1973, c.83 (C.19:44A-12) is amended to read
29 as follows:

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

1 political committee, political committee[,] or political party committee
2 [or legislative leadership committee] no later than the tenth calendar
3 day following receipt of such funds; except that any such treasurer or
4 deputy treasurer may, when authorized by the candidate, candidates or
5 committee of which he is the campaign or organizational treasurer or
6 deputy campaign or organizational treasurer, transfer any such funds
7 to the duly designated campaign or organizational treasurer or deputy
8 campaign or organizational treasurer of another candidate or
9 committee, for inclusion in the campaign depository thereof, without
10 first so depositing them; provided, however, that the amount so
11 transferred shall not be in excess of the amount that may be
12 contributed by one candidate to another candidate in an election
13 pursuant to section 18 of P.L.1993, c.65 (C.19:44A-11.3), but this
14 proviso shall not be construed to prohibit a county or municipal
15 committee of a political party from making a contribution or
16 contributions, or from transferring funds as hereinabove authorized, to
17 any candidate, candidate committee, joint candidates committee,
18 political committee, continuing political committee[,] or political party
19 committee[, or legislative leadership committee]. A record of all
20 nondeposited funds so transferred shall be attached to the statement
21 required under this section, identifying them as to source and amount
22 in the same manner as deposited funds.
23 (cf: P.L.1995, c.178, s.1)

24

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

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

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

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

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

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

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

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

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

1 certify to the correctness of each cumulative quarterly report.

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

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

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

46 f. In any report filed pursuant to the provisions of this section, the

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

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

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

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

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

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

45

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

1 as follows:

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

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

27

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

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

45 b. Whenever a public solicitation has been authorized by a
46 treasurer during a period covered by a report required to be filed

1 under sections 8 and 16 of this act, there shall be filed with such report
2 and as a part thereof an itemized report on any such solicitation of
3 which the net proceeds exceed ~~[\$200]~~ \$50, in such form and detail as
4 required by the rules of the Election Law Enforcement Commission,
5 which report shall include:

6 (1) The name and mailing address of the person authorized to
7 conduct such solicitation, the method of solicitation and, where the
8 person is an individual, the occupation of the individual and the name
9 and mailing address of the individual's employer;

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

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

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

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

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

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

6

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

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

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

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

39 No treasurer, candidate or member of a candidate committee, joint
40 candidates committee, political committee, continuing political
41 committee[,] or political party committee [or legislative leadership
42 committee] shall solicit or knowingly accept, agree to accept or
43 concur in or abet the solicitation or acceptance of any contribution
44 contrary to the provisions of this section.

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

46

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

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

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

40 b. Upon receiving evidence of any violation of this section, the
41 Election Law Enforcement Commission shall have power to hold, or
42 to cause to be held under the provisions of subsection d. of this
43 section, hearings upon such violation and, upon finding any person to
44 have committed such a violation, to assess such penalty, within the
45 limits prescribed in subsection a. of this section, as it deems proper
46 under the circumstances, which penalty shall be paid forthwith into

1 the State Treasury for the general purposes of the State.

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

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

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

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

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

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

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

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

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

40

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

43 4. a. Except in the case of a candidate, as provided in subsection
44 g. of this section, no person, candidate committee or joint candidates
45 committee, political committee[,] or continuing political committee [or
46 legislative leadership committee], otherwise eligible to make

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

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

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

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

45 e. The county committee of a political party in a county and the
46 municipal committees of that political party in the same county may

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

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

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

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

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

33

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

36 15. a. No corporation or labor organization of any kind shall
37 provide to any of its officers, directors, attorneys, agents or other
38 employees any additional increment of salary, bonus or monetary
39 remuneration of any kind which, in whole or in part, is intended by
40 that corporation or labor organization to be used for the express
41 purpose of paying or making a contribution, either directly or
42 indirectly, of money or other thing of value to any candidate, candidate
43 committee, joint candidates committee, political party committee,
44 [legislative leadership committee,]political committee or continuing
45 political committee.

