

19:13-4 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 19: 13-4 et al; 19: 23-14 et al; (Campaign contributions and expenditures-various amendments)
19: 44A-3 et al; 19: 5-2.1 et al

LAWS OF: 1983

CHAPTER: 579

Bill No: A3099/2290

Sponsor(s): Bochini and others

Date Introduced: June 20, 1983

Committee: **Assembly:** State Government, Civil Service, Elections, Pensions & Veterans Affairs

Senate: /////

Amended during passage: Yes Assembly committee substitute to A3099/A2290 enacted. Amendments during passage denoted by asterisks

Date of Passage: **Assembly:** June 22, 1983

Senate: January 9, 1984

Date of Approval: January 17, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: Yes

Hearings: No

Report, mentioned in:

974.90 New Jersey Department of Law and Public Safety.
L796 The New Jersey Legislative Activities Disclosure Act analysis and
1982 recommendations for a amendment... December, 1982. Trenton, 1982.
(See especially pp. 31-32)

1-17-84

[OFFICIAL COPY REPRINT]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 3099 and 2290**STATE OF NEW JERSEY**

ADOPTED JUNE 20, 1983

By Assemblymen BOCCHINI, ZIMMER, Assemblywoman KALIK,
Assemblymen FRANKS and CHARLES

AN ACT concerning election related financial information and the disclosure thereof and revising parts of the statutory law.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 19:13-4 is amended to read as follows:

2 19:13-4. Contents of petition. Such petition shall set forth the
3 names, places of residence and post-office addresses of the candi-
4 dates for the offices to be filled, the title of the office for which each
5 candidate is named, that the petitioners are legally qualified to vote
6 for such candidates and pledge themselves to support and vote for
7 the persons named in such petition and that they have not signed
8 any other petition of nomination for the primary or for the general
9 election for such office.

10 In the case of a petition or petitions nominating electors of presi-
11 dent and vice president of the United States, the names of the candi-
12 dates for president and vice president for whom such electors are to
13 vote may be included in the petition or petitions, but the petition or
14 petitions shall not include the names of any candidates for presi-
15 dent or vice president who have been nominated at a convention of
16 a political party as defined by this title.

17 The petition shall also state in not more than three words the
18 designation of the party or principles which the candidates therein
19 named represent; but such designation shall not contain the desig-

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 printed in italics *thus* is new matter.

*—Assembly amendment adopted June 23, 1983.

20 nation, name, derivative, or any part thereof as a noun or an adject-
 21 tive of any political party entitled to participate in the primary
 21A election.

22 The petition shall also include the request that the names of the
 23 candidates and their designations of party or principles be printed
 24 upon the ballots to be used at the ensuing general elections.

25 No such petition shall undertake to nominate any candidate who
 26 has accepted the nomination for the primary for such position.

27 *Any form of a petition of nomination which is provided to candi-*
 28 *dates by the Secretary of State, the county clerk, or the municipal*
 29 *clerk shall contain the following notice: "Notice: All candidates*
 30 *are required by law to comply with the provisions of the "New*
 31 *Jersey Campaign Contributions and Expenditures Reporting Act."*
 32 *For further information, please call (insert phone number of the*
 33 *Election Law Enforcement Commission)."*

1 2. R. S. 19:13-9 is amended to read as follows:

2 19:13-9. All such petitions and acceptances thereof shall be filed
 3 with the officer or officers to whom they are addressed before 4:00
 4 o'clock p.m. of the fortieth day next preceding the day of the hold-
 5 ing of the primary election for the general election in this Title
 6 provided. All petitions when filed shall be opened under proper
 7 regulations for public inspection.

8 *The officer or officers shall transmit to the Election Law Enforce-*
 9 *ment Commission the names of all candidates nominated by petition*
 10 *and any other information required by the commission in the form*
 11 *and manner prescribed by the commission and shall notify the com-*
 12 *mission immediately upon the withdrawal of a petition of nomina-*
 13 *tion.*

14 The county clerks shall certify to the Secretary of State, within
 15 20 days after the primary election for the general election, the
 16 names, places of residence and post-office addresses of the several
 17 candidates nominated for Senator and members of the General
 18 Assembly together with the designation of the party nominating the
 19 candidates, whether by petition or at the primary election and the
 20 dates of filing the certificates of nominations and petitions.

1 3. R. S. 19:23-7 is amended to read as follows:

2 19:23-7. Each such petition shall set forth that the signers there-
 3 of are qualified voters of the State, congressional district, county,
 4 or county election district, municipality, ward or election district, as
 5 the case may be, in which they reside and for which they desire to
 6 nominate candidates; that they are members of a political party
 7 (naming the same), and that at the last general election preceding
 8 the execution of the petition they voted for a majority of the candi-
 9 dates of such political party, and that they intend to affiliate with

10 that political party at the ensuing election; that they indorse the
 11 person or persons named in their petition as candidate or candi-
 12 dates for nomination for the office or offices therein named, and that
 13 they request that the name of the person or persons therein men-
 14 tioned be printed upon the official primary ballots of their political
 15 party as the candidate or candidates for such nomination. The
 16 petition shall further state the residence and post-office address of
 17 each person so indorsed, and shall certify that the person or per-
 18 sons so indorsed is or are legally qualified under the laws of this
 19 State to be nominated, and is or are a member or members of the
 20 political party named in the petition.

21 Accompanying the petition each person indorsed therein shall
 22 file a certificate, stating that he is qualified for the office mentioned
 23 in the petition, that he is a member of the political party named
 24 therein; that he consents to stand as a candidate for nomination at
 25 the ensuing primary election of such political party, and that, if
 26 nominated, he consents to accept the nomination, to which shall be
 27 annexed the oath of allegiance prescribed in R. S. 41 :1-1 duly taken
 28 and subscribed by him before an officer authorized to take oaths in
 29 this State.

30 *Any form of a petition of nomination which is provided to candi-*
 31 *dates by the Secretary of State, the county clerk, or the municipal*
 32 *clerk shall contain the following notice: "Notice: All candidates*
 33 *are required by law to comply with the provisions of the "New*
 34 *Jersey Campaign Contributions and Expenditures Reporting Act."*
 35 *For further information, please call (insert phone number of the*
 36 *Election Law Enforcement Commission)."*

1 4. R. S. 19 :23-14 is amended to read as follows :

2 19 :23-14. Petitions addressed to the Secretary of State, the coun-
 3 ty clerks, or the municipal clerks, shall be filed with such officers,
 4 respectively, before 4:00 p.m. of the fortieth day next preceding
 5 the day of the holding of the primary election for the general elec-
 6 tion.

7 Within six days after the last day for filing the petitions for nom-
 8 inations at the primary election for the general election, the municip-
 9 al clerk shall certify to the county clerk the full and correct names
 10 and addresses of all candidates for nomination for public and party
 11 office and the name of the political party of which such persons are
 12 candidates together with their slogan and designation. *The county*
 13 *clerk shall transmit this information to the Election Law Enforce-*
 14 *ment Commission in the form and manner prescribed by the com-*
 15 *mission and shall notify the commission immediately upon the*
 16 *withdrawal of a petition of nomination.*

1 5. R. S. 19:23-21 is amended to read as follows:

2 19:23-21. The Secretary of State shall certify the names of the
3 persons indorsed in the petitions filed in his office to the clerks of
4 counties concerned thereby at least 34 days prior to the holding of
5 the primary election, specifying in such certificate the political
6 parties to which the persons so nominated in the petitions belong.
7 *The Secretary of State shall also transmit this information to the*
8 *Election Law Enforcement Commission in the form and manner*
9 *prescribed by the commission and shall notify the commission im-*
10 *mediately upon the withdrawal of a petition of nomination.*

1 6. R. S. 19:23-22 is amended to read as follows:

2 19:23-22. The county clerk shall certify all of the persons so
3 certified to him by the Secretary of State and in addition the names
4 of all persons indorsed in petitions filed in his office to the clerk
5 of each municipality concerned thereby in his respective county
6 at least 33 days prior to the time fixed by law for the holding of
7 the primary election, specifying in such certificate the political
8 party to which the person or persons so nominated belong. *The*
9 *county clerk shall also transmit this information with respect to*
10 *persons endorsed in petitions filed in his office to the Election Law*
11 *Enforcement Commission in the form and manner prescribed by*
12 *the commission and shall notify the commission immediately upon*
13 *the withdrawal of a petition of nomination filed in his office.*

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

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

5 a. The term "allied candidates" means candidates in any election
6 who are (1) seeking nomination or election (A) to an office or offices
7 in the same county or municipal government or school district or
8 (B) to the Legislature representing in whole or part the same
9 constituency [(C) as members of the State committee of the same
10 political party from the same county or (D) as delegates or alter-
11 nates to the national convention of the same political party;],
12 and who are (2) either (A) nominees of the same political party
13 or (B) publicly declared in any manner, including the seeking or
14 obtaining of any ballot position or common ballot slogan, to be
15 aligned or mutually supportive.

16 b. The term "allied campaign organization" means any political
17 committee, any State, county or municipal committee of a political
18 party or any campaign organization of a candidate which is in
19 support or furtherance of the same candidate or any one or more
20 of the same group of allied candidates or the same public question
21 as any other such committee or organization.

22 c. The term "candidate" means an individual seeking or having
23 sought election to a public office of the State or of a county, munici-
24 pality or school district at [a primary, general, municipal, school or
25 special] an election; except that the term shall not include [the]
26 an individual seeking party office [of county committeeman or
27 committeewoman].

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

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

38 f. The term "paid personal services" means personal, clerical,
39 administrative or professional services of every kind and nature
40 including, without limitation, public relations, research, legal, can-
41 vassing, telephone, speech writing or other such services, per-
42 formed other than on a voluntary basis, the salary, cost or con-
43 sideration for which is paid, borne or provided by someone other
44 than the committee, candidate or organization for whom such ser-
45 vices are rendered. In determining the value, for the purpose of
46 reports required under this act, of contributions made in the form
47 of paid personal services, the person contributing such services
48 shall furnish to the [campaign] treasurer through whom such
49 contribution is made a statement setting forth the actual amount of
50 compensation paid by said contributor to the individuals actually
51 performing said services for the performance thereof. But if any
52 individual or individuals actually performing such services also
53 performed for the contributor other services during the same
54 period, and the manner of payment was such that payment for the
55 services contributed cannot readily be segregated from contem-
56 porary payment for the other services, the contributor shall in his
57 statement to the [campaign] treasurer so state and shall either (1)
58 set forth his best estimate of the dollar amount of payment to each
59 such individual which is attributable to the contribution of his paid
60 personal services, and shall certify the substantial accuracy of the
61 same, or (2) if unable to determine such amount with sufficient
62 accuracy, set forth the total compensation paid by him to each such
63 individual for the period of time during which the services con-
64 tributed by him were performed. If any candidate is a holder of
65 public office to whom there is attached or assigned, by virtue of said

66 office, any aide or aides whose services are of a personal or con-
 67 fidential nature in assisting him to carry out the duties of said office,
 68 and whose salary or other compensation is paid in whole or part
 69 out of public funds, the services of such aide or aides which are paid
 70 for out of public funds shall be for public purposes only; but they
 71 may contribute their personal services, on a voluntary basis, to
 72 such candidate for election campaign purposes.

73 g. [The term "political information organization" means any
 74 two or more persons acting jointly, or any corporation, partner-
 75 ship, or any other incorporated or unincorporated association,
 76 whether or not it is required to be registered pursuant to the
 77 "Legislative Activities Disclosure Act of 1971," P. L. 1971, c. 183
 78 (C. 52:13C-18 et seq.), which is organized for the purpose of, or
 79 which provides political information concerning any candidate or
 80 candidates for public office or with respect to any public question.

81 The term shall not apply to any bona fide newspaper, magazine,
 82 radio or television station or other bona fide news medium dis-
 83 seminating political information, advertising and comment in the
 84 normal course of its business; nor to any recognized school or in-
 85 stitution of higher education, public or private, in conducting,
 86 sponsoring or subsidizing any classes, seminars, forums, discus-
 87 sions or other events in which political information or discussion
 88 thereof or comment thereon is an integral part.] *(Deleted by*
 89 *amendment, P. L. , c.)*

90 h. The term "political information" means any statement in-
 91 cluding but not limited to press releases, pamphlets, newsletters,
 92 advertisements, flyers, form letters, or radio or television programs
 93 or advertisements which reflect the opinion of the members of the
 94 organization on any candidate or candidates for public office, on
 95 any public question, or which contains facts on any such candidate,
 96 or public question whether or not such facts are within the personal
 97 knowledge of members of the organization.

98 i. The term "political committee" means any two or more per-
 99 sons acting jointly, or any corporation, partnership, or any other
 100 incorporated or unincorporated association which is organized to,
 101 or does, aid or promote the nomination, election or defeat of any
 102 candidate or candidates for public office, or which is organized to,
 103 or does, aid or promote the passage or defeat of a public
 104 question in any election, *if the persons, corporation, partner-*
 105 *ship or incorporated or unincorporated association raise or ex-*
 106 *pend \$1,000.00 or more to so aid or promote the nomination,*
 107 *election or defeat of a candidate or candidates or the passage*
 108 *or defeat of a public question; provided that for the pur-*
 109 *poses of this act, the term "political committee" shall not include*

110 a “*continuing political committee*,” as defined by subsection n. of
111 this section.

112 j. The term “public solicitation” means any activity by or on
113 behalf of any candidate, **[State, county or municipal party com-**
114 **mittee.]** political committee or **[political information organization]**
115 *continuing political committee* whereby either (1) members of the
116 general public are personally solicited for cash contributions not
117 exceeding **[\$10.00]** \$20.00 from each person so solicited and con-
118 tributed on the spot by the person so solicited to a person soliciting
119 or through a receptacle provided for the purpose of depositing
120 contributions, or (2) members of the general public are personally
121 solicited for the purchase of items having some tangible value as
122 merchandise, at a price not exceeding **[\$10.00]** \$20.00 per item,
123 which price is paid on the spot in cash by the person so solicited
124 to the person so soliciting, when the net proceeds of such solicita-
125 tion are to be used by or on behalf of such candidate, **[party com-**
126 **mittee, or]** political committee or **[political information organi-**
127 **zation]** *continuing political committee*.

128 k. The term “testimonial affair” means an affair of any kind or
129 nature including, without limitation, cocktail parties, breakfasts,
130 luncheons, dinners, dances, picnics or similar affairs directly or
131 indirectly intended to raise campaign funds in behalf of a person
132 who holds, or who is or was a candidate for nomination or election
133 to a public office in this State, or directly or indirectly intended to
134 raise funds in behalf of any State, county or municipal committee
135 of a political party or in behalf of a political committee**],** or directly
136 or indirectly intended to raise funds for any political information
137 organization**].**

138 l. The term “other thing of value” means any item of real or
139 personal property, tangible or intangible, but shall not be deemed
140 to include personal services other than paid personal services.

