



**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

LAW/RWH

P.L.2011, CHAPTER 204, *approved January 17, 2012*

Senate, No. 3166

1 AN ACT concerning campaign contributions for candidates for  
2 elective public office, and amending P.L.2004, c.21.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 1 of P.L.2004, c.21 (C.19:44A-19.1) is amended to  
8 read as follows:

9 1. a. For the purposes of this section, the terms "contribution",  
10 "candidate", "candidate committee", and "joint candidates  
11 committee", shall have the meanings prescribed for those terms by  
12 section 3 of P.L.1973, c.83 (C.19:44A-3); and the term "property"  
13 means buildings used for the discharge of official government  
14 functions, business, duties, or purposes.

15 b. (1) No candidate for **[the office of Governor, the office of**  
16 **Lieutenant Governor or the office of member of the Legislature]**  
17 any elective public office, or any holder of that elective public  
18 office, or **[their]** the candidate's agent or representative, while  
19 located on any property exclusively owned or leased by the State, or  
20 any agency of the State, or by any county, municipality, board of  
21 education of a school district, fire district, authority, or other State  
22 or local entity, district or instrumentality shall, directly or  
23 indirectly, solicit any contribution to or on behalf of any candidate  
24 for **[the office of Governor, the office of Lieutenant Governor or**  
25 **any candidate for the office of member of the Senate or General**  
26 **Assembly]** elective public office, **[or any candidate for another**  
27 **elective public office held or sought by a candidate for or holder of**  
28 **the office of member of the Legislature,]** or the candidate  
29 committee or joint candidates committee of any such candidate.

30 The provisions of this subsection shall not apply to any casual or  
31 inadvertent communication otherwise made in connection with, but  
32 without intent to solicit, such a contribution.

33 (2) No person, while located on any property exclusively owned  
34 or leased by the State, or any agency of the State, or by any county,  
35 municipality, board of education of a school district, fire district,  
36 authority, or other State or local entity, district or instrumentality  
37 shall, directly or indirectly, make any contribution to or on behalf of  
38 any candidate for **[the office of Governor, the office of Lieutenant**  
39 **Governor or any candidate for the office of member of the Senate or**  
40 **General Assembly]** elective public office, **[or any candidate for**  
41 **another elective public office held or sought by a candidate for or**

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

**Matter underlined thus is new matter.**

1 holder of the office of member of the Legislature,] or the candidate  
2 committee or joint candidates committee of any such candidate.

3 c. Any candidate for [the office of Governor, the office of  
4 Lieutenant Governor or the office of member of the Legislature]  
5 elective public office, or any holder of that elective public office, or  
6 their agent or representative, or any person, who is determined by  
7 the Election Law Enforcement Commission to have violated this act  
8 shall be liable to a penalty of not less than \$5,000 for each  
9 violation. Any penalty imposed pursuant to this section may be  
10 recovered by a summary proceeding pursuant to the "Penalty  
11 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

12 d. In the event property exclusively owned or leased by the  
13 State, or any agency of the State, or by any county, municipality,  
14 board of education of a school district, fire district, authority, or  
15 other State or local entity, district or instrumentality or part thereof,  
16 is made available, through rent, reservation or otherwise, for the  
17 exclusive use of any group for a non-governmental purpose as a  
18 meeting location, the prohibition in subsection b. of this section  
19 shall not apply and the solicitation or making of contributions or  
20 funds of any nature from any or among or by the members of the  
21 group during the time the group is using the property made  
22 available as a meeting location is permitted.

23 e. The Election Law Enforcement Commission shall have the  
24 jurisdiction to enforce the provisions of this section for violations  
25 thereof on property exclusively owned or leased by the State, or any  
26 agency of the State, or by any county, municipality, board of  
27 education of a school district, fire district, authority, or other State  
28 or local entity, district or instrumentality.

29 (cf: P.L.2009, c.66, s.14)

30

31 2. This act shall take effect immediately.

32

33

34

#### STATEMENT

35

36 This bill expands the prohibition in current law on the soliciting  
37 of campaign contributions on certain public properties by  
38 candidates and their agents for certain public offices to include all  
39 candidates for elective public office and any public property.