46 Any corporation or labor organization of any kind found to be in

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

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

25 Any officer, director, attorney, agent or other employee of a
26 corporation or labor organization of any kind found to be in violation
27 of this subsection of this section is guilty of a crime of the fourth
28 degree.

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

30

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

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

36 (1) the payment of campaign expenses;

37 (2) contributions to any charitable organization described in section
38 170(c) of the Internal Revenue Code of 1954, as amended or modified,
39 or nonprofit organization which is exempt from taxation under section
40 501(c) of the Internal Revenue Code of 1954;

41 (3) transmittal to another candidate, candidate committee, or joint
42 candidates committee, or to a political committee, continuing political
43 committee[, legislative leadership committee] or political party
44 committee, for the lawful use by such other candidate or committee;

45 (4) the payment of the overhead and administrative expenses
46 related to the operation of the candidate committee or joint candidates

1 committee of a candidate [or a legislative leadership committee];
2 (5) the pro rata repayment of contributors; or
3 (6) the payment of ordinary and necessary expenses of holding
4 public office.

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

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

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

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

25

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

28 18. a. No individual, other than an individual who is a candidate,
29 no corporation of any kind organized and incorporated under the laws
30 of this State or any other state or any country other than the United
31 States, no labor organization of any kind which exists or is constituted
32 for the purpose, in whole or in part, of collective bargaining, or of
33 dealing with employers concerning the grievances, terms or conditions
34 of employment, or of other mutual aid or protection in connection with
35 employment, or any group shall: (1) pay or make any contribution of
36 money or other thing of value to a candidate who has established only
37 a candidate committee, his campaign treasurer, deputy campaign
38 treasurer or candidate committee, other than a candidate for
39 nomination for election or for election to the office of Governor,
40 which in the aggregate exceeds [\$1,500] \$100 per election or \$250 per
41 election for a candidate for nomination for election or for election to
42 the office of member of the Legislature or a candidate for public office
43 in a county or municipality with a population that equals or exceeds
44 that of the legislative district with the least population established by
45 the Apportionment Commission, pursuant to Section III, Article IV of
46 the New Jersey Constitution, following the most recent federal

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

46 b. [(1)] No political committee [or], continuing political committee,

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

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

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

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

1 applicable to the making or payment of such a contribution by such a
2 county committee.

3 With respect to the limitations in this paragraph, the Legislature
4 finds and declares that:

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

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

14 (c) Furthermore, the risk of actual or perceived corruption is raised
15 by the potential for contributors to circumvent limits on contributions
16 to candidates by funnelling money to candidates through county
17 committees;

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

23 (e) It is, therefore, reasonable for the State to promote this
24 compelling interest by limiting the amount a county committee may
25 give to a legislative candidate based upon the degree to which the
26 population of the legislative district overlaps with the population of
27 that county.]

28 c. (1) No candidate who has established only a candidate
29 committee, his campaign treasurer, deputy treasurer or candidate
30 committee shall: (a) pay or make any contribution of money or other
31 thing of value to another candidate who has established only a
32 candidate committee, his campaign treasurer, deputy campaign
33 treasurer or candidate committee, other than a candidate for
34 nomination for election or for election for the office of Governor,
35 which in the aggregate exceeds ~~[\$5,000]~~ \$100 per election or \$250 per
36 election for a candidate for nomination for election or for election to
37 the office of member of the Legislature or a candidate for public office
38 in a county or municipality with a population that equals or exceeds
39 that of the legislative district with the least population established by
40 the Apportionment Commission, pursuant to Section III, Article IV of
41 the New Jersey Constitution, following the most recent federal
42 decennial census of the United States, or (b) pay or make any
43 contribution of money or other thing of value to candidates who have
44 established only a joint candidates committee, their campaign
45 treasurer, deputy campaign treasurer, or joint candidates committee,
46 which in the aggregate exceeds ~~[\$5,000]~~ \$100 per election per