141 m. The term “qualified candidate” means:

142 (1) Any candidate for election to the office of Governor whose
143 name appears on the general election ballot and who has deposited
144 and expended \$50,000.00 pursuant to section 7 of P. L. 1974, c. 26
145 (C. 19:44A-32); or

146 (2) Any candidate for election to the office of Governor whose
147 name does not appear on the general election ballot but who has
148 deposited and expended \$50,000.00 pursuant to section 7 of P. L.
149 1974, c. 26 (C. 19:44A-32); or

150 (3) Any candidate for nomination for election to the office of
151 Governor whose name appears on the primary election ballot and
152 who has deposited and expended \$50,000.00 pursuant to section 7
153 of P. L. 1974, c. 26 (C. 19:44A-32); or

154 (4) Any candidate for nomination for election to the office of
 155 Governor whose name does not appear on the primary election
 156 ballot but who has deposited and expended \$50,000.00 pursuant to
 157 section 7 of P. L. 1974, c. 26 (C. 19:44A-32).

158 *n. The term "continuing political committee" means:*

159 (1) *the State committee, or any county or municipal committee,*
 160 *of a political party; or*

161 (2) *any group of two or more persons acting jointly, or any*
 162 *corporation, partnership, or any other incorporated or unincorpor-*
 162 *ated association, including a political club, political action com-*
 163 *mittee, civic association or other organization, which in any calendar*
 164 *year contributes or expects to contribute at lease \$2,500.00 to the*
 165 *aid or promotion of the candidacy of an individual, or of the candi-*
 166 *dacies of individuals, for elective public office, or the passage or*
 167 *defeat of a public question or public questions, and which may be*
 168 *expected to make contributions toward such aid or promotion or*
 169 *passage or defeat during a subsequent election, provided that the*
 170 *group, corporation, partnership, association or other organization*
 171 *has been determined to be a continuing political committee under*
 172 *subsection b. of section 8 of P. L. 1973, c. 83 (C. 19:44A-8).*

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

3 4. The provisions of this act shall apply:

4 a. (Deleted by amendment, *P. L. 1981, c. 151*).

5 b. **■**In any primary election for delegates and alternates to the
 6 national conventions of a political party:**■** (*Deleted by amend-*
 7 *ment. P. L. , c.).*

8 c. In any election at which a public question it to be voted upon
 9 by the voters of the State or any political subdivision thereof;

10 d. In any **■**primary, general, special, school or municipal**■** election
 11 for any public office of the State or any political subdivision thereof;
 12 provided, however, that this act shall not, *except for paragraph (2)*
 13 *of subsection a. of section 8 of the act (C. 19:44A-8), apply to*
 14 elections for **■**county committeeman or committeewoman**■** *party*
 15 *office.*

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

3 5. There is hereby created a commission consisting of four
 4 members which shall be designated as the New Jersey Election
 5 Law Enforcement Commission. The members shall be appointed
 6 by the Governor by and with the advice and consent of the Senate
 7 for a term of three years, beginning on July 1 and ending June 30,
 8 except as hereinafter provided. The Governor shall designate one

9 of [his appointees] *the commission members* to serve as chairman
10 of the commission. No more than two members shall belong to the
11 same political party, and no person holding a public office or an
12 office in any political party shall be eligible for appointment to the
13 commission. Of the members initially appointed, two shall be ap-
14 pointed for a term of three years, one for a term of two years and
15 one for a term of one year. Each member shall serve until his
16 successor has been appointed and qualified. In case of a vacancy,
17 however, the successor shall be appointed in like manner for the
18 unexpired term only. The members shall serve without compensa-
19 tion, but shall be reimbursed for necessary expenses incurred in the
20 performance of their duties under this act. For the purpose of
21 complying with the provisions of Article V, Section IV, paragraph 1
22 of the New Jersey Constitution, the Election Law Enforcement
23 Commission is hereby allocated within the Department of Law and
24 Public Safety; but, notwithstanding said allocation, the commission
25 shall be independent of any supervision or control by the depart-
26 ment or by any board or officer thereof, it being the intention of this
27 act that the assignment, direction, discipline and supervision of all
28 the employees of the commission shall be so far as possible, and
29 except as otherwise provided in this act, fully determined by the
30 commission or by such officers and employees thereof to whom the
31 commission may delegate the powers of such assignment, direction,
32 discipline and supervision.

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

3 6. a. The commission shall appoint a full-time executive director,
4 legal counsel and hearing officers, all of whom shall serve at the
5 pleasure of the commission and shall not have tenure by reason
6 of the provisions of chapter 16 of Title 38 of the Revised Statutes.
7 The commission shall also appoint such other employees as are
8 necessary to carry out the purposes of this act, which employees
9 shall be in the classified service of the civil service and shall be
10 appointed in accordance with and shall be subject to the provisions
11 of Title 11, Civil Service.

12 b. It shall be the duty of the commission to enforce the provi-
13 sions of this act, to conduct hearings with regard to possible viola-
14 tions and to impose penalties; and for the effectual carrying out
15 of its enforcement responsibilities the commission shall have the
16 authority to initiate a civil action in any court of competent juris-
17 diction for the purpose of enforcing compliance with the provisions
18 of this act or enjoining violations thereof or recovering any penalty
19 prescribed by this act. The commission shall promulgate such

20 regulations and official forms and perform such duties as are
21 necessary to implement the provisions of this act. Without limiting
22 the generality of the foregoing, the commission is authorized and
23 empowered to:

24 (1) Develop forms for the making of the required reports;

25 (2) Prepare and publish a manual for all candidates, *political*
26 committees and [political information organizations] *continuing*
27 *political committees*, prescribing the requirements of the law, in-
28 cluding uniform methods of bookkeeping and reporting and re-
29 quirements as to the length of time that any person required to keep
30 any records pursuant to the provisions of this act shall retain such
31 records, or any class or category thereof, or any other documents,
32 including canceled checks, deposit slips, invoices and other similar
33 documents, necessary for the compilation of such records;

34 (3) Develop a filing, coding and cross-indexing system;

35 (4) Permit copying or photo-copying of any report required to
36 be submitted to this act as requested by any person;

37 (5) Prepare and make available for public inspection summaries
38 of all said reports grouped according to candidates, parties and
39 issues, containing the total receipts and expenditures, and the date,
40 name, address and amount contributed by each contributor;

41 (6) Prepare and publish, prior to May 1 of each year, an annual
42 report to the Legislature;

43 (7) Ascertain whether candidates, committees, organizations or
44 others have failed to file reports or have filed defective reports;
45 extend, for good cause shown, the dates upon which reports are re-
46 quired to be filed; give notice to delinquents to correct or explain
47 defects; and make available for public inspection a list of such
48 delinquents;

49 (8) Ascertain the total expenditures for candidates and deter-
50 mine whether they have exceeded the limits set forth in this act;
51 notify candidates, committees or others if they have exceeded or
52 are about to exceed the limits imposed;

53 (9) Hold public hearings, investigate allegations of any viola-
54 tions of this act, and issue subpoenas for the production of docu-
55 ments and the attendance of witnesses;

56 (10) Forward to the Attorney General or to the appropriate
57 county prosecutor information concerning any violations of this
58 act which may become the subject of criminal prosecution or which
59 may warrant the institution of other legal proceedings by the
60 Attorney General.

61 c. The commission shall take such steps as may be necessary or
62 appropriate to furnish timely and adequate information, in appro-
63 priate printed summaries and in such other form as it may see fit,

64 to every candidate or prospective candidate for public office who
65 becomes or is likely to become subject to the provisions of this act,
66 and to every treasurer and depository duly designated under the
67 provisions of this act, informing them of their actual or prospective
68 obligations and responsibilities under this act. Such steps shall
69 include, but not be limited to, furnishing to every person on whose
70 behalf petitions of nomination are filed for any public office a copy
71 of such printed summary as aforesaid, which shall be furnished
72 to such person by the commission through the public official charged
73 with the responsibility of receiving and accepting such petitions
74 of nomination, at the time when such petitions are filed. The com-
75 mission shall also make available copies of such printed summary
76 to any other person requesting the same. The commission shall
77 also take such steps as it may deem necessary or effectual to dis-
78 seminate among the general public such information as may serve
79 to guide all persons who may become subject to the provisions of
80 this act by reason of their participation in election campaigns or
81 in the dissemination of political information, for the purpose of
82 facilitating voluntary compliance with the provisions and purposes
83 of this act. In the dissemination of such information, the commis-
84 sion shall to the greatest extent practicable enlist the cooperation
85 of commercial purveyors, within and without the State, of materials
86 and services commonly used for political campaign purposes.

87 d. If the nomination for or election to any public office or party
88 position becomes void under the terms of subsection c. of section 21
89 of this act, the withholding or revocation of his certificate of elec-
90 tion, the omission of his name from the ballot or the vacation of the
91 office into which he has been inducted as a result of such void elec-
92 tion, as the case may be, shall be subject to the provisions of chapter
93 3, articles 2 and 3, of this Title (R. S. 19:3-7 et seq.).

94 e. The commission shall be assigned suitable quarters for the
95 performance of its duties hereunder.

96 f. The commission through its legal council is authorized to
97 render advisory opinions as to whether a given set of facts and
98 circumstances would constitute a violation of any of the provisions
99 of this act, or whether a given set of facts and circumstances would
100 render any person subject to any of the reporting requirements of
101 this act.

102 Unless an extension of time is consented to by any person re-
103 questing an advisory opinion, the commission shall render its ad-
104 visory opinion within 10 days of receipt of the request therefor.
105 Failure of the commission to reply to a request for an advisory
106 opinion within the time so fixed or agreed to shall preclude it from
107 instituting proceedings for imposition of a penalty upon any person

108 for a violation of this act arising out of the particular facts and
109 circumstances set forth in such request, except as such facts and
110 circumstances may give rise to a violation when taken in conjunc-
111 tion with other facts and circumstances not set forth in such request.

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

3 8. *a. (1)* Each [State, county and municipal committee of a politi-
4 cal party, each] political committee [and each political information
5 organization] shall make a full *cumulative* report, upon a form
6 prescribed by the Election Law Enforcement Commission, of all
7 *contributions in the form of moneys, loans, paid personal services,*
8 *or other things of value [contributed] made to it and all expendi-*
9 *tures made, incurred, or authorized by it in furtherance of the*
10 *nomination, election or defeat of any candidate, or in aid of the*
11 *passage or defeat of any public question, or to provide political*
12 *information on any candidate or public question, during the period*
13 *ending [with the day] 48 hours preceding the date of the report*
14 *and beginning on the date [of the most recent such report filed]*
15 *on which the first of those contributions was received or the first*
16 *of those expenditures was made, whichever occurred first. The*
17 *cumulative* report, except as hereinafter provided, shall contain
18 the name and address of each person or group from whom moneys,
19 loans, paid personal services or other things of value have been
20 contributed *since 48 hours preceding the date on which the pre-*
21 *vious such report was made* and the amount contributed by each
22 person or group. In the case of any loan reported pursuant to this
23 section, the report shall contain the name and address of each
24 person who [co-signs] *has co-signed* such loan *since 48 hours*
25 *preceding the date on which the previous such report was made.*
26 The *cumulative* report shall also contain the name and address of
27 each person, firm or organization to whom expenditures have been
28 paid *since 48 hours preceding the date on which the previous such*
29 *report was made* and the amount and purpose of each such expendi-
30 ture. The *cumulative* report shall be filed with the Election Law
31 Enforcement Commission on the dates designated in section 16
32 hereof.

33 The campaign treasurer of the [committee or] political com-
34 mittee reporting [or the treasurer of the political information
35 organization reporting] shall certify to the correctness of each
36 report.

37 *Each campaign treasurer of a political committee shall file written*
38 *notice with the commission of a contribution in excess of \$250.00*
39 *received during the period between the 13th day prior to the election*
40 *and the date of the election. The notice shall be filed in writing or by*

41 telegram within 48 hours of the receipt of the contribution and
42 shall set forth the amount and date of the contribution and the
43 name and address of the contributor.

44 (2) When a political committee or an individual seeking party
45 office makes or authorizes an expenditure on behalf of a candidate,
46 it shall provide immediate written notification to the candidate of
47 the expenditure.

48 b. (1) A group of two or more persons acting jointly, or any
49 corporation, partnership, or any other incorporated or unincorpor-
50 ated association including a political club, political action com-
51 mittee, civic association or other organization, which in any calendar
52 year contributes or expects to contribute at least \$2,500.00 to the
53 aid or promotion of the candidacy of an individual, or of the candi-
54 dacies of individuals, for elective public office or the passage or de-
55 feat of a public question or public questions and which expects to
56 make contributions toward such aid or promotion, or toward such
57 passage or defeat, during a subsequent election, shall certify that
58 fact to the commission, and the commission, upon receiving that
59 certification and on the basis of any information as it may require of
60 the group, corporation, partnership, association or other organiza-
61 tion, shall determine whether the group, corporation, partnership,
62 association or other organization is a continuing political com-
63 mittee for the purposes of this act. If the commission determines
64 that the group, corporation, partnership, association or other
65 organization is a continuing political committee, it shall so notify
66 that continuing political committee.

67 [Each State, county and municipal committee of a political party
68 and each political information organization] (2) A continuing
69 political committee shall [also] file with the Election Law Enforce-
70 Commission, not later than [March 1] April 15, July 15, October 15
71 and January 15 of each calendar year, [an annual] a cumulative
72 quarterly report of all moneys, loans, paid personal services or
73 other things of value contributed to it during the period ending on
74 the 15th day preceding that date and commencing on January 1 of
75 that calendar year or, in the case of the cumulative quarterly report
76 to be filed not later than January 15, of the previous calendar year,
77 and all expenditures made, incurred, or authorized by it during the
78 period, whether or not such expenditures were made, incurred or
79 authorized in furtherance of the election or defeat of any candidate,
80 or in aid of the passage or defeat of any public question or to
81 provide information on any candidate or public question.

82 The cumulative quarterly report shall contain the name and ad-
83 dress of each person or group from whom moneys, loans, paid

84 personal services or other things of value have been contributed
85 and the amount contributed by each person or group. In the case
86 of any loan reported pursuant to this section, the report shall con-
87 tain the name and address of each person who co-signs such loan.
88 The report shall also contain the name and address of each person,
89 firm or organization to whom expenditures have been paid and the
90 amount and purpose of each such expenditure. The treasurer of the
91 *continuing political* committee [or organization] reporting shall
92 certify to the correctness of each *cumulative quarterly* report.