40 Under the bill, no candidate for any elective public office, or any  
41 holder of that elective public office, or the candidate's agent or  
42 representative, could directly or indirectly, solicit any contribution  
43 to or on behalf of such a candidate on any property exclusively  
44 owned or leased by the State, or any agency of the State, or by any  
45 county, municipality, board of education of a school district, fire  
46 district, authority, or other State or local entity, district or  
47 instrumentality. At the same time, no person, while located on any  
48 property exclusively owned or leased by the State, or any agency of

1 the State, or by any county, municipality, board of education of a  
2 school district, fire district, authority, or other State or local entity,  
3 district or instrumentality would be permitted, directly or indirectly,  
4 to make any contribution to or on behalf of any candidate for  
5 elective public office, or to the candidate committee or joint  
6 candidates committee of any such candidate.

7 The bill also confers jurisdiction upon the Election Law  
8 Enforcement Commission to enforce the provisions of the bill  
9 regarding the soliciting or making of contributions on property  
10 exclusively owned or leased by the State, or any agency of the  
11 State, or by any county, municipality, board of education of a  
12 school district, fire district, authority, or other State or local entity,  
13 district or instrumentality.

14

15

16

---

17

18 Prohibits soliciting of campaign contributions on any public  
19 property by elective public office candidates; prohibits persons  
20 from making contributions to such candidates on any public  
21 property.

# SENATE, No. 3166

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED DECEMBER 8, 2011

**Sponsored by:**

**Senator RAYMOND J. LESNIAK**

**District 20 (Union)**

**Senator STEVEN V. OROHO**

**District 24 (Sussex, Hunterdon and Morris)**

**Assemblyman JOSEPH CRYAN**

**District 20 (Union)**

**Assemblyman GARY R. CHIUSANO**

**District 24 (Sussex, Hunterdon and Morris)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblywoman ALISON LITTELL MCHOSE**

**District 24 (Sussex, Hunterdon and Morris)**

**Co-Sponsored by:**

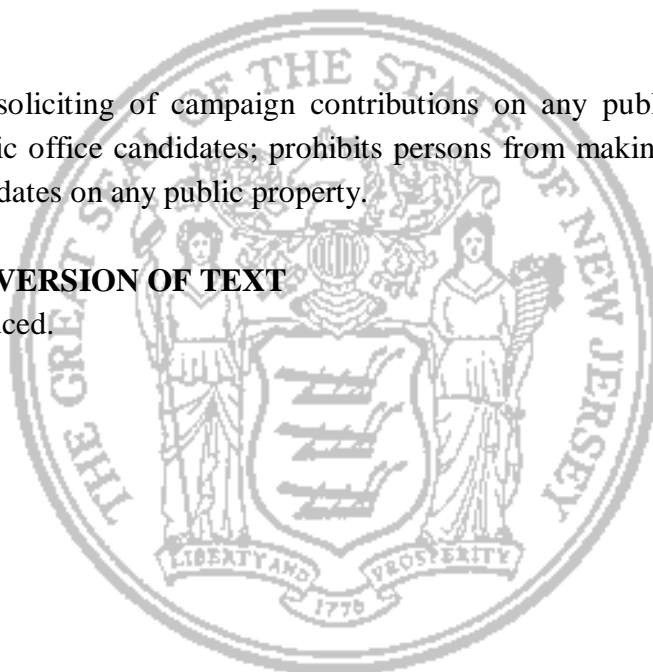
**Senators Beck and O'Toole**

**SYNOPSIS**

Prohibits soliciting of campaign contributions on any public property by elective public office candidates; prohibits persons from making contributions to such candidates on any public property.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/10/2012)**

S3166 LESNIAK, OROHO

2

1 AN ACT concerning campaign contributions for candidates for  
2 elective public office, and amending P.L.2004, c.21.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.2004, c.21 (C.19:44A-19.1) is amended to  
8 read as follows:

9 1. a. For the purposes of this section, the terms "contribution",  
10 "candidate", "candidate committee", and "joint candidates  
11 committee", shall have the meanings prescribed for those terms by  
12 section 3 of P.L.1973, c.83 (C.19:44A-3); and the term "property"  
13 means buildings used for the discharge of official government  
14 functions, business, duties, or purposes.