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

35 (2) No candidates who have established only a joint candidates
36 committee, their campaign treasurer, deputy campaign treasurer, or
37 joint candidates committee shall: (a) pay or make any contribution of
38 money or other thing of value to another candidate who has
39 established only a candidate committee, his campaign treasurer, deputy
40 campaign treasurer or candidate committee, other than a candidate for
41 nomination for election or for election for the office of Governor,
42 which in the aggregate exceeds, on the basis of each candidate in the
43 contributing joint candidates committee, ~~[\$5,000]~~ \$100 per election
44 or \$250 per election for a candidate for nomination for election or for
45 election to the office of member of the Legislature or a candidate for
46 public office in a county or municipality with a population that equals

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

1 joint candidates committee, [~~\$5,000~~] \$100 per election or \$250 per
2 election, if applicable.

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

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

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

23 d. Nothing contained in this section shall be construed to impose
24 any limitation on contributions by a candidate, or by a corporation,
25 100% of the stock in which is owned by a candidate or the candidate's
26 spouse, child, parent or sibling residing in the same household, to that
27 candidate's campaign.

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

33
34 17. Section 19 of P.L.1993, c.65 (C.19:44A-11.4) is amended to
35 read as follows:

36 19. a. (1) Except as otherwise provided in paragraph (2) of this
37 subsection, no individual, no corporation of any kind organized and
38 incorporated under the laws of this State or any other state or any
39 country other than the United States, no labor organization of any kind
40 which exists or is constituted for the purpose, in whole or in part, of
41 collective bargaining, or of dealing with employers concerning the
42 grievances, terms or conditions of employment, or of other mutual aid
43 or protection in connection with employment, no political committee,
44 continuing political committee, candidate committee [or], joint
45 candidates committee, county or municipal committee of a political
46 party or any other group, shall pay or make any contribution of money

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

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

40 b. No individual, no corporation of any kind organized and
41 incorporated under the laws of this State or any other state or any
42 country other than the United States, no labor organization of any
43 kind which exists or is constituted for the purpose, in whole or in part,
44 of collective bargaining, or of dealing with employers concerning the
45 grievances, terms or conditions of employment, or of other mutual aid
46 or protection in connection with employment, no political committee,

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

31 c. No individual, no corporation of any kind organized and
32 incorporated under the laws of this State or any other state or any
33 country other than the United States, no labor organization of any kind
34 which exists or is constituted for the purpose, in whole or in part, of
35 collective bargaining, or of dealing with employers concerning the
36 grievances, terms or conditions of employment, or of other mutual aid
37 or protection in connection with employment, no political committee,
38 continuing political committee, candidate committee [or], joint
39 candidates committee, State committee of a political party or county
40 or municipal committee of a political party or any other group shall
41 pay or make any contribution of money or other thing of value to any
42 municipal committee of a political party, which in the aggregate
43 exceeds ~~[\$5,000]~~ \$1,000 per year, or in the case of a joint candidates
44 committee when that is the only committee established by the
45 candidates, ~~[\$5,000]~~ \$1,000 per year per candidate in the joint
46 candidates committee, or in the case of a candidate committee and a

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

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

35 d. For the purpose of determining the amount of a contribution to
36 be attributed as given by each candidate in a joint candidates
37 committee, the amount of the contribution by such a committee shall
38 be divided equally among all the candidates in the committee.

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

40

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

43 20. a. No candidate who has established only a candidate
44 committee, his campaign treasurer, deputy treasurer or candidate
45 committee shall pay or make any contribution of money or other thing
46 of value to a political committee, other than a political committee

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

1 committee shall be divided equally among all the candidates in the
2 committee.