93 *Each continuing political committee shall provide immediate*
94 *written notification to each candidate of all expenditures made or*
95 *authorized on behalf of the candidate.*

96 *If any continuing political committee submitting cumulative*
97 *quarterly reports as provided under this subsection receives a*
98 *contribution from a single source of more than \$250.00 after the*
99 *final day of a quarterly reporting period and on or before a pri-*
100 *mary, general, municipal, school or special election which occurs*
101 *after that final day but prior to the final day of the next reporting*
102 *period it shall, in writing or by telegram, report that contribution*
103 *to the commission within 48 hours of the receipt thereof.*

104 *A continuing political committee which at any point expects to*
105 *cease making contributions toward the aiding or promoting of the*
106 *candidacy of an individual, or of the candidacies of individuals, for*
107 *elective public office in this State or the passage or defeat of a*
108 *public question or public questions in this State shall certify that*
109 *fact in writing to the commission, and that certification shall be*
110 *accompanied by a final accounting of any fund relating to such*
111 *aiding or promoting, including the final disposition of any balance*
112 *in such fund at the time of dissolution. Until that certification has*
113 *been filed, the committee shall continue to file the quarterly report*
114 *as provided under this subsection.*

115 c. In any report filed pursuant to the provisions of this section the
116 organization or committee reporting may exclude from the report
117 the names and addresses of contributors whose contributions dur-
118 ing the period covered by the report did not exceed \$100.00, pro-
119 vided, however, that (1) such exclusion is unlawful if any person
120 responsible for the preparation or filing of the report knew that
121 it was made with respect to any person whose contributions
122 relating to the same election or issue and made to the reporting
123 organization or committee or to an allied campaign organization
124 or organizations aggregate, in combination with the contribution in
125 respect of which such exclusion is made, more than \$100.00 and
126 (2) any person who knowingly prepares, assists in preparing,

127 files or acquiesces in the filing of any report from which the
 128 identification of a contributor has been excluded contrary to the
 129 provisions of this section is subject to the provisions of section 21 of
 130 this act, but (3) nothing in this proviso shall be construed as requir-
 131 ing any committee or organization reporting pursuant to this act to
 132 report the amounts, dates or other circumstantial data regarding
 133 contributions made to any other organization or political commit-
 134 tee, committee of a political party or campaign organization of a
 135 candidate.

136 Any report filed pursuant to the provisions of this section shall
 137 include an itemized accounting of all receipts and expenditures
 138 relative to any testimonial affairs held since the date of the most
 139 recent report filed, which accounting shall include the names and
 140 addresses of each contributor in excess of \$100.00 to such testi-
 141 monial affair and the amount contributed by each, the expenses
 142 incurred, and the disposition of the proceeds of such testimonial
 143 affair.

144 **[No State, county or municipal committee of a political party nor**
 145 **any]** A political committee **[nor any political information organiza-**
 146 **tion]** shall be **[required]** *exempt from any requirement to file*
 147 reports pursuant to this section of contributions received or ex-
 148 penditures made in behalf of **[any candidate who is not required**
 149 **to file reports pursuant to section 16 of this act]** *two or more joint*
 150 *candidates in any election if the committee files with the Election*
 151 *Law Enforcement Commission a sworn statement to the effect that*
 152 *the total amount to be expended on behalf of their candidacies shall*
 153 *not exceed \$4,000.00; provided, that if a committee which has filed*
 154 *such a sworn statement receives contributions from any one source*
 155 *aggregating more than \$100.00, it shall forthwith report that fact,*
 156 *including the identity of the source and the aggregate total of*
 157 *contributions there from to the commission. Any sworn statement*
 158 *under this subsection may be filed with the notice of designation*
 159 *by a political committee of a campaign treasurer and campaign*
 160 *depository under section 10 of P. L. 1973, c. 83 (C. 19:44A-10),*
 161 *if that committee knows or has reason to believe, at the time when*
 162 *the notice of designation is given, that the total amount to be so*
 163 *expended shall not exceed \$4,000.00.*

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

3 9. Each candidate in an election shall appoint one campaign
 4 treasurer and shall designate one campaign depository **[before**
 5 receiving any contribution or expending any money in furtherance
 6 or aid of his candidacy]. Any bank authorized by law to transact

7 business in the State may be designated as the campaign depository.
 8 **[The]** *Notification of the designation of the campaign treasurer*
 9 *and the campaign depository shall be made by the candidate's filing*
 10 *the name and address of such campaign treasurer and such deposi-*
 11 *tory with the Election Law Enforcement Commission *no later than**
 12 *the tenth day after receipt by the candidate, or by any political*
 13 *committee or continuing political committee which he has autho-*
 14 *rized to act in his behalf, of any contribution on behalf of his*
 15 *candidacy, or after the making or incurring by the candidate, or by*
 16 *a political committee or continuing political committee, of any*
 17 *expenditure on behalf of that candidacy, whichever comes first.*

18 A campaign treasurer of the candidate may appoint deputy
 19 campaign treasurers as required and may designate additional
 20 campaign depositories in each county in which the campaign is
 21 conducted. The candidate shall file the names and addresses of
 22 deputy campaign treasurers and additional campaign depositories
 23 with the Election Law Enforcement Commission.

24 A candidate may remove a campaign treasurer or deputy cam-
 25 paign treasurer. In the case of the death, resignation or removal
 26 of a campaign treasurer, the candidate shall appoint a successor
 27 as soon as practicable and shall file his name and address with the
 28 Election Law Enforcement Commission within three days. A can-
 29 didate may serve as his own campaign treasurer.

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

3 10. Each State, county and municipal committee of a political
 4 party shall, on or before **[January 31]** *July 1* in each year, desig-
 5 nate a **[campaign]** *single organizational* treasurer and **[a cam-**
 6 **campaign]** *an organizational* depository and shall, *not later than the*
 7 *tenth day after the designation of the organizational depository* file
 8 the name and address **[thereof]** *of that depository, and of the*
 9 *organizational treasurer, with the Election Law Enforcement Com-*
 9A *mission.*

10 Every political committee *and every continuing political com-*
 11 *mittee* shall, **[before]** *not later than the date on which it first*
 12 **[receiving]** *receives any contribution or [expending any money]*
 13 *makes or incurs any expenditure* in the furtherance or aid of the
 14 election or defeat of any candidate, or to aid the passage or defeat
 15 of any public question, appoint **[one]**, *in the case of a political*
 16 *committee, a single campaign treasurer, or, in the case of a con-*
 17 *tinuing political committee, a single organizational treasurer, and*
 18 designate **[one]**, *in the case of a political committee, a campaign*
 19 *depository [and] or, in the case of a continuing political committee,*

20 *an organizational depository. Not later than the tenth day after the*
 21 *initial designation of the campaign or organizational depository,*
 22 *the committee shall file the name and address [thereof] of the*
 23 *depository, and of the campaign or organizational treasurer, with*
 24 *the Election Law Enforcement Commission.*

25 **[A campaign]** *An organizational treasurer of [the] a State,*
 26 *county or municipal committee of a political party or other con-*
 27 *tinuing political committee and a campaign treasurer of a political*
 28 *committee, may appoint deputy organizational or campaign trea-*
 29 *surers as may be required and may designate additional organiza-*
 30 *tional or campaign depositories. Such committees shall file the*
 31 *names and addresses of such deputy [campaign] treasurers and*
 32 *additional [campaign] depositories with the Election Law Enforce-*
 33 *ment Commission not later than the fifth day after their appoint-*
 34 *ment or designation, respectively.*

35 Any State, county or municipal committee of a political party,
 36 *any political committee, and any continuing political committee*
 37 *may remove its organizational or campaign treasurer or deputy*
 38 **[campaign]** *treasurer. In the case of the death, resignation or*
 39 *removal of its organizational or campaign treasurer, the committee*
 40 *shall appoint a successor as soon as practicable and shall file his*
 41 *name and address with the Election Law Enforcement Commission*
 42 *within three days.*

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

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

12 a. The duly appointed campaign treasurer, or deputy campaign
 13 treasurers of the candidate;

14 b. The duly appointed **[campaign]** *organizational* treasurer or
 15 deputy **[campaign]** *organizational* treasurers of a political party
 16 committee *or other continuing political committee;*

17 c. The duly appointed campaign treasurer or deputy campaign
 18 treasurers of a political committee.

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

21 funds a sum which is not to be repaid to him for any purpose not
 22 prohibited by law, or to contribute his own personal services and
 23 personal traveling expenses, to support or defeat a candidate or to
 24 aid the passage or defeat of a public question; provided, however,
 25 that any person making such expenditure shall be required to re-
 26 port all such expenditures and expenses, except personal traveling
 27 expenses, if the total of the money so expended, exclusive of such
 28 traveling expenses, exceeds \$100.00, either:

29 a. To the campaign treasurer of the candidate, political party
 30 committee or political committee on whose behalf such expenditure
 31 or contribution was made, or to his deputy, who shall cause the
 32 same to be included in his report to the Election Law Enforcement
 33 Commission subject to the provisions of sections 8 and 9 of this
 34 act; or

35 b. Directly to the Election Law Enforcement Commission at the
 36 same time and in the same manner as a political committee subject
 37 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 \$100.00 may be made to*
 41 *a candidate, political committee or continuing political committee*
 42 *if the contributor submits with the currency contribution a written*
 43 *statement of a form as prescribed by the commission, indicating his*
 44 *name and address and the amount of his contribution, and including*
 45 *his signature.*

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

50 Any State, county or municipal committee of any political party,
 51 after a primary election, but not prior thereto, may receive and
 52 expend funds to be spent in furtherance and in aid of the candidacy
 53 of all the candidates of such party, or of any one or more of such
 54 candidates, in accordance with the provisions of this act.

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

3 12. **【All funds received by a】** *An organizational or campaign*
 4 *treasurer or deputy organizational or campaign treasurer of a*
 5 *candidate, of a 【State, county or municipal committee of a political*
 6 *party】 political committee, or of a continuing political committee*
 7 *shall make a written record of all funds which he receives as con-*
 8 *tributions to the candidate, political committee or continuing poli-*
 9 *tical committee, including in that record the name and address of the*

10 contributor and the amount and date of the contribution, and shall
 11 retain that record for a period of not less than four years. All funds
 12 so received shall be deposited by the campaign or organizational
 13 treasurer or deputy campaign or organizational treasurer in a
 14 campaign depository of the candidate, continuing political commit-
 15 tee or political committee, in an account designated "Campaign
 16 Fund of (name of candidate or committee)" no later than the tenth
 17 calendar day following receipt of such funds; except that any such
 18 treasurer or deputy treasurer may, when authorized by the candi-
 19 date or committee of which he is the campaign treasurer or deputy
 20 campaign treasurer, transfer any such funds to the duly designated
 21 campaign treasurer or deputy campaign treasurer of another
 22 candidate or committee, for inclusion in the campaign fund thereof,
 23 without first so depositing them; provided, however, that a record
 24 of all nondeposited funds so transferred shall be attached to the
 25 statement required under this section, identifying them as to source
 26 and amount in the same manner as deposited funds.

27 **【All deposits made by a campaign treasurer or deputy campaign**
 28 **treasurer shall be accompanied by a statement containing the name**
 29 **and address of each person or group contributing or providing**
 30 **the funds so deposited, and the amount contributed or provided by**
 31 **each person or group, provided that the campaign treasurer or**
 32 **deputy campaign treasurer may exclude from such statement the**
 33 **names and addresses of persons or groups contributing \$100.00 or**
 34 **less. The statement shall be made upon a form prescribed by the**
 35 **Election Law Enforcement Commission, and one copy thereof shall**
 36 **be filed by the campaign depository with the Election Law Enforce-**
 37 **ment Commission in accordance with section 17 of this act, one**
 38 **copy shall be retained by the campaign depository for its records**
 39 **and one copy shall be retained by the campaign treasurer for his**
 40 **records.】**

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

3 16. a. **【Each】** Except as provided by subsection h. of this section,
 4 each campaign treasurer of a candidate shall make a full cumulative
 5 report, upon a form prescribed by the Election Law Enforcement
 6 Commission, of all contributions in the form of moneys, loans, paid
 7 personal services or other things of value, **【contributed】** made to
 8 him or to the deputy campaign treasurers of the candidate, and all
 9 expenditures paid out of the campaign fund of the candidate, during
 10 the period ending with the second day preceding the date of the
 11 cumulative report and beginning on the date **【the most recent such**
 12 **report was filed, or, in the case of the first such report filed after**

13 the appointment of the campaign treasurer, beginning on] of the
14 first of those contributions, the date of the first of those expendi-
15 tures, or the date of the appointment of the campaign treasurer
16 whichever occurred first. The report shall also contain the name
17 and address of each person or group from whom moneys, loans,
18 paid personal services or other things of value [have been] were
19 contributed after the second day preceding the date of the previous
20 cumulative report and the amount contributed by each person or
21 group. In the case of any loan reported pursuant to this section,
22 the report shall further contain the name and address of each
23 person who co-signs such loan. If no moneys, loans, paid personal
24 services or other things of value were contributed, the report shall
25 so indicate, and if no expenditures were paid or incurred, the report
26 shall likewise so indicate. The campaign treasurer and the candi-
27 date shall certify the correctness of the report.

28 b. During the period between the appointment of the campaign
29 treasurer and the election with respect to which contributions are
30 accepted or expenditures made by him, the campaign treasurer shall
31 file his cumulative campaign report (1) on the [seventh] 29th day
32 preceding the election, and (2) on the [twenty-fifth] 11th day
33 preceding the election; and after the election he shall file his report
34 on the [fifteenth] 20th day following such election. Concurrent with
35 the report filed on the [fifteenth] 20th day following an election, or
36 at any time thereafter, the campaign treasurer of a candidate or
37 political committee [or committee of a political party or the
38 treasurer of a political information organization] may certify to
39 the Election Law Enforcement Commission that the campaign fund
40 of such candidate[,] or political committee [or committee of a
41 political party, or the fund of such political information organiza-
42 tion], having been instituted for the purposes of the late election,
43 has wound up its business and been dissolved or, in the case of a
44 political committee [or a committee of a political party or a political
45 information organization] which continues its activities beyond
46 the election that its business regarding the late election has been
47 wound up; and said certification shall be accompanied by a final
48 accounting of such campaign fund, or of the transactions relating
49 to such election, including the final disposition of any balance
50 remaining in such fund at the time of dissolution or the arrange-
51 ments which have been made for the discharge of any obligations
52 remaining unpaid at the time of dissolution. Until such certification
53 has been filed, each such treasurer shall continue to file, at the
54 conclusion of each 60-day interval from the [fifteenth] 20th day

55 following such election, reports in the form and manner herein
56 prescribed.

57 *The Election Law Enforcement Commission shall promulgate*
58 *regulations providing for the termination of post-election campaign*
59 *reporting requirements applicable to political committees. The*
60 *requirements to file post-election reports may be waived by the*
61 *commission, notwithstanding that the certification has not been filed,*
62 *if the commission determines under any regulations so promulgated*
63 *that the outstanding obligations of the political committee do not*
64 *exceed 10% of the expenditures of the campaign fund with respect*
65 *to the election or \$1,000.00, whichever is less, or are likely to be*
66 *discharged or forgiven.*

67 c. In the case of [a primary, general, municipal, school, or
68 special] an election of a candidate for an office elected by a munici-
69 pal or county-wide constituency or a school district a duplicate
70 copy of the campaign treasurer's report, duly certified, shall be
71 filed at the same time with the county clerk of the county in which
72 the candidate resides and the county clerk shall retain a written
73 record of that filing for a period of not less than four years follow-
74 ing the date of the election.