15 b. (1) No candidate for **[the office of Governor, the office of**  
16 **Lieutenant Governor or the office of member of the Legislature]**  
17 any elective public office, or any holder of that elective public  
18 office, or **[their]** the candidate's agent or representative, while  
19 located on any property exclusively owned or leased by the State, or  
20 any agency of the State, or by any county, municipality, board of  
21 education of a school district, fire district, authority, or other State  
22 or local entity, district or instrumentality shall, directly or  
23 indirectly, solicit any contribution to or on behalf of any candidate  
24 for **[the office of Governor, the office of Lieutenant Governor or**  
25 **any candidate for the office of member of the Senate or General**  
26 **Assembly]** elective public office, **[or any candidate for another**  
27 **elective public office held or sought by a candidate for or holder of**  
28 **the office of member of the Legislature,]** or the candidate  
29 committee or joint candidates committee of any such candidate.

30 The provisions of this subsection shall not apply to any casual or  
31 inadvertent communication otherwise made in connection with, but  
32 without intent to solicit, such a contribution.

33 (2) No person, while located on any property exclusively owned  
34 or leased by the State, or any agency of the State, or by any county,  
35 municipality, board of education of a school district, fire district,  
36 authority, or other State or local entity, district or instrumentality  
37 shall, directly or indirectly, make any contribution to or on behalf of  
38 any candidate for **[the office of Governor, the office of Lieutenant**  
39 **Governor or any candidate for the office of member of the Senate or**  
40 **General Assembly]** elective public office, **[or any candidate for**  
41 **another elective public office held or sought by a candidate for or**  
42 **holder of the office of member of the Legislature,]** or the candidate  
43 committee or joint candidates committee of any such candidate.

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

**Matter underlined thus is new matter.**

1 c. Any candidate for [the office of Governor, the office of  
2 Lieutenant Governor or the office of member of the Legislature]  
3 elective public office, or any holder of that elective public office, or  
4 their agent or representative, or any person, who is determined by  
5 the Election Law Enforcement Commission to have violated this act  
6 shall be liable to a penalty of not less than \$5,000 for each  
7 violation. Any penalty imposed pursuant to this section may be  
8 recovered by a summary proceeding pursuant to the "Penalty  
9 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

10 d. In the event property exclusively owned or leased by the  
11 State, or any agency of the State, or by any county, municipality,  
12 board of education of a school district, fire district, authority, or  
13 other State or local entity, district or instrumentality or part thereof,  
14 is made available, through rent, reservation or otherwise, for the  
15 exclusive use of any group for a non-governmental purpose as a  
16 meeting location, the prohibition in subsection b. of this section  
17 shall not apply and the solicitation or making of contributions or  
18 funds of any nature from any or among or by the members of the  
19 group during the time the group is using the property made  
20 available as a meeting location is permitted.

21 e. The Election Law Enforcement Commission shall have the  
22 jurisdiction to enforce the provisions of this section for violations  
23 thereof on property exclusively owned or leased by the State, or any  
24 agency of the State, or by any county, municipality, board of  
25 education of a school district, fire district, authority, or other State  
26 or local entity, district or instrumentality.

27 (cf: P.L.2009, c.66, s.14)

28

29 2. This act shall take effect immediately.

30

31

32

### STATEMENT

33

34 This bill expands the prohibition in current law on the soliciting  
35 of campaign contributions on certain public properties by  
36 candidates and their agents for certain public offices to include all  
37 candidates for elective public office and any public property.