3 b. No political committee, other than a political committee which
4 is organized to, or does, aid or promote the passage or defeat of a
5 public question in any election, and no continuing political committee
6 shall pay or make any contribution of money or other thing of value to
7 another political committee, other than a political committee which is
8 organized to, or does, aid or promote the passage or defeat of a public
9 question in any election, or another continuing political committee
10 which in the aggregate exceeds, in the case of a recipient continuing
11 political committee, [~~\$5,000~~] \$100 per year, or in the case of a
12 recipient political committee, [~~\$5,000~~] \$100 per election. No political
13 committee, other than a political committee which is organized to, or
14 does, aid or promote the passage or defeat of a public question in any
15 election, and no continuing political committee shall knowingly accept
16 from another political committee, other than a political committee
17 which is organized to, or does, aid or promote the passage or defeat
18 of a public question in any election, or another continuing political
19 committee any contribution of money or other thing of value which in
20 the aggregate exceeds, in the case of a recipient continuing political
21 committee, [~~\$5,000~~] \$100 per year, or in the case of a recipient
22 political committee, [~~\$5,000~~] \$100 per election.
23 (cf: P.L.1993, c.65, s.20)

24
25 19. Section 21 of P.L.1993, c.65 (C.19:44A-8.1) is amended to
26 read as follows:

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

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

42 (2) the mailing address of the committee and the name and
43 resident address of a resident of this State who shall have been
44 designated by the committee as its agent to accept service of process;
45 and

46 (3) a descriptive statement prepared by the organizers or officers

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

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

35 c. Each report of contributions under section 8 of P.L.1973, c.83
36 (C.19:44A-8) by a political committee[,] or continuing political
37 committee [or legislative leadership committee] required under
38 subsection a. of this section to submit a statement of registration shall
39 include, in the case of each contributor who is an individual, the home
40 address of the individual if different from the individual's mailing
41 address, or, in the case of any contributor which is an organization,
42 any information, in addition to that otherwise required, which the
43 Election Law Enforcement Commission may, under such regulations
44 as it shall adopt pursuant to the provisions of the "Administrative
45 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as
46 being material to the fullest possible disclosure of the economic,

1 political and other particular interests and objectives which the
2 contributing organization has been organized to or does advance.

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

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

24

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

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

44 b. The amounts subject to adjustment as provided under this
45 section shall be:

46 (1) the minimum amount raised or expended by any two or more

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

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

15 (3) the minimum amount of a contribution to a political committee,
16 continuing political committee[, legislative leadership committee] or
17 a political party committee received during the period between the
18 13th day prior to the election and the date of the election, the
19 minimum amount of an expenditure by a political committee during
20 that period, and the minimum amount of an expenditure by a
21 continuing political committee during the period beginning after March
22 31 and ending on the date of the primary election and the period
23 beginning after September 30 and ending on the date of the general
24 election which triggers an obligation to report that contribution to the
25 commission pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8), and
26 the minimum amount of a contribution to a candidate, candidate
27 committee or joint candidates committee received during the period
28 between the 13th day prior to the election and the date of the election
29 which triggers an obligation to report that contribution to the
30 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

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

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

46 (6) the maximum amount that may be expended, in the aggregate,

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

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

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

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

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

40 (11) the maximum amount of contributions permitted to be made
41 by a candidate, candidate committee or joint candidates committee to
42 a political committee or a continuing political committee and the
43 maximum amount of contributions permitted to be made by one
44 political committee or continuing political committee to another
45 political committee or continuing political committee pursuant to
46 section 20 of P.L.1993, c.65 (C.19:44A-11.5).

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

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

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

18

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

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

33 Any payment to a candidate committee, joint candidates committee,
34 political committee, continuing political committee, or political party
35 committee, [or legislative leadership committee,] or to any other
36 person, association or group, by a candidate or any such committee or
37 by any other person, association or group, which payment is related to
38 efforts in aid of or to promote the candidacy of an individual for
39 nomination for election or for election to elective public office or the
40 passage or defeat of a public question, or to efforts directly to
41 promote or encourage the participation of voters in an election, shall
42 be made by check payable to the named committee, person,
43 association, or group, and no such payment shall be made in currency.