75 *If a political committee or a continuing political committee, with*
76 *the exception of political party committees for primary elections,*
77 *assumes for the purposes of reporting the obligations of a candi-*
78 *date, the campaign treasurer or candidate shall not, upon notice to*
79 *the commission by such committee of that assumption of obligation,*
80 *be required to report further.*

81 d. There shall be no obligation to file the reports required by this
82 section on behalf of a candidate if such candidate files with the
83 Election Law Enforcement Commission a sworn statement to the
84 effect that the total amount to be expended in behalf of his candi-
85 dacy by the candidate, by any State, county or municipal committee
86 of a political party, by any political committee, or by any person
87 shall not in the aggregate exceed [\$1,000.00, provided, that if]
88 \$2,000.00. *The sworn statement may be submitted at the time when*
89 *the name and address of the campaign treasurer and depository is*
90 *filed with the Election Law Enforcement Commission, provided that*
91 *in no case the sworn statement is filed no later than the twenty-ninth*
92 *day before an election. If a candidate who has filed such a sworn*
93 *statement receives contributions from any one source aggregating*
94 *more than \$100.00 he shall forthwith make report of the same,*
95 *including the identity of the source and the aggregate total of*
96 *contributions therefrom, to the Election Law Enforcement Com-*
97 *mission.*

98 e. There shall be no obligation imposed upon a candidate seeking
99 election to a public office of a school district to file either the reports
100 required under section 16 (b) or the sworn statement referred to
101 in subsection d. of this section or to comply with the requirements
102 of sections 9, 11 or 12 of this act, if the total amount expended and
103 to be expended in behalf of his candidacy by the candidate, any
104 political committee, any **political party committee** *continuing*
105 *political committee* or by any person, does not in the aggregate
106 exceed **[\$1,000.00]** *\$2,000.00*; provided, that if such candidate
107 receives contributions from any one source aggregating more than
108 \$100.00, he shall forthwith make a report of the same, including
109 the **[identity]** *name and address* of the source and the aggregate
110 total of contributions therefrom, to the commission.

111 f. In any report filed pursuant to the provisions of this section,
112 the names and addresses of contributors whose contributions dur-
113 ing the period covered by the report did not exceed \$100.00 may be
114 excluded; provided, however, that (1) such exclusion is unlawful
115 if any person responsible for the preparation or filing of the report
116 knew that such exclusion was made with respect to any person
117 whose *total* contributions relating to the same election and made to
118 the reporting candidate or to an allied campaign organization or
119 organizations aggregate, in combination with the **[contribution]**
120 *total contributions* in respect of which such exclusion is made, more
121 than \$100.00, and (2) any person who knowingly prepares, assists
122 in preparing, files or acquiesces in the filing of any report from
123 which the identity of any contributor has been excluded contrary to
124 the provisions of this section is subject to the provisions of section
125 21 of this act, but (3) nothing in this proviso shall be construed as
126 requiring any candidate reporting pursuant to this act to report
127 the amounts, dates or other circumstantial data regarding con-
128 tributions made to any other candidate, political committee or com-
129 mittee of a political party.

130 g. Any report filed pursuant to the provisions of this section shall
131 include an itemized accounting of all receipts and expenditures
132 relative to any testimonial affair held since the date of the most
133 recent report filed, which accounting shall include the names and
134 addresses of each contributor in excess of \$100.00 to such testi-
135 monial affair and the amount contributed by each, the expenses
136 incurred, and the disposition of the proceeds of such testimonial
137 affair.

138 h. *If all expenditures and all receipts of contributions on behalf*
139 *of a candidate which are required to be reported under subsection*
140 *c. of this section are conducted by and through a political com-*

141 *mittee which is required to file financial reports under section 8 of*
 142 *P. L. 1973, c. 83 (C. 19:44A-8), the candidate may authorize that*
 143 *political committee to be his agent with respect to the reporting of*
 144 *those expenditures and receipts by filing with the Election Law*
 145 *Enforcement Commission a certificate of that authorization on a*
 146 *form prescribed by the commission. The certificate shall provide*
 147 *for designation by the candidate of the treasurer of the political*
 148 *committee as the campaign treasurer of the candidate for the*
 149 *purposes of subsection a. hereof and shall generally identify and*
 150 *be signed by the candidate and the chairman and the treasurer of*
 151 *the political committee. Upon the filing of such a certificate of*
 152 *authorization and until the authorization is revoked in writing by*
 153 *the candidate, the political committee shall file the reports which*
 154 *the campaign treasurer of the candidate would otherwise be*
 155 *required to file under subsection a. of this section.*

156 *i. Each campaign treasurer of a candidate shall file written notice*
 157 *with the commission of a contribution in excess of ***[\$100.00]****
 158 **\$250.00* received during the period between the 13th day prior to*
 159 *the election and the date of the election. The notice shall be filed in*
 160 *writing or by telegram within 48 hours of the receipt of the con-*
 161 *tribution and shall set forth the amount and date of the contribution*
 162 *and the name and address of the contributor.*

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

3 18. If any former candidate or any political committee **[or any**
 4 **political information organization]** or any person or association of
 5 persons in behalf of such political committee or former candidate
 6 **[or organization]** shall receive any contributions or make any ex-
 7 penditures with relation to any election after the date set in
 8 section 16 of this act for the final report subsequent to such election,
 9 or shall conduct any testimonial affair or public solicitation for the
 10 purpose of raising funds to cover any part of the expenses of a
 11 candidate or political committee or organization in such election,
 12 all such contributions, expenditures, testimonial affairs or public
 13 solicitations shall be reported to the Election Law Enforcement
 14 Commission by the person or persons receiving such contributions
 15 or making such expenditures or conducting such testimonial affairs
 16 or public solicitations. Such report shall be made by any person
 17 receiving any such contribution or contributions, or making any
 18 such expenditure or expenditures, which in the aggregate total
 19 more than \$100.00, or conducting any testimonial affair or public
 20 solicitation of which the net proceeds exceed \$100.00; and shall be
 21 made within 20 days from the date upon which the aggregate of

22 such contributions, expenditures or proceeds exceeds \$100.00 for
23 the period commencing with the **[fifteenth]** 19th day following
24 such election or with the date upon which any previous report was
25 made pursuant to this section, whichever is soonest. Such report
26 shall be made in the same form and shall contain the same detail
27 prescribed for any other report made pursuant to section 8 or 16
28 of this act.

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

3 19. a. No person shall conduct any public solicitation as defined
4 in this act except (1) upon written authorization of the campaign
5 *or organizational* treasurer of the candidate, **[party committee or]**
6 *political committee or continuing political committee* on whose
7 behalf such solicitation is conducted, or (2) **[upon written au-**
8 *thorization of the treasurer of a political information organization,*
9 *or (3)]* in accordance with the provisions of subsection c. of this
10 section. A person with such written authorization may employ and
11 accept the services of others as solicitors, and shall be responsible
12 for reporting to the treasurer the information required under sub-
13 section b. of this section and for delivery to the treasurer the net
14 proceeds of such solicitation in compliance with sections 11 and 14
15 of this act. A contribution made through donation or purchase in
16 response to a public solicitation conducted pursuant to written
17 authorization of a treasurer shall be deemed to have been made
18 through such treasurer.

19 b. Whenever a public solicitation has been authorized by a
20 treasurer during a period covered by a report required to be filed
21 under sections 8 and 16 of this act, there shall be filed with such
22 report and as a part thereof an itemized report on any such solicita-
23 tion of which the net proceeds exceed \$100.00, in such form and
24 detail as required by the rules of the Election Law Enforcement
25 Commission, which report shall include:

26 (1) The name of the person authorized to conduct such solicita-
27 tion, and the method of solicitation;

28 (2) The gross receipts and expenses involved in the solicitation
29 including the actual amount paid for any items purchased for resale
30 in connection with the solicitation or, if such items or any portion
31 of the cost thereof was donated, the estimated actual value thereof
32 and the actual amount paid therefor, and the names and addresses
33 of any such donors. If it is not practicable for such itemized re-
34 port to be completed in time to be included with the report due
35 under sections 8 and 16 of this act for the period during which such
36 solicitation was held, then such itemized report may be omitted

37 from said report and if so omitted shall be included in the report
38 for the next succeeding period.

39 c. Notwithstanding the provisions of subsection b. of this section,
40 it shall be lawful for any natural person, not acting in concert with
41 any other person or group, to make personally a public solicitation
42 the entire proceeds of which, without deduction for the expenses of
43 solicitation, are to be expended by him personally or under his
44 personal direction to finance any lawful activity in support of or
45 opposition to any candidate or public question or to provide
46 political information on any candidate or public question or to
47 seek to influence the content, introduction, passage or defeat of
48 legislation; provided, however, that any individual making such
49 solicitation who receives gross contributions exceeding in respect
50 of activities relating to any one election shall be required to make
51 a report stating (1) the amount so collected, (2) the method of
52 solicitation and (3) the purpose or purposes for which the funds
53 so collected were expended and the amount expended for each such
54 purpose. Such report shall be made either

55 (1) To the treasurer of the candidate, political **[party]** com-
56 mittee**[,]** or *continuing* political committee **[or political informa-**
57 **tion organization]** on whose behalf such funds were collected and
58 expenditures made, or to his deputy, who shall cause the same to
59 be included in this report to the Election Law Enforcement Com-
60 mission subject to the provisions of sections 8 and 16 of this act; or,
61 (2) Directly to the Election Law Enforcement Commission at the
62 same time and in the same manner as a political committee or
63 **[political information organization]** *continuing political committee*
64 subject to the provisions of section 8 of this act.

65 d. Contributions or purchases made in response to a public
66 solicitation conducted in conformity with the requirements and con-
67 ditions of this act shall not be deemed anonymous within the mean-
68 ing of sections 11, 14 and 20 of this act.

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

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

3 20. No contribution of money or other thing of value, nor obliga-
4 tion therefor, shall be made, and no expenditure or money or other
5 thing of value, nor obligation therefor, shall be made or incurred
6 whether anonymously, in a fictitious name, or by one person or
7 group in the name of another, to support or defeat a candidate

8 in [a primary or general] *an* election or to aid the passage or defeat
 9 of any public question or to provide political information on any
 10 candidate or public question or to seek to influence the content,
 11 introduction, passage or defeat of legislation. No person shall
 12 contribute, or purport to contribute, to any political candidate,
 13 [party committee,] political committee or [political information
 14 organization] *continuing political committee* funds or property not
 15 actually belonging to him and in his full custody and control, or
 16 which has been given or furnished to him by any other person or
 17 groups for the purpose of making a contribution thereof, except in
 18 the case of group contributions by persons who are members of the
 19 contributing group. No treasurer, candidate or member of a [party
 20 committee,] political committee or [political information organiza-
 21 tion] *continuing political committee* shall solicit or knowingly ac-
 22 cept, agree to accept or concur in or abet the solicitation or accep-
 23 tance of any contribution contrary to the provisions of this section.

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

3 22. a. Any person, *including any candidate, treasurer, political*
 4 *committee or continuing political committee*, charged with the re-
 5 sponsibility under the terms of this act, *including any responsibility*
 6 *arising from an authorization of agency under subsection h. of*
 7 *section 16 of the act (C. 19:44A-16)*, for the *preparation, certifica-*
 8 *tion, filing or retention* of any reports, *records, notices* or other
 9 documents [required to be filed pursuant to this act] who fails,
 10 neglects or omits to *prepare, certify, file or retain* any such report,
 11 *record, notice* or document at the time *or during the time period,*
 12 *as the case may be*, and in the manner prescribed by law, or who
 13 omits or incorrectly states *or certifies* any of the information re-
 14 quired by law to be included in such report, *record, notice* or docu-
 15 ment, *any person who proposes to undertake or undertakes a public*
 16 *solicitation, testimonial affair or other activity relating to contri-*
 17 *butions or expenditures in any way regulated by the provisions of*
 18 *this act who fails to comply with those regulatory provisions, and*
 19 *any other person who in any way violates any of the provisions of*
 20 *this act* shall, in addition to any other penalty provided by law, be
 21 liable to a penalty of not more than \$1,000.00 for the first offense
 22 and not more than \$2,000.00 for the second and each subsequent
 23 offense.

24 b. Upon receiving evidence of any violation of this section, the
 25 Election Law Enforcement Commission shall have power to hold,
 26 or to cause to be held under the provisions of subsection d. of this
 27 section, hearings upon such violation and, upon finding any person

28 to have committed such a violation, to assess such penalty, within
 29 the limits prescribed in subsection a. of this section, as it deems
 30 proper under the circumstances, which penalty shall be paid forth-
 31 with into the State Treasury for the general purposes of the State.
 32 Such penalty shall be enforceable in a summary proceeding under
 33 the "Penalty Enforcement Law" (N. J. S. 2A:58-1 et seq.).

34 c. In assessing any penalty under this section, the Election Law
 35 Enforcement Commission may provide for the remission of all or
 36 any part of such penalty conditioned upon the prompt correction
 37 of any failure, neglect, error or omission constituting the violation
 38 for which said penalty was assessed.

39 d. The commission may designate a hearing officer to hear com-
 40 plaints of violations of this act. Such hearing officer shall take
 41 testimony, compile a record and make factual findings, and shall
 42 submit the same to the commission, which shall have power to
 43 assess penalties within the limits and under the conditions pre-
 44 scribed in subsections b. and c. of this section. The commission
 45 shall review the record and findings of the hearing officer, but it
 46 may also seek such additional testimony as it deems necessary.
 47 The commission's determination shall be by majority vote of the
 48 entire authorized membership thereof.

1 21. Section 4 of P. L. 1981, c. 379 (C. 40:45-8) is amended to
 2 read as follows:

3 4. At least 47 days prior to a regular municipal election, the
 4 names of candidates for all elected offices shall be filed with the
 5 municipal clerk, in the following manner and form and subject to
 6 the following conditions:

7 a. The petition of nomination shall consist of individual certifi-
 8 cates, equal in number to at least 1%, but in no event less than 25,
 9 of the registered voters of the municipality or the ward, as the
 10 case may be, and shall read substantially as follows:

11 "I, the undersigned, a registered voter of the municipality
 12 of, residing at,
 13 certify that I do hereby join in a petition of the nomination
 14 of whose residence is at,
 15 for the office of mayor (or council-
 16 man-at-large, or ward councilman of the ward,
 17 or commissioner, or village trustee, as the case may be) to
 18 be voted for at the election to be held in the municipality on the
 19, 19, and I further certify that I
 20 know this candidate to be a registered voter, for the period
 21 required by law, of the municipality (and the ward, in the case
 22 of ward councilman) and a person of good moral character,

23 and qualified, in my judgment, to perform the duties of the
 24 office, and I further certify that I have not signed more
 25 petitions or certificates of nominations than there are places
 26 to be filled for the above office.

27 Signed

28 *Any such petition of nomination which is provided to candidates*
 29 *by the municipal clerk shall contain the following notice: "Notice:*
 30 *All candidates are required by law to comply with the provisions*
 31 *of the "New Jersey Campaign Contributions and Expenditures Re-*
 32 *porting Act." For further information, please call (insert phone*
 33 *number of the Election Law Enforcement Commission)."*

34 b. Each petition signature shall be on a separate sheet of paper
 35 and shall bear the name and address of the petitioner. The candi-
 36 date for office and his campaign manager shall make an oath [be-
 37 for] before an officer competent to administer oaths that the state-
 38 ments made therein are true, and that each signature to the papers
 39 appended thereto is the genuine signature of the person whose
 40 name it purports to be, to their best knowledge and belief. The
 41 oath, signed by the candidate, shall constitute his acceptance of
 42 nomination and shall be annexed to the petition, together with the
 43 oath of his campaign manager, at the time the petition is sub-
 44 mitted.

45 c. *The municipal clerk shall immediately provide the Election*
 46 *Law Enforcement Commission with official certification of the*
 47 *filing or withdrawal of a petition of nomination.*

1 22. (New section) In the time intervening between a primary
 2 election at which the members of a municipal committee of a
 3 political party are elected and the annual meeting of the municipal
 4 committee as provided by R. S. 19:5-2, any person elected to mem-
 5 bership on that municipal committee at that election may request,
 6 in writing and by certified mail, either access to the complete finan-
 7 cial records of the municipal committee or a copy of the balance
 8 sheet of the municipal committee showing the assets and liabilities
 9 of the municipal committee as of the close of business on the date
 10 of that primary election. The person requesting that access or
 11 copy of the balance sheet shall receive the access or copy so re-
 12 quested within 48 hours of the receipt of that request by the com-
 13 mittee.

1 23. (New section) In the time intervening between a primary
 2 election at which the members of a county committee of a political
 3 party are elected and the annual meeting of the county committee
 4 as provided by R. S. 19:5-3, any person elected to membership on
 5 that county committee at that election may request, in writing and

6 by certified mail, either access to the complete financial records of
7 the county committee or a copy of the balance sheet of the county
8 committee showing the assets and liabilities of the county com-
9 mittee as of the close of business on the date of that primary elec-
10 tion. The person requesting that access or copy of the balance
11 sheet shall receive the access or copy so requested within 48 hours
12 of the receipt of that request by the committee.

1 24. (New section) In the time intervening between a primary
2 election at which the members of a State committee of a political
3 party are elected and the annual meeting of the State committee
4 as provided by R. S. 19:5-4, any person elected to membership on
5 that State committee at that election may request, in writing and
6 by certified mail, either access to the complete financial records of
7 the State committee or a copy of the balance sheet of the State
8 committee showing the assets and liabilities of the State committee
9 as of the close of business on the date of that primary election. The
10 person requesting that access or copy of the balance sheet shall
11 receive the access or copy so requested within 48 hours of the receipt
12 of that request by the committee.

1 25. Section 13, 14, 15 and 17 of P. L. 1973, c. 83 (C. 19:44A-13;
2 19:44A-14; 19:44A-15; and 19:44A-17) are repealed.

1 26. Notwithstanding the provisions of this amendatory and sup-
2 plementary act: (1) a State committee, county committee or mu-
3 nicipal committee of a political party shall, prior to March 2, 1984,
4 continue to have all of the obligations, under the provisions of P. L.
5 1973, c. 83 (C. 19:44A-1 et seq.), which were applicable to that com-
6 mittee as those provisions existed on June 20, 1983; and (2) no
7 group, corporation, partnership, association or other organization
8 shall, prior to March 2, 1984, constitute a "continuing political
9 committee" within the meaning of paragraph (2) of subsection n.
10 of section 3 of P. L. 1973, c. 83 (C. 19:44A-3), and prior to that
11 date, any group, corporation, partnership, association or other orga-
12 nization having or coming to have any obligation under the pro-
13 visions of P. L. 1973, c. 83 (C. 19:44A-1 et seq.) shall continue to
14 have or come to have all of the obligations under those provisions
15 existed on June 20, 1983.

1 27. This act shall take effect immediately.

ASSEMBLY, No. 3099

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1983

By Assemblyman BOCCHINI, Assemblywoman KALIK and
Assemblyman CHARLES

AN ACT concerning campaign contributions and expenditures and
the reporting thereof and revising parts of the statutory law.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 19:13-4 is amended to read as follows:

2 19:13-4. Such petition shall set forth the names, places of resi-
3 dence and post-office addresses of the candidates for the offices to
4 be filled, the title of the office for which each candidate is named,
5 that the petitioners are legally qualified to vote for such candidates
6 and pledge themselves to support and vote for the persons named in
7 such petition and that they have not signed any other petition of
8 nomination for the primary or for the general election for such
9 office.

10 In the case of a petition or petitions nominating electors of presi-
11 dent and vice president of the United States, the names of the
12 candidates for president and vice president for whom such electors
13 are to vote may be included in the petition or petitions, but the
14 petition or petitions shall not include the names of any candidates
15 for president or vice president who have been nominated at a
16 convention of a political party as defined by this title.

17 The petition shall also state in not more than three words the
18 designation of the party or principles which the candidates therein
19 named represent; but such designation shall not contain the desig-
20 nation, name, derivative, or any part thereof as a noun or an
21 adjective of any political party entitled to participate in the
22 primary election.

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 printed in italics *thus* is new matter.

23 The petition shall also include the request that the names of the
 24 candidates and their designations of party or principles be printed
 25 upon the ballots to be used at the ensuing general elections.

26 No such petition shall undertake to nominate any candidate who
 27 has accepted the nomination for the primary for such position.

28 *Any form of a petition of nomination which is provided to candi-*
 29 *dates by the Secretary of State, the county clerk, or the municipal*
 30 *clerk shall contain the following notice: "Notice: All candidates*
 31 *are required by law to comply with the provisions of the "New*
 32 *Jersey Campaign Contributions and Expenditures Reporting Act."*
 33 *For further information, please call (insert phone number of the*
 34 *Election Law Enforcement Commission)."*

1 2. R. S. 19:13-9 is amended to read as follows:

2 19:13-9. All such petitions and acceptances thereof shall be filed
 3 with the officer or officers to whom they are addressed before
 4 4:00 o'clock P. M. of the fortieth day next preceding the day of
 5 the holding of the primary election for the general election in this
 6 Title provided. All petitions when filed shall be opened under
 7 proper regulations for public inspection.

8 *The officer or officers shall transmit to the Election Law Enforce-*
 9 *ment Commission the names of all candidates nominated by petition*
 10 *and any other information required by the commission in the form*
 11 *and manner prescribed by the commission and shall notify the*
 12 *commission immediately upon the withdrawal of a petition of*
 13 *nomination.*

14 The county clerks shall certify to the Secretary of State, within
 15 20 days after the primary election for the general election, the
 16 names, places of residence and post-office addresses of the several
 17 candidates nominated for Senator and members of the General
 18 Assembly together with the designation of the party nominating the
 19 candidates, whether by petition or at the primary election and the
 20 dates of filing the certificates of nominations and petitions.

1 3. R. S. 19:23-7 is amended to read as follows:

2 19:23-7. Each such petition shall set forth that the signers
 3 thereof are qualified voters of the State, congressional district,
 4 county, or county election district, municipality, ward or election
 5 district, as the case may be, in which they reside and for which
 6 they desire to nominate candidates; that they are members of a
 7 political party (naming the same), and that at the last general
 8 election preceding the execution of the petition they voted for a
 9 majority of the candidates of such political party, and that they
 10 intend to affiliate with that political party at the ensuing election;
 11 that they indorse the person or persons named in their petition

12 as candidate or candidates for nomination for the office or offices
 13 therein named, and that they request that the name of the person
 14 or persons therein mentioned be printed upon the official primary
 15 ballots of their political party as the candidate or candidates for
 16 such nomination. The petition shall further state the residence
 17 and post-office address of each person so indorsed, and shall certify
 18 that the person or persons so indorsed is or are legally qualified
 19 under the laws of this State to be nominated, and is or are a
 20 member or members of the political party named in the petition.

21 Accompanying the petition each person indorsed therein shall
 22 file a certificate, stating that he is qualified for the office mentioned
 23 in the petition, that he is a member of the political party named
 24 therein; that he consents to stand as a candidate for nomination
 25 at the ensuing primary election of such political party, and that, if
 26 nominated, he consents to accept the nomination, to which shall be
 27 annexed the oath of allegiance prescribed in R. S. 41:1-1 duly
 28 taken and subscribed by him before an officer authorized to take
 29 oaths in this State.

30 *Any form of a petition of nomination which is provided to candi-*
 31 *dates by the Secretary of State, the county clerk, or the municipal*
 32 *clerk shall contain the following notice: "Notice: All candidates*
 33 *are required by law to comply with the provisions of the "New*
 34 *Jersey Campaign Contributions and Expenditures Reporting Act."*
 35 *For further information, please call (insert phone number of the*
 36 *Election Law Enforcement Commission)."*

1 4. R. S. 19:23-14 is amended to read as follows:

2 19:23-14. Petitions addressed to the Secretary of State, the
 3 county clerks, or the municipal clerks, shall be filed with such
 4 officers, respectively, before 4 p.m. of the fortieth day next pre-
 5 ceding the day of the holding of the primary election for the general
 6 election.

7 Within six days after the last day for filing the petitions for
 8 nominations at the primary election for the general election, the
 9 municipal clerk shall certify to the county clerk the full and correct
 10 names and addresses of all candidates for nomination for public
 11 and party office and the name of the political party of which such
 12 persons are candidates together with their slogan and designation.
 13 *The county clerk shall transmit this information to the Election*
 14 *Law Enforcement Commission in the form and manner prescribed*
 15 *by the commission and shall notify the commission immediately*
 16 *upon the withdrawal of a petition of nomination.*

1 5. R. S. 19:23-21 is amended to read as follows:

2 19:23-21. The Secretary of State shall certify the names of the

3 persons indorsed in the petitions filed in his office to the clerk of
 4 the counties concerned thereby at least 34 days prior to the holding
 5 of the primary election, specifying in such certificate the political
 6 parties to which the persons so nominated in the petitions belong.
 7 *The Secretary of State shall also transmit this information to the*
 8 *Election Law Enforcement Commission in the form and manner*
 9 *prescribed by the commission and shall notify the commission im-*
 10 *mediately upon the withdrawal of a petition of nomination.*

1 6. R. S. 19:23-22 is amended to read as follows:

2 19:23-22. The county clerk shall certify all of the persons so
 3 certified to him by the Secretary of State and in addition the names
 4 of all persons indorsed in petitions filed in his office to the clerk
 5 of each municipality concerned thereby in his respective county
 6 at least 33 days prior to the time fixed by law for the holding of
 7 the primary election, specifying in such certificate the political
 8 party to which the person or persons so nominated belong. *The*
 9 *county clerk shall also transmit this information with respect to*
 10 *persons endorsed in petitions filed in his office to the Election Law*
 11 *Enforcement Commission in the form and manner prescribed by*
 12 *the commission and shall notify the commission immediately upon*
 13 *the withdrawal of a petition of nomination filed in his office.*

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

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

5 a. The term "allied candidates" means candidates in any election
 6 who are (1) seeking nomination or election (A) to an office or offices
 7 in the same county or municipal government or school district
 8 or (B) to the Legislature representing in whole or part the same
 9 constituency or (C) as members of the *national committee of a*
 10 *political party, as members of the State committee of [the same]*
 11 *a political party from the same county or as members of a county*
 12 *committee of a political party* or (D) as delegates or alternates to
 13 the national convention of the same political party; and who are
 14 (2) either (A) nominees of the same political party or (B) publicly
 15 declared in any manner, including the seeking or obtaining of any
 16 ballot position or common ballot slogan, to be aligned or mutually
 17 supportive.

18 b. The term "allied campaign organization" means any political
 19 committee, any State, county or municipal committee of a political
 20 party or any campaign organization of a candidate which is in
 21 support or furtherance of the same candidate or any one or more

22 of the same group of allied candidates or the same public question
23 as any other such committee or organization.

24 c. The term "candidate" means an individual seeking or having
25 sought election to *office in a political party, or to a public office of*
26 *the State or of a county, municipality or school district, at a pri-*
27 *mary, general, municipal, school or special election*]; except that
28 the term shall not include the office of county committeeman or
29 committeewoman], *and any person seeking election as a delegate*
30 *or alternate to the national convention of a political party. An*
31 *individual is a candidate for the purposes of this act if: (1) he*
32 *publicly announces his intention to seek election, or (2) he files, or*
33 *there are filed in his behalf, petitions with the Secretary of State*
34 *or a county clerk or municipal clerk in connection with his so seek-*
35 *ing election, or (3) he files notice of his candidacy, or of the ap-*
36 *pointment of a campaign treasurer under section 9 of this act*
37 *(C. 19:44A-9) or of the authorization of a reporting agent under*
38 *subsection h. of section 16 of this act (C. 19:44A-16h.), with the*
39 *Election Law Enforcement Commission.*

40 d. The terms "contributions" and "expenditures" include: (1)
41 all loans and transfers of money or other thing of value to or by
42 any candidate, political committee, *or committee of a political party*
43 [or political information organization], and all pledges or other
44 commitments or assumptions of liability to make any such transfer;
45 and for purposes of reports required under the provisions of this
46 act shall be deemed to have been made upon the date when such
47 commitment is made or liability assumed; *and (2) funds received*
48 *or expenditures made, in any calendar year, solely for the purpose*
49 *of determining whether an individual should become a candidate,*
50 *or whether a public question should be certified for the ballot, in*
51 *any election to be held during that calendar year or the following*
52 *calendar year, including funds received and expended for the pur-*
53 *pose of conducting polls and paying telephone, mailing and travel*
54 *expenses, provided the individual subsequently becomes a candi-*
55 *date or the public question becomes certified for the ballot, in an*
56 *election held during that calendar year or the following calendar*
57 *year.*

58 e. The term "election" means any election described in section 4
59 of this act.

60 f. The term "paid personal services" means personal, clerical,
61 administrative or professional services of every kind and nature
62 including, without limitation, public relations, research, legal, can-
63 vassing, telephone, speech writing or other such services, per-
64 formed other than on a voluntary basis, the salary, cost or con-

65 sideration for which is paid, borne or provided by someone other
66 than the committee, candidate or organization for whom such ser-
67 vices are rendered. In determining the value, for the purpose of
68 reports required under this act, of contributions made in the form
69 of paid personal services, the person contributing such services
70 shall furnish to the campaign treasurer through whom such con-
71 tribution is made a statement setting forth the actual amount of
72 compensation paid by said contributor to the individuals actually
73 performing said services for the performance thereof. But if any
74 individual or individuals actually performing such services also
75 performed for the contributor other services during the same
76 period, and the manner of payment was such that payment for the
77 services contributed cannot readily be segregated from contem-
78 porary payment for the other services, the contributor shall in his
79 statement to the campaign treasurer so state and shall either (1)
80 set forth his best estimate of the dollar amount of payment to each
81 such individual which is attributable to the contribution of his paid
82 personal services, and shall certify the substantial accuracy of the
83 same, or (2) if unable to determine such amount with sufficient
84 accuracy, set forth the total compensation paid by him to each such
85 individual for the period of time during which the services con-
86 tributed by him were performed. If any candidate is a holder of
87 public office to whom there is attached or assigned, by virtue of said
88 office, any aide or aides whose services are of a personal or con-
89 fidential nature in assisting him to carry out the duties of said office,
90 and whose salary or other compensation is paid in whole or part
91 out of public funds, the services of such aide or aides which are paid
92 for out of public funds shall be for public purposes only; but they
93 may contribute their personal services, on a voluntary basis, to
94 such candidate for election campaign purposes.

95 g. [The term "political information organization" means any
96 two or more persons acting jointly, or any corporation, partner-
97 ship, or any other incorporated or unincorporated association,
98 whether or not it is required to be registered pursuant to the
99 "Legislative Activities Disclosure Act of 1971," P. L. 1971, c. 183
100 (C. 52:13C-18 et seq.), which is organized for the purpose of, or
101 which provides political information concerning any candidate or
102 candidates for public office or with respect to any public question.
103 The term shall not apply to any bona fide newspaper, magazine,
104 radio or television station or other bona fide news medium dis-
105 seminating political information, advertising and comment in the
106 normal course of its business; nor to any recognized school or in-
107 stitution of higher education, public or private, in conducting,

108 sponsoring or subsidizing any classes, seminars, forums, discus-
 109 sions or other events in which political information or discussion
 110 thereof or comment thereon is an integral part.】 (*Deleted by*
 111 *amendment, P. L. c. .*)

112 h. The term “political information” means any statement in-
 113 cluding but not limited to, press releases, pamphlets, newsletters,
 114 advertisements, flyers, form letters, or radio or television programs
 115 or advertisements which reflect the opinion of the members of the
 116 organization on any candidate or candidates for public office, on
 117 any public question, or which contains facts on any such candidate,
 118 or public question whether or not such facts are within the personal
 119 knowledge of members of the organization.

120 i. The term “political committee” means any two or more per-
 121 sons acting jointly *to*, or any corporation, partnership, or any other
 122 incorporated or unincorporated association which is organized to【.】
 123 or does, (1) aid or promote the nomination, election or defeat of
 124 any candidate or candidates for public office, or 【which is organized
 125 to, or does,】 (2) aid or promote the passage or defeat of a public
 126 question in any election, *if the persons, corporation, partnership*
 127 *or incorporated or unincorporated association raise or expend*
 128 *\$1,000.00 or more to so aid or promote the nomination, election or*
 129 *defeat of a candidate or candidates or the passage or defeat of a*
 130 *public question.*

131 j. The term “public solicitation” means any activity by or on
 132 behalf of any candidate, State, county or municipal party commit-
 133 tee, *or* political committee 【or political information organization】
 134 whereby either (1) members of the general public are personally
 135 solicited for cash contributions not exceeding 【\$10.00】 *\$20.00* from
 136 each person so solicited and contributed on the spot by the person
 137 so solicited to a person so soliciting or through a receptacle pro-
 138 vided for the purpose of depositing contributions, or (2) members
 139 of the general public are personally solicited for the purchase of
 140 items having some tangible value as merchandise, at a price not
 141 exceeding 【\$10.00】 *\$20.00* per item, which price is paid on the spot
 142 in cash by the person so solicited to the person so soliciting, when
 143 the net proceeds of such solicitation are to be used by or on behalf
 144 of such candidate, party committee, or political committee 【or
 145 political information organization】.

146 k. The term “testimonial affair” means an affair of any kind or
 147 nature including, without limitation, cocktail parties, breakfasts,
 148 luncheons, dinners, dances, picnics or similar affairs directly or
 149 indirectly intended to raise campaign funds in behalf of a person
 150 who holds, or who is or was a candidate for nomination or election

151 to a public office in this State, or directly or indirectly intended to
 152 raise funds in behalf of any state, county or municipal committee
 153 of a political party or in behalf of a political committee, or di-
 154 rectly or indirectly intended to raise funds for any political in-
 155 formation organization].

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

159 m. The term "qualified candidate" means:

160 (1) Any candidate for election to the office of Governor whose
 161 name appears on the general election ballot and who has deposited
 162 and expended \$50,000.00 pursuant to section 7 of P. L. 1974, c. 26
 163 (C. 19:44A-32); or

164 (2) Any candidate for election to the office of Governor whose
 165 name does not appear on the general election ballot but who has
 166 deposited and expended \$50,000.00 pursuant to section 7 of P. L.
 167 1974, c. 26 (C. 19:44A-32); or

168 (3) Any candidate for nomination for election to the office of
 169 Governor whose name appears on the primary election ballot and
 170 who has deposited and expended \$50,000.00 pursuant to section 7
 171 of P. L. 1974, c. 26 (C. 19:44A-32); or

172 (4) Any candidate for nomination for election to the office of
 173 Governor whose name does not appear on the primary election
 174 ballot but who has deposited and expended \$50,000.00 pursuant to
 175 section 7 of P. L. 1974, c. 26 (C. 19:44A-32).

176 n. *"Continuing political committee" means (1) the State com-*
 177 *mittee, or a county or municipal committee, of a political party, or*
 178 *(2) a political committee, including a political club, political action*
 179 *committee, civic association or other organization, which in any*
 180 *calendar year contributes or expects to contribute at least \$2,500.00*
 181 *to the aid or promotion of the candidacy of an individual, or of the*
 182 *candidacies of individuals, for elective public office or the passage*
 183 *or defeat of a public question or public questions and which may*
 184 *be expected to make contributions toward such aid or promotion*
 185 *or passage or defeat during a subsequent election, provided that*
 186 *the political committee has been determined to be a continuing*
 187 *political committee under subsection b. of section 8 of P. L. 1973,*
 188 *c. 83 (C. 19:44A-8b.).*

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

3 4. The provisions of this act shall apply:

4 a. (Deleted by amendment, P. L. 1981, c. 151.)

5 b. In any primary election for delegates and alternates to the
6 national conventions of a political party *or for membership on the*
7 *national committee, the State committee or a county committee of*
8 *a political party, except with respect to candidates who are not*
9 *allied candidates and are not publicly declared in any manner to*
10 *be aligned with or supportive of a candidate in that election seeking*
11 *nomination for election or election to public office.*

12 c. In any election at which a public question is to be voted upon
13 by the voters of the State or any political subdivision thereof;

14 d. In any primary, general, special, school or municipal election
15 for any public office of the State or any political subdivision
16 thereof; provided, however, that this act shall not apply to elec-
17 tions for county committeeman or committeewoman].

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

3 5. There is hereby created a commission consisting of four
4 members which shall be designated as the New Jersey Election
5 Law Enforcement Commission. The members shall be appointed
6 by the Governor by and with the advice and consent of the Senate
7 for a term of 3 years, beginning on July 1 and ending June 30,
8 except as hereinafter provided. The Governor shall [designate]
9 *appoint, with the advice and consent of the Senate, one of [his*
10 *appointees] the members* to serve as chairman of the commission.
11 No more than two members shall belong to the same political party,
12 and no person holding a public office or an office in any political
13 party shall be eligible for appointment to the commission. Of the
14 members initially appointed, two shall be appointed for a term of
15 three years, one for a term of two years and one for a term of one
16 year. Each member shall serve until his successor has been ap-
17 pointed and qualified. In case of a vacancy, however, the successor
18 shall be appointed in like manner for the unexpired term only.
19 The members shall serve without compensation, but shall be reim-
20 bursed for necessary expenses incurred in the performance of their
21 duties under this act. For the purpose of complying with the pro-
22 visions of Article V, Section IV, paragraph 1 of the New Jersey
23 Constitution, the Election Law Enforcement Commission is hereby
24 allocated within the Department of Law and Public Safety; but,
25 notwithstanding said allocation, the commission shall be independ-
26 ent of any supervision or control by the department or by any board
27 or officer thereof, if being the intention of this act that the assign-
28 ment, direction, discipline and supervision of all the employees of
29 the commission shall be so far as possible, and except as otherwise
30 provided in this act, fully determined by the commission or by such

31 officers and employees thereof to whom the commission may
32 delegate the powers of such assignment, direction, discipline and
33 supervision.

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

3 6. a. The commission shall appoint a full-time executive director,
4 legal counsel and hearing officers, all of whom shall serve at the
5 pleasure of the commission and shall not have tenure by reason of
6 the provisions of chapter 16 of Title 38 of the Revised Statutes.
7 The commission shall also appoint such other employees as are
8 necessary to carry out the purposes of this act, which employees
9 shall be in the classified service of the civil service and shall be
10 appointed in accordance with and shall be subject to the provisions
11 of Title 11, Civil Service.

12 b. It shall be the duty of the commission to enforce the pro-
13 visions of this act, to conduct hearings with regard to possible vio-
14 lations and to impose penalties; and for the effectual carrying out
15 of its enforcement responsibilities the commission shall have the
16 authority to initiate a civil action in any court of competent juris-
17 diction for the purpose of enforcing compliance with the provisions
18 of this act or enjoining violations thereof or recovering any penalty
19 prescribed by this act. The commission shall promulgate such
20 regulations and official forms and perform such duties as are
21 necessary to implement the provisions of this act. Without limiting
22 the generality of the foregoing, the commission is authorized and
23 empowered to:

- 24 (1) Develop forms for the making of the required reports;
- 25 (2) Prepare and publish a manual for all candidates~~[,]~~ and com-
26 mittees ~~[and political information organizations]~~ prescribing the
27 requirements of the law, including uniform methods of bookkeeping
28 and reporting and requirements as to the length of time that any
29 person required to keep any records pursuant to the provisions of
30 this act shall retain such records, or any class or category thereof,
31 or any other documents, including canceled checks, deposit slips,
32 invoices and other similar documents, necessary for the compilation
33 of such records;
- 34 (3) Develop a filing, coding and cross-indexing system;
- 35 (4) Permit copying or photo-copying of any report required to
36 be submitted pursuant to this act as requested by any person;
- 37 (5) Prepare and make available for public inspection summaries
38 of all said reports grouped according to candidates, parties and
39 issues, containing the total receipts and expenditures, and the date,
40 name, address and amount contributed by each contributor;

41 (6) Prepare and publish, prior to May 1 of each year, an annual
42 report to the Legislature;

43 (7) Ascertain whether candidates, committees, organizations or
44 others have failed to file reports or have filed defective reports; ex-
45 tend, for good cause shown, the dates upon which reports are re-
46 quired to be filed; give notice to delinquents to correct or explain
47 defects; and make available for public inspection a list of such
48 delinquents;

49 (8) Ascertain the total expenditures for candidates and deter-
50 mine whether they have exceeded the limits set forth in this act;
51 notify candidates, committees or others if they have exceeded or
52 are about to exceed the limits imposed;

53 (9) Hold public hearings, investigate allegations of any viola-
54 tions of this act, and issue subpoenas for the production of docu-
55 ments and the attendance of witnesses;

56 (10) Forward to the Attorney General or to the appropriate
57 county prosecutor information concerning any violations of this
58 act which may become the subject of criminal prosecution or which
59 may warrant the institution of other legal proceedings by the
60 Attorney General.

61 c. The commission shall take such steps as may be necessary or
62 appropriate to furnish timely and adequate information, in appro-
63 priate printed summaries and in such other form as it may see fit,
64 to every candidate or prospective candidate for public office who
65 becomes or is likely to become subject to the provisions of this act,
66 and to every treasurer and depository duly designated under the
67 provisions of this act, informing them of their actual or prospective
68 obligations and responsibilities under this act. Such steps shall
69 include, but not be limited to, furnishing to every person on whose
70 behalf petitions of nomination are filed for any public office a copy
71 of such printed summary as aforesaid, which shall be furnished
72 to such person by the commission through the public official charged
73 with the responsibility of receiving and accepting such petitions
74 of nomination, at the time when such petitions are filed. The com-
75 mission shall also make available copies of such printed summary
76 to any other person requesting the same. The commission shall
77 also take such steps as it may deem necessary or effectual to dis-
78 seminate among the general public such information as may serve
79 to guide all persons who may become subject to the provisions of
80 this act by reason of their participation in election campaigns or
81 in the dissemination of political information, for the purpose of
82 facilitating voluntary compliance with the provisions and purposes
83 of this act. In the dissemination of such information, the commis-

84 sion shall to the greatest extent practicable enlist the cooperation
85 of commercial purveyors, within and without the State, of materials
86 and services commonly used for political campaign purposes.

87 d. If the nomination for or election to any public office or party
88 position becomes void under the terms of subsection c. of section 21
89 of this act, the withholding or revocation of his certificate of elec-
90 tion, the omission of his name from the ballot or the vacation of the
91 office into which he has been inducted as a result of such void elec-
92 tion, as the case may be, shall be subject to the provisions of chapter
93 3, articles 2 and 3, of this Title (R. S. 19:3-7 et seq.).

94 e. The commission shall be assigned suitable quarters for the
95 performance of its duties hereunder.

96 f. The commission through its legal counsel is authorized to
97 render advisory opinions as to whether a given set of facts and
98 circumstances would constitute a violation of any of the provisions
99 of this act, or whether a given set of facts and circumstances would
100 render any person subject to any of the reporting requirements of
101 this act.

102 Unless an extension of time is consented to by any person re-
103 questing an advisory opinion, the commission shall render its ad-
104 visory opinion within 10 days of receipt of the request therefor.
105 Failure of the commission to reply to a request for an advisory
106 opinion within the time so fixed or agreed to shall preclude it from
107 instituting proceedings for imposition of a penalty upon any person
108 for a violation of this act arising out of the particular facts and
109 circumstances set forth in such request, except as such facts and
110 circumstances may give rise to a violation when taken in conjunc-
111 tion with other facts and circumstances not set forth in such request.

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

3 8. a. Each [State, county and municipal committee of a political
4 party, each] political committee [and each political information
5 organization] *other than a continuing political committee* shall
6 make a full report, upon a form prescribed by the Election Law
7 Enforcement Commission of all *contributions in the form of*
8 moneys, loans, paid personal services, or other things of value
9 [contributed] *made* to it and all expenditures made, incurred, or
10 authorized by it (1) *for the purpose of determining whether an*
11 *individual should become a candidate or whether a public question*
12 *should be certified for the ballot in an election to be held during*
13 *that calendar year or in the following calendar year, or (2) in*
14 *furtherance of the nomination, election or defeat of any candidate,*
15 *or in aid of the passage or defeat of any public question, or to*

16 provide political information on any candidate or public question,
17 during the period ending with the *second* day preceding the date
18 of the report and beginning on the date [of the most recent such
19 report filed] *on which the first such contribution or the first such*
20 *expenditure, whichever came first, was made.* The report, except as
21 hereinafter provided, shall contain the name and address of each
22 person or group from whom moneys, loans, paid personal services
23 or other things of value have been contributed and the amount
24 contributed by each person or group. In the case of any loan re-
25 ported pursuant to this section, the report shall contain the name
26 and address of each person who cosigns such loan. The report
27 shall also contain the name and address of each person, firm or
28 organization to whom expenditures have been paid and the amount
29 and purpose of each such expenditure. The report shall be filed
30 with the Election Law Enforcement Commission on the dates
31 designated in section 16 hereof, *but a political committee shall not*
32 *be required to file a report of contributions or expenditures made*
33 *with respect to an individual who is not a candidate or a public*
34 *question which is not certified for the ballot until the individual*
35 *becomes a candidate or the question becomes certified for the ballot.*
36 The campaign treasurer of the [committee or] political committee
37 reporting [or the treasurer of the political information organiza-
38 tion reporting] shall certify to the correctness of each report.

39 [Each State, county and municipal committee of a political
40 party and each political information organization] *When a political*
41 *committee makes or authorizes an expenditure on behalf of a*
42 *candidate, it shall provide written notification to the candidate of*
43 *the expenditure within five days of the date on which that expendi-*
44 *ture was made or authorized.*

45 *Each campaign treasurer of a political committee shall file*
46 *written notice with the commission of a contribution in excess of*
47 *\$100.00 received during the period between the thirteenth day prior*
48 *to the election and the date of the election. Th notice shall be filed*
49 *in writing or by telegram within 24 hours of the receipt of the con-*
50 *tribution and shall set forth the amount and date of the contribu-*
51 *tion and the name and address of the contributor.*

52 *b. A political committee which in any calendar year contributes*
53 *or expects to contribute at least \$2,500.00 to the aid or promotion*
54 *of the candidacy of an individual, or of the candidacies of individ-*
55 *uals, for elective public office or the passage or defeat of a public*
56 *question or public questions and which expects to make contribu-*
57 *tions toward such aid or promotion, or toward such passage or*
58 *defeat, during a subsequent election, shall certify that fact to the*

59 commission, and the commission, upon receiving that certification
60 and on the basis of any information as it may require of the
61 political committee, shall determine whether the political com-
62 mittee is a continuing political committee for the purposes of this
63 act. If it determines that the political committee is a continuing
64 political committee, it shall so notify the committee.

65 A continuing political committee shall [also] file with the Elec-
66 tion Law Enforcement Commission, not later in each year than
67 [March 1] February 10, the eleventh day before the date of the
68 primary election, September 10, and the eleventh day before the
69 date of the general election [of each year], [an annual] a periodic
70 report of all moneys, loans, paid personal services or other things
71 of value contributed to it during the [previous calendar year]
72 respective periods commencing, in the case of a given report, on the
73 tenth day prior to the final filing date for the preceding periodic
74 report and ending on the eleventh day prior to the final filing date
75 for the given periodic report and all expenditures made, incurred,
76 or authorized by it during those periods, whether or not such
77 expenditures were made, incurred or authorized for the purpose of
78 determining whether an individual should become a candidate or
79 whether a public question should be certified for the ballot in any
80 election to be held during that calendar year or in the following
81 calendar year, or in furtherance of the election or defeat of any
82 candidate, or in aid of the passage or defeat of any public question
83 or to provide information on any candidate or public question.
84 In the case of the State committee of a political party, or of any
85 county or municipal committee of a political party, expenditures
86 by the committee which are made generally in behalf of the party
87 and are not made, incurred or authorized in specific furtherance of
88 the election of one or more candidates of that party shall not be
89 considered to have been spent in behalf of such candidate or candi-
90 dates, nor attributed to such candidate or candidates, for any
91 purpose under this act. The report shall contain the name and
92 address of each person or group from whom moneys, loans, paid
93 personal services or other things of value have been contributed
94 and the amount contributed by each person or group. In the case
95 of any loan reported pursuant to this section, the report shall
96 contain the name and address of each person who cosigns such
97 loan. The report shall also contain the name and address of each
98 person, firm or organization to whom expenditures have been paid
99 and the amount and purpose of each such expenditure. The
100 treasurer of the committee or organization reporting shall certify
101 to the correctness of each report. Each continuing political com-

102 *mittee shall provide immediate written notification to each candi-*
103 *date of all expenditures made or authorized on behalf of the*
104 *candidate.*

105 *If any continuing political committee submitting periodic reports*
106 *as provided under this subsection receives a contribution from a*
107 *single source of more than \$100.00 after the final day of a periodic*
108 *reporting period and on or before a primary, general, municipal,*
109 *school or special election which occurs after that final day but prior*
110 *to the final day of the next reporting period it shall, in writing or*
111 *by telegram, report that contribution to the commission within 24*
112 *hours of the receipt thereof.*

113 *A continuing political committee which at any point expects to*
114 *cease making contributions toward the aiding or promoting of the*
115 *candidacy of an individual, or of the candidacies of individuals, for*
116 *elective public office in this State or the passage or defeat of a*
117 *public question or public questions in this State shall certify that*
118 *fact in writing to the commission, and that certification shall be*
119 *accompanied by a final accounting of any campaign fund relating*
120 *to such aiding or promoting, including the final disposition of any*
121 *balance in such fund at the time of dissolution. Until that certifica-*
122 *tion has been filed, the committee shall continue to file the quarterly*
123 *report as provided under this subsection.*

124 *c. In any report filed pursuant to the provisions of this section*
125 *the organization or committee reporting may exclude from the*
126 *report the names and addresses of contributors whose contribu-*
127 *tions during the period covered by the report did not exceed*
128 *\$100.00; provided, however, that (1) such exclusion is unlawful if*
129 *any person responsible for the preparation or filing of the report*
130 *knew that it was made with respect to any person whose contribu-*
131 *tions relating to the same election or issue and made to the report-*
132 *ing organization or committee or to an allied campaign organiza-*
133 *tion or organizations aggregate, in combination with the contribu-*
134 *tion in respect of which such exclusion is made, more than \$100.00*
135 *and (2) any person who knowingly prepares, assists in preparing,*
136 *files or acquiesces in the filing of any report from which the identi-*
137 *fication of a contributor has been excluded contrary to the provi-*
138 *sions of this section is subject to the provisions of section 21 of*
139 *this act, but (3) nothing in this proviso shall be construed as re-*
140 *quiring any committee or organization reporting pursuant to this*
141 *act to report the amounts, dates or other circumstantial data re-*
142 *garding contributions made to any other organization or political*
143 *committee, committee of a political party or campaign organiza-*
144 *tion of a candidate.*

145 Any report filed pursuant to the provisions of this section shall
 146 include an itemized accounting of all receipts and expenditures
 147 relative to any testimonial affairs held since the date of the most
 148 recent report filed, which accounting shall include the names and
 149 addresses of each contributor in excess of \$100.00 to such testi-
 150 monial affair and the amount contributed by each, the expenses
 151 incurred, and the disposition of the proceeds of such testimonial
 152 affair.

153 **[No]** A State, county or municipal committee of a political party
 154 **[nor any]** or a political committee **[nor any]** political information
 155 organization **] shall be [required] exempt from any requirement to**
 156 file reports pursuant to this section of contributions received or
 157 expenditures made in behalf of **[any candidate who is not required**
 158 to file reports pursuant to section 16 of this act **] two or more joint**
 159 *candidates in any election if the committee files with the Election*
 160 *Law Enforcement Commission a sworn statement to the effect*
 161 *that the total amount to be expended on behalf of their candidacies*
 162 *shall not exceed \$2,000.00; provided, that if a committee which has*
 163 *filed such a sworn statement receives contributions from any one*
 164 *source aggregating more than \$100.00, it shall forthwith report*
 165 *that fact, including the identity of the source and the aggregate*
 166 *total of contributions therefrom to the commission. Any sworn*
 167 *statement under this subsection may be filed with the notice of*
 168 *designation, by a committee of a political party or a political com-*
 169 *mittee, of a campaign treasurer and campaign depository under*
 170 *section 10 of P. L. 1973, c. 83 (C. 19:44A-10), if that committee*
 171 *knows or has reason to believe, at the time when the notice of*
 172 *designation is given, that the total amount to be so expended shall*
 173 *not exceed \$2,000.00.*

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

3 9. Each candidate in an election shall appoint one campaign
 4 treasurer and shall designate one campaign depository **[before**
 5 receiving any contribution or expending any money in furtherance
 6 or aid of his candidacy **]**. Any bank authorized by law to transact
 7 business in the State may be designated as the campaign depository.
 8 **[The]** *Notification of the designation of the campaign treasurer*
 9 *and the campaign depository shall be made by the candidate's filing*
 10 *the name and address of such campaign treasurer and such*
 11 *depository with the Election Law Enforcement Commission no later*
 12 *than the tenth day after the designation of the campaign depository*
 13 *or the date of the filing of the first campaign financing report under*
 14 *subsection b. of section 16 of P. L. 1973, c. 83 (C. 19:44A-16 b.),*
 15 *whichever comes first.*

16 A campaign treasurer of the candidate may appoint deputy
 17 campaign treasurers as required and may designate additional
 18 campaign depositories in each county in which the campaign is con-
 19 ducted. The candidate shall file the names and addresses of deputy
 20 campaign treasurers and additional campaign depositories with the
 21 Election Law Enforcement Commission.

22 A candidate may remove a campaign treasurer or deputy cam-
 23 paign treasurer. In the case of the death, resignation or removal
 24 of a campaign treasurer, the candidate shall appoint a successor
 25 as soon as practicable and shall file his name and address with the
 26 Election Law Enforcement Commission within three days. A
 27 candidate may serve as his own campaign treasurer.

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

3 10. Each State, county and municipal committee of a political
 4 party shall, on or before **[January 31]** *July 1* in each year, desig-
 5 nate a campaign treasurer and a campaign depository and shall
 6 file the name and address thereof with the Election Law Enforce-
 7 ment Commission *no later than 10 days after the designation of the*
 8 *campaign depository.*

9 Every political committee shall **[before receiving any contribu-**
 10 **tion or expending any money in furtherance or aid of the election**
 11 **or defeat of any candidate, or to aid the passage or defeat of any**
 12 **public question,]** appoint one campaign treasurer and designate one
 13 campaign depository **[and file]**. *Notification of the designation of*
 14 *the campaign treasurer and the campaign depository shall be made*
 15 *by filing the name and address thereof with the Election Law*
 16 *Enforcement Commission no later than the tenth day after the*
 17 *designation of the campaign depository or the date of the filing of*
 18 *the first campaign financing report under subsection b. of section*
 19 *16 of P. L. 1973, c. 83 (C. 19:44A-16 b.), whichever comes first.*
 20 A campaign treasurer of the State, county or municipal committee
 21 of a political party, and a campaign treasurer of a political com-
 22 mittee may appoint deputy campaign treasurers as may be required
 23 and may designate additional campaign depositories. Such com-
 24 mittees shall file the names and addresses of such deputy campaign
 25 treasurers and additional campaign depositories with the Election
 26 Law Enforcement Commission.

27 Any State, county or municipal committee of a political party,
 28 and any political committee may remove its campaign treasurer or
 29 deputy campaign treasurer. In the case of the death, resignation
 30 or removal of its campaign treasurer, the committee shall appoint
 31 a successor as soon as practicable and shall file his name and

32 address with the Election Law Enforcement Commission within
33 three days.

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

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

12 a. The duly appointed campaign treasurer, or deputy campaign
13 treasurers of the candidate;

14 b. The duly appointed campaign treasurer or deputy campaign
15 treasurers of a political party committee;

16 c. The duly appointed campaign treasurer or deputy campaign
17 treasurers of a political committee.

18 It shall be lawful, however, for any person, not acting in concert
19 with any other person or group, to expend personally from his own
20 funds a sum which is not to be repaid to him for any purpose not
21 prohibited by law, or to contribute his own personal services and
22 personal traveling expenses, to support or defeat a candidate or to
23 aid the passage or defeat of a public question; provided, however,
24 that any person making such expenditure shall be required to re-
25 port all such expenditures and expenses, except personal traveling
26 expenses, if the total of the money so expended, exclusive of such
27 traveling expenses, exceeds \$100.00, either:

28 a. To the campaign treasurer of the candidate, political party
29 committee or political committee on whose behalf such expenditure
30 or contribution was made, or to his deputy, who shall cause the
31 same to be included in his report to the Election Law Enforcement
32 Commission subject to the provisions of sections 8 and 9 of this
33 act; or

34 b. Directly to the Election Law Enforcement Commission at the
35 same time and in the same manner as a political committee subject
36 to the provisions of section 8 of this act.

37 *No contribution except a contribution in response to a public*
38 *solicitation shall be made in currency.*

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

43 Any State, county or municipal committee of any political party,
 44 after a primary election, but not prior thereto, may receive and
 45 expend funds to be spent in furtherance and in aid of the candidacy
 46 of all the candidates of such party, or of any one or more of such
 47 candidates, in accordance with the provisions of this act.

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

3 12. **[All funds received by a]** *The* campaign treasurer or deputy
 4 campaign treasurer of a candidate, of a State, county or municipal
 5 committee of a political party, or of a political committee *shall*
 6 *make a written record of all funds which he receives as contribu-*
 7 *tions to the candidate, party committee or political committee,*
 8 *including in that record the name and address of the contributor*
 9 *and the amount and date of the contribution, and shall retain that*
 10 *record for a period of not less than four years. All funds so received*
 11 *shall be deposited by the campaign treasurer or deputy campaign*
 12 *treasurer in a campaign depository of the candidate, committee or*
 13 *political committee, in an account designated "Campaign Fund of*
 14 *(name of candidate or committee)" no later than the tenth calendar*
 15 *day following receipt of such funds; except that any such treasurer*
 16 *or deputy treasurer may, when authorized by the candidate or*
 17 *committee of which he is the campaign treasurer or deputy*
 18 *campaign treasurer, transfer any such funds to the duly desig-*
 19 *nated campaign treasurer or deputy campaign treasurer of another*
 20 *candidate or committee, for inclusion in the campaign fund thereof,*
 21 *without first so depositing them; provided, however, that a record*
 22 *of all nondeposited funds so transferred shall be attached to the*
 23 *statement required under this section, identifying them as to*
 24 *source and amount in the same manner as deposited funds.*

25 All deposits made by a campaign treasurer or deputy campaign
 26 treasurer shall be accompanied by a statement containing the name
 27 and address of each person or group contributing or providing
 28 the funds so deposited, and the amount contributed or provided by
 29 each person or group, provided that the campaign treasurer or
 30 deputy campaign treasurer may exclude from such statement the
 31 names and addresses of persons or groups contributing \$100.00 or
 32 less. The statement shall be made upon a form prescribed by the
 33 Election Law Enforcement Commission, and one copy thereof shall
 34 be filed by the campaign depository with the Election Law Enforce-
 35 ment Commission in accordance with section 17 of this act, one
 36 copy shall be retained by the campaign depository for its records
 37 and one copy shall be retained by the campaign treasurer for his
 38 records.

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

3 16. a. **[Each]** *Except as provided by subsection h. of this section,*
4 *each* campaign treasurer of a candidate shall make a full, *cumula-*
5 *tive* report, upon a form prescribed by the Election Law Enforce-
6 ment Commission, of all *contributions in the form of moneys, loans,*
7 *paid personal services or other things of value, [contributed] made*
8 *to him or to the deputy campaign treasurers of the candidate, and*
9 *all expenditures paid out of the campaign fund of the candidate,*
10 *during the period ending with the second day preceding the date of*
11 *the report and beginning on the date [the most recent such report*
12 *was filed, or, in the case of the first such report filed after the ap-*
13 *pointment of the campaign treasurer, beginning on the date]* of the
14 *appointment of the campaign treasurer and all contributions*
15 *received and expenditures made, incurred or authorized during*
16 *the year of the election in which he is a candidate or during the*
17 *previous year for the purpose of determining whether the indi-*
18 *vidual should become a candidate for any office, including but not*
18A *limited to the office for which he is a candidate.* The report shall
19 also contain the name and address of each person or group from
20 whom moneys, loans, paid personal services or other things of
21 value have been contributed and the amount contributed by each
22 person or group. In the case of any loan reported pursuant to
23 this section, the report shall further contain the name and address
24 of each person who cosigns such loan. *If no moneys, loans, paid*
25 *personal services or other things of value were contributed, the*
26 *report shall so indicate, and if no expenditures were paid, the*
27 *report shall likewise so indicate.* The campaign treasurer and the
28 candidate shall certify the correctness of the report.

29 b. During the period between the appointment of the campaign
30 treasurer and the election with respect to which contributions are
31 accepted or expenditures made by him, the campaign treasurer
32 shall file his report (1) on the **[seventh]** *twenty-ninth* day pre-
33 ceding the election, and (2) on the **[twenty-fifth]** *eleventh* day
34 preceding the election; and after the election he shall file his
35 report on the **[fifteenth]** *twentieth* day following such election.
36 Concurrent with the report filed on the **[fifteenth]** *twentieth* day
37 following an election, or at any time thereafter, the campaign
38 treasurer of a candidate or political committee or committee of
39 a political party **[or the treasurer of a political information orga-**
40 **nization]** may certify to the Election Law Enforcement Commission
41 that the campaign fund of such candidate, political committee or
42 committee of a political party, **[or the fund of such political infor-**

43 mation organization,] having been instituted for the purposes of
44 the late election, has wound up its business and been dissolved or,
45 in the case of a political committee or a committee of a political
46 party [or a political information organization] which continues its
47 activities beyond the election, that its business regarding the late
48 election has been wound up; and said certification shall be accom-
49 panied by a final accounting of such campaign fund, or of the
50 transactions relating to such election, including the final disposition
51 of any balance remaining in such fund at the time of dissolution or
52 the arrangements which have been made for the discharge of any
53 obligations remaining unpaid at the time of dissolution. Until such
54 certification has been filed, each such treasurer shall continue to
55 file, at the conclusion of each 60-day interval from the [fifteenth]
56 *twentieth* day following such election, reports in the form and
57 manner herein prescribed.

58 c. In the case of a primary, general, municipal, school, or special
59 election of a candidate for an office elected by a municipal or
60 countywide constituency or a school district a duplicate copy of the
61 campaign treasurer's report, duly certified, shall be filed at the
62 same time with the county clerk of the county in which the candidate
63 resides, *and the county clerk shall retain a written record of that*
64 *filing for a period of not less than four years following the date of*
65 *the election.*

66 d. There shall be no obligation to file the reports required by this
67 section on behalf of a candidate if such candidate files with the
68 Election Law Enforcement Commission a sworn statement to the
69 effect that the total amount to be expended in behalf of his candi-
70 dacy by the candidate, by any State, county or municipal committee
71 of a political party, by any political committee, or by any person
72 shall not in the aggregate exceed [\$1,000.00] \$2,000.00; provided,
73 that if a candidate who has filed such a sworn statement receives
74 contributions from any one source aggregating more than \$100.00
75 he shall forthwith make report of the same, including the identity
76 of the source and the aggregate total of contributions therefrom
77 to the Election Law Enforcement Commission. *Any sworn state-*
78 *ment under this subsection may be filed with the notice of desig-*
79 *nation by a candidate of a campaign treasurer and campaign depos-*
80 *itory under section 9 of P. L. 1973, c. 83 (C. 19:44A-9).*

81 e. There shall be no obligation imposed upon a candidate seeking
82 election to a public office of a school district to file either the reports
83 required under section 16 (b) or the sworn statement referred to
84 in subsection d. of this section or to comply with the requirements
85 of sections 9, 11 or 12 of this act, if the total amount expended and

86 to be expended in behalf of his candidacy by the candidate, any
87 political committee, any political party committee or by any person,
88 does not in the aggregate exceed ~~[\$1,000.00]~~ \$2,000.00; provided,
89 that if such candidate receives contributions from any one source
90 aggregating more than \$100.00 he shall forthwith make a report of
91 the same, including the identity of the source and the aggregate
92 total of contributions therefrom, to the commission.

93 f. In any report filed pursuant to the provisions of this section,
94 the names and addresses of contributors whose *total* contributions
95 during the period covered by the report did not exceed \$100.00 may
96 be excluded; provided, however, that (1) such exclusion is unlawful
97 if any person responsible for the preparation or filing of the report
98 knew that such exclusion was made with respect to any person
99 whose *total* contributions relating to the same election and made to
100 the reporting candidate or to an allied campaign organization or
101 organizations aggregate, in combination with the ~~[contribution]~~
102 *total contributions* in respect of which such exclusion is made, more
103 than \$100.00, and (2) any person who knowingly prepares, assists
104 in preparing, files or acquiesces in the filing of any report from
105 which the identity of any contributor has been excluded contrary
106 to the provisions of this section is subject to the provisions of
107 section 21 of this act, but (3) nothing in this proviso shall be
108 construed as requiring any candidate reporting pursuant to this act
109 to report the amounts, dates or other circumstantial data regarding
110 contributions made to any other candidate, political committee or
111 committee of a political party.

112 g. Any report filed pursuant to the provisions of this section shall
113 include an itemized accounting of all receipts and expenditures
114 relative to any testimonial affair held since the date of the most
115 recent report filed, which accounting shall include the names and
116 addresses of each contributor in excess of \$100.00 to such testi-
117 monial affair and the amount contributed by each, the expenses
118 incurred, and the disposition of the proceeds of such testimonial
119 affair.

120 *h. If all expenditures and all receipts of contributions on behalf*
121 *of a candidate which are required to be reported under subsection*
122 *a. of this section are conducted by and through a political com-*
123 *mittee which is required to file financial reports under section 8 of*
124 *P. L. 1973, c. 83 (C. 19:44A-8), the candidate may authorize that*
125 *political committee to be his agent with respect to the reporting of*
126 *those expenditures and receipts by filing with the Election Law*
127 *Enforcement Commission a certificate of that authorization on a*
128 *form prescribed by the commission. The certificate shall provide*

129 for designation by the candidate of the treasurer of the political
130 committee as the campaign treasurer of the candidate for the
131 purposes of subsection a. hereof and shall generally identify and
132 be signed by the candidate and the chairman and the treasurer of
133 the political committee. Upon the filing of such a certificate of
134 authorization and until the authorization is revoked in writing by
135 the candidate, the political committee shall file the reports which
136 the campaign treasurer of the candidate would otherwise be
137 required to file under subsection a. of this section.

138 i. Each campaign treasurer of a candidate shall file written notice
139 with the commission of a contribution in excess of \$100.00 received
140 during the period between the thirteenth day prior to the election
141 and the date of the election. The notice shall be filed in writing or
142 by telegram within 24 hours of the receipt of the contribution and
143 shall set forth the amount and date of the contribution and the
144 name and address of the contributor.

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

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

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

3 19. a. No person shall conduct any public solicitation as defined
4 in this act except (1) upon written authorization of the campaign
5 treasurer of the candidate, party committee or political committee
6 on whose behalf such solicitation is conducted, or (2) [upon written
7 authorization of the treasurer of a political information organiza-
8 tion, or (3)] in accordance with the provisions of subsection c. of
9 this section. A person with such written authorization may employ
10 and accept the services of others as solicitors, and shall be respon-
11 sible for reporting to the treasurer the information required under
12 subsection b. of this section and for delivery to the treasurer the
13 net proceeds of such solicitation in compliance with sections 11 and
14 14 of this act. A contribution made through donation or purchase in
15 response to a public solicitation conducted pursuant to written
16 authorization of a treasurer shall be deemed to have been made
17 through such treasurer.

18 b. Whenever a public solicitation has been authorized by a
19 treasurer during a period covered by a report required to be filed
20 under sections 8 and 16 of this act, there shall be filed with such
21 report and as a part thereof an itemized report on any such solicita-
22 tion of which the net proceeds exceed \$100.00 in such form and
23 detail as required by the rules of the Election Law Enforcement
24 Commission, which report shall include:

25 (1) The name of the person authorized to conduct such solicita-
26 tion, and the method of solicitation;

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

38 c. Notwithstanding the provisions of subsection b. of this section,
39 it shall be lawful for any natural person, not acting in concert with
40 any other person or group, to make personally a public solicitation
41 the entire proceeds of which, without deduction for the expenses of
42 solicitation, are to be expended by him personally or under his
43 personal direction to finance any lawful activity in support of or

44 opposition to any candidate or public question or to provide
 45 political information on any candidate or public question or to seek
 46 to influence the content, introduction, passage or defeat of legisla-
 47 tion; provided, however, that any individual making such sollicita-
 48 tion who receives gross contributions exceeding \$100.00 in respect
 49 of activities relating to any one election shall be required to make
 50 a report stating (1) the amount so collected, (2) the method of
 51 solicitation and (3) the purpose or purposes for which the funds so
 52 collected were expended and the amount expended for each such
 53 purpose. Such report shall be made either

54 (1) To the treasurer of the candidate, political party committee,
 55 or political committee **[or political information organization]** on
 56 whose behalf such funds were collected and expenditures made, or
 57 to his deputy, who shall cause the same to be included in this report
 58 to the Election Law Enforcement Commission subject to the pro-
 59 visions of sections 8 and 16 of this act; or,

60 (2) Directly to the Election Law Enforcement Commission at
 61 the same time and in the same manner as a political committee **[or**
 62 **political information organization]** subject to the provisions of
 63 section 8 of this act.

64 d. Contributions or purchases made in response to a public sollici-
 65 tation conducted in conformity with the requirements and condi-
 66 tions of this act shall not be deemed anonymous within the meaning
 67 of sections 11, 14 and 20 of this act.

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

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

3 20. No contribution of money or other thing of value, nor obliga-
 4 tion therefor, shall be made, and no expenditure of money or other
 5 thing of value, nor obligation therefor, shall be made or incurred
 6 whether anonymously, in a fictitious name, or by one person or
 7 group in the name of another, to support or defeat a candidate
 8 in a primary or general election or to aid the passage or defeat
 9 of any public question or to provide political information on any
 10 candidate or public question or to seek to influence the content,
 11 introduction, passage or defeat of legislation. No person shall
 12 contribute, or purport to contribute, to any political candidate,
 13 party committee, or political committee **[or political information**
 14 **organization]** funds or property not actually belonging to him and
 15 in his full custody and control, or which has been given or furnished

16 to him by any other person or groups for the purpose of making a
 17 contribution thereof, except in the case of group contributions by
 18 persons who are members of the contributing group. No treasurer,
 19 candidate or member of a party committee~~[,]~~ or political committee
 20 ~~or political information organization~~ shall solicit or knowingly
 21 accept, agree to accept or concur in or abet the solicitation or
 22 acceptance of any contribution contrary to the provisions of this
 23 section.

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

3 22. a. Any person, *including any candidate*, charged with the
 4 responsibility under the terms of this act for the filing or
 5 certification of any ~~reports~~ report or other ~~documents~~ docu-
 6 ment required to be filed pursuant to this act who fails, neglects or
 7 omits or whose authorized agent under subsection h. of section 16
 8 of P. L. 1973, c. 83 (C. 19:44A-16h.) fails, neglects or omits to file
 9 any such report or document at the time and in the manner pre-
 10 scribed by law, or who omits or incorrectly states or whose autho-
 11 rized agent under subsection h. of section 16 of P. L. 1973, c. 83
 12 (C. 19:44A-16h.) omits or incorrectly states any of the information
 13 required by law to be included in such report or document, shall,
 14 in addition to any other penalty provided by law, be liable to a
 15 penalty of not more than \$1,000.00 for the first offense and not
 16 more than \$2,000.00 for the second and each subsequent offense.

17 b. Upon receiving evidence of any violation of this section, the
 18 Election Law Enforcement Commission shall have power to hold,
 19 or to cause to be held under the provisions of subsection d. of this
 20 section, hearings upon such violation and, upon finding any person
 21 to have committed such a violation, to assess such penalty, within
 22 the limits prescribed in subsection a. of this section, as it deems
 23 proper under the circumstances, which penalty shall be paid forth-
 24 with into the State Treasury for the general purposes of the State.
 25 Such penalty shall be enforceable in a summary proceeding under
 26 "the penalty enforcement law" (N. J. S. 2A:58-1 et seq.).

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

32 d. The commission may designate a hearing officer to hear com-
 33 plaints of violations of this act. Such hearing officer shall take
 34 testimony, compile a record and make factual findings, and shall
 35 submit the same to the commission, which shall have power to

36 assess penalties within the limits and under the conditions pre-
 37 scribed in subsections b. and c. of this section. The commission
 38 shall review the record and findings of the hearing officer, but it
 39 may also seek such additional testimony as it deems necessary.
 40 The commission's determination shall be by majority vote of the
 41 entire authorized membership thereof.

1 21. Section 4 of P. L. 1981, c. 379 (C. 40:45-8) is amended to
 2 read as follows:

3 4. At least 47 days prior to a regular municipal election, the
 4 names of candidates for all elected offices shall be filed with the
 5 municipal clerk, in the following manner and form and subject to
 6 the following conditions:

7 a. The petition of nomination shall consist of individual certifi-
 8 cates, equal in number to at least 1%, but in no event less than 25,
 9 of the registered voters of the municipality or the ward, as the
 10 case may be, and shall read substantially as follows:

11 "I, the undersigned, a registered voter of the municipality
 12 of residing at
 13 certify that I do hereby join in a petition of the nomination
 14 of whose residence is at
 15 for the office of mayor (or council-
 16 man-at-large, or ward councilman of the ward,
 17 or commissioner, or village trustee, as the case may be) to
 18 be voted for at the election to be held in the municipality on the
 19 19...., and I further certify that I
 20 know this candidate to be a registered voter, for the period
 21 required by law, of the municipality (and the ward, in the case
 22 of ward councilman) and a person of good moral character,
 23 and qualified, in my judgment, to perform the duties of the
 24 office, and I further certify that I have not signed more
 25 petitions or certificates of nominations than there are places
 26 to be filled for the above office.

27 Signed"

28 b. Each petition signature shall be on a separate sheet of paper
 29 and shall bear the name and address of the petitioner. The candi-
 30 date for office and his campaign manager shall make an oath be-
 31 fore an officer competent to administer oaths that the statements
 32 made therein are true, and that each signature to the papers
 33 appended thereto is the genuine signature of the person whose
 34 name it purports to be, to their best knowledge and belief. The
 35 oath, signed by the candidate, shall constitute his acceptance of
 36 nomination and shall be annexed to the petition, together with the
 37 oath of his campaign manager, at the time the petition is sub-
 38 mitted.

39 *c. The municipal clerk shall transmit to the Election Law Enforce-*
 40 *ment Commission the names of candidates for all elected offices*
 41 *filed with the clerk in the form and manner prescribed by the com-*
 42 *mission and shall notify the commission immediately upon the*
 43 *withdrawal of a petition of nomination.*

1 22. Sections 13, 14, 15 and 17 of P. L. 1973, c. 83 (C. 19:44A-13;
 2 19:44A-15; and 19:44A-17) are repealed.

1 23. This act shall take effect immediately, except that section 11
 2 of this act shall take effect on March 2, 1