38 Under the bill, no candidate for any elective public office, or any  
39 holder of that elective public office, or the candidate's agent or  
40 representative, could directly or indirectly, solicit any contribution  
41 to or on behalf of such a candidate on any property exclusively  
42 owned or leased by the State, or any agency of the State, or by any  
43 county, municipality, board of education of a school district, fire  
44 district, authority, or other State or local entity, district or  
45 instrumentality. At the same time, no person, while located on any  
46 property exclusively owned or leased by the State, or any agency of  
47 the State, or by any county, municipality, board of education of a  
48 school district, fire district, authority, or other State or local entity,



**S3166 LESNIAK, OROHO**

4

1 district or instrumentality would be permitted, directly or indirectly,  
2 to make any contribution to or on behalf of any candidate for  
3 elective public office, or to the candidate committee or joint  
4 candidates committee of any such candidate.

5 The bill also confers jurisdiction upon the Election Law  
6 Enforcement Commission to enforce the provisions of the bill  
7 regarding the soliciting or making of contributions on property  
8 exclusively owned or leased by the State, or any agency of the  
9 State, or by any county, municipality, board of education of a  
10 school district, fire district, authority, or other State or local entity,  
11 district or instrumentality.

# SENATE ECONOMIC GROWTH COMMITTEE

## STATEMENT TO

### SENATE, No. 3166

# STATE OF NEW JERSEY

DATED: JANUARY 5, 2012

The Senate Economic Growth Committee reports favorably Senate Bill No. 3166.

As reported, this bill expands the prohibition in current law on the soliciting of campaign contributions on certain public properties by candidates and their agents for certain public offices to include all candidates for elective public office and any public property.

Under the bill, no candidate for any elective public office, or any holder of that elective public office, or the candidate's agent or representative, could directly or indirectly, solicit any contribution to or on behalf of such a candidate on any property exclusively owned or leased by the State, or any agency of the State, or by any county, municipality, board of education of a school district, fire district, authority, or other State or local entity, district or instrumentality. At the same time, no person, while located on any property exclusively owned or leased by the State, or any agency of the State, or by any county, municipality, board of education of a school district, fire district, authority, or other State or local entity, district or instrumentality would be permitted, directly or indirectly, to make any contribution to or on behalf of any candidate for elective public office, or to the candidate committee or joint candidates committee of any such candidate.

Under current law, these prohibitions on the solicitation and making of campaign contributions apply only to candidates for and holders of State elective office, or their agents, and only if those solicitations or contributions are made on property owned or leased by the State or a State agency.

The bill also incorporates into the law a new provision that explicitly confers jurisdiction upon the Election Law Enforcement Commission to enforce this statutory prohibition against soliciting or making campaign contributions on public property.

# ASSEMBLY, No. 4432

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED JANUARY 5, 2012

**Sponsored by:**

**Assemblyman JOSEPH CRYAN**

**District 20 (Union)**

**Assemblyman GARY R. CHIUSANO**

**District 24 (Sussex, Hunterdon and Morris)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblywoman ALISON LITTELL MCHOSE**

**District 24 (Sussex, Hunterdon and Morris)**

**SYNOPSIS**

Prohibits soliciting of campaign contributions on any public property by elective public office candidates; prohibits persons from making contributions to such candidates on any public property.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/6/2012)

1 AN ACT concerning campaign contributions for candidates for  
2 elective public office, and amending P.L.2004, c.21.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.2004, c.21 (C.19:44A-19.1) is amended to  
8 read as follows:

9 1. a. For the purposes of this section, the terms "contribution",  
10 "candidate", "candidate committee", and "joint candidates  
11 committee", shall have the meanings prescribed for those terms by  
12 section 3 of P.L.1973, c.83 (C.19:44A-3); and the term "property"  
13 means buildings used for the discharge of official government  
14 functions, business, duties, or purposes.

15 b. (1) No candidate for **[the office of Governor, the office of**  
16 **Lieutenant Governor or the office of member of the Legislature]**  
17 any elective public office, or any holder of that elective public  
18 office, or **[their]** the candidate's agent or representative, while  
19 located on any property exclusively owned or leased by the State, or  
20 any agency of the State, or by any county, municipality, board of  
21 education of a school district, fire district, authority, or other State  
22 or local entity, district or instrumentality shall, directly or  
23 indirectly, solicit any contribution to or on behalf of any candidate  
24 for **[the office of Governor, the office of Lieutenant Governor or**  
25 **any candidate for the office of member of the Senate or General**  
26 **Assembly]** elective public office, **[or any candidate for another**  
27 **elective public office held or sought by a candidate for or holder of**  
28 **the office of member of the Legislature,]** or the candidate  
29 committee or joint candidates committee of any such candidate.

30 The provisions of this subsection shall not apply to any casual or  
31 inadvertent communication otherwise made in connection with, but  
32 without intent to solicit, such a contribution.

33 (2) No person, while located on any property exclusively owned  
34 or leased by the State, or any agency of the State, or by any county,  
35 municipality, board of education of a school district, fire district,  
36 authority, or other State or local entity, district or instrumentality  
37 shall, directly or indirectly, make any contribution to or on behalf of  
38 any candidate for **[the office of Governor, the office of Lieutenant**  
39 **Governor or any candidate for the office of member of the Senate or**  
40 **General Assembly]** elective public office, **[or any candidate for**  
41 **another elective public office held or sought by a candidate for or**  
42 **holder of the office of member of the Legislature,]** or the candidate  
43 committee or joint candidates committee of any such candidate.

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

**Matter underlined thus is new matter.**

1 c. Any candidate for [the office of Governor, the office of  
2 Lieutenant Governor or the office of member of the Legislature]  
3 elective public office, or any holder of that elective public office, or  
4 their agent or representative, or any person, who is determined by  
5 the Election Law Enforcement Commission to have violated this act  
6 shall be liable to a penalty of not less than \$5,000 for each  
7 violation. Any penalty imposed pursuant to this section may be  
8 recovered by a summary proceeding pursuant to the "Penalty  
9 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

10 d. In the event property exclusively owned or leased by the  
11 State, or any agency of the State, or by any county, municipality,  
12 board of education of a school district, fire district, authority, or  
13 other State or local entity, district or instrumentality or part thereof,  
14 is made available, through rent, reservation or otherwise, for the  
15 exclusive use of any group for a non-governmental purpose as a  
16 meeting location, the prohibition in subsection b. of this section  
17 shall not apply and the solicitation or making of contributions or  
18 funds of any nature from any or among or by the members of the  
19 group during the time the group is using the property made  
20 available as a meeting location is permitted.

21 e. The Election Law Enforcement Commission shall have the  
22 jurisdiction to enforce the provisions of this section for violations  
23 thereof on property exclusively owned or leased by the State, or any  
24 agency of the State, or by any county, municipality, board of  
25 education of a school district, fire district, authority, or other State  
26 or local entity, district or instrumentality.

27 (cf: P.L.2009, c.66, s.14)

28  
29 2. This act shall take effect immediately.

30  
31  
32 STATEMENT

33  
34 This bill expands the prohibition in current law on the soliciting  
35 of campaign contributions on certain public properties by  
36 candidates and their agents for certain public offices to include all  
37 candidates for elective public office and any public property.

38 Under the bill, no candidate for any elective public office, or any  
39 holder of that elective public office, or the candidate's agent or  
40 representative, could directly or indirectly, solicit any contribution  
41 to or on behalf of such a candidate on any property exclusively  
42 owned or leased by the State, or any agency of the State, or by any  
43 county, municipality, board of education of a school district, fire  
44 district, authority, or other State or local entity, district or  
45 instrumentality. At the same time, no person, while located on any  
46 property exclusively owned or leased by the State, or any agency of  
47 the State, or by any county, municipality, board of education of a  
48 school district, fire district, authority, or other State or local entity,

**A4432 CRYAN, CHIUSANO**

1 district or instrumentality would be permitted, directly or indirectly,  
2 to make any contribution to or on behalf of any candidate for  
3 elective public office, or to the candidate committee or joint  
4 candidates committee of any such candidate.

5 The bill also confers jurisdiction upon the Election Law  
6 Enforcement Commission to enforce the provisions of the bill  
7 regarding the soliciting or making of contributions on property  
8 exclusively owned or leased by the State, or any agency of the  
9 State, or by any county, municipality, board of education of a  
10 school district, fire district, authority, or other State or local entity,  
11 district or instrumentality.