44 As used in this section, "candidate", "candidate committee", "joint
45 candidates committee," "political committee," "continuing political
46 committee[.]" and "political party committee[.]" [and "legislative

1 leadership committee"] shall have the meanings prescribed for those
2 respective terms by section 3 of P.L.1973, c.83 (C.19:44A-3).
3 (cf: P.L.1993, c.370, s.1)

4

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

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

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

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

40 d. Any person who accepts compensation from a committee, group
41 or individual described in subsection a. or b. of this section for the
42 purpose of printing, broadcasting, or otherwise disseminating to the
43 electorate a communication shall maintain a record of the transaction
44 which shall include an exact copy of the communication and a
45 statement of the number of copies made or the dates and times that the
46 communication was broadcast, and the name and address of the

1 committee, group or individual paying for the communication. The
2 record shall be maintained on file at the principal office of the person
3 accepting the communication for at least two years and shall be
4 available for public inspection during normal business hours.

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

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

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

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

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

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

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

42
43 23. (New section) Within one year after the enactment of this act,
44 the President of the Senate, the Minority Leader of the Senate, the
45 Speaker of the General Assembly and the Minority Leader of the
46 General Assembly, if maintaining or participating either directly or

1 indirectly in the management or control of a legislative leadership
2 committee, as defined in subsection s. of section 3 of P.L.1973, c.83
3 (C.19:44A-3) prior to the amendment of that section by this act, shall
4 wind up or cause to be wound up the affairs of that committee in
5 accordance with the provisions of section 8 of P.L.1973, c.83
6 (C.19:44A-8) and disburse all of the funds therein in accordance with
7 the provisions of section 17 of P.L.1993, c.65 (C.19:44A-11.2).

8
9 24. (New section) Any solicitation of contributions by an
10 individual, corporation, labor organization, association or other
11 organization from its executive or administrative personnel or
12 employees, or their families, which is made on behalf of a candidate for
13 the nomination for election or for election to the office of member of
14 the Legislature, or the candidate committee, joint candidates
15 committee, or both, of such a person, shall be made only by mail
16 addressed to those persons, executive or administrative personnel or
17 employees or their families at their respective residences. The
18 solicitation shall provide only for the direct transmittal of any
19 contribution by the individual, corporation, labor organization,
20 association or other organization thus solicited to the campaign
21 treasurer or organizational treasurer of the candidate, candidate
22 committee or joint candidates committee, as the case may be, on behalf
23 of whom or which the contribution is made, and not through the
24 individual, corporation, labor organization, association or organization
25 that makes the solicitation or through any other intermediary. The
26 solicitation shall be designed so that the individual, corporation, labor
27 organization, association or organization cannot determine who makes
28 a contribution as a result of such a solicitation and who does not make
29 a contribution. No such solicitation shall be made more than twice
30 during a calendar year.

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

36
37 25. (New section) A candidate committee, joint candidates
38 committee, political committee, continuing political committee or
39 political party committee that does not act in concert with any
40 candidate or person or committee acting on behalf of a candidate but
41 does make, incur or authorize an expenditure for the purpose of
42 financing communication aiding or promoting the election or defeat of
43 any candidate or providing political information on any candidate
44 which is an expenditure that the committee is required to report to the
45 Election Law Enforcement Commission pursuant to P.L.1973, c.83
46 (C.19:44A-1 et seq.) shall:

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

4 b. provide with that communication the name and mailing address
5 of the committee, group or person which has contributed the greatest
6 amount of money or other thing of value to that committee, group or
7 person during the previous reporting period.

8
9 26. Section 16 of P.L.1993, c.65 (C.19:44A-10.1) is repealed.

10
11 27. This act shall take effect on January 1 following enactment.

12
13
14 STATEMENT

15
16 The purpose of this bill, entitled "The Clean Elections Act of 1996,"
17 is to restrict the amount of money and other things of value that may
18 be contributed to candidates for most public offices and to various
19 committees. The bill also abolishes the formation and use of
20 legislative leadership committees.

21 Specifically, the bill:

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

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

40 3) abolishes the formation and use of legislative leadership
41 committees by the President of the Senate, the Minority Leader of the
42 Senate, the Speaker of the General Assembly and the Minority leader
43 of the General Assembly (under current law, each of these committees
44 can receive up to \$25,000 per year from an individual, a candidate,
45 corporation, labor union, political committee, continuing political
46 committee or any other group);

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

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

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

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

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

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

32

33

34

35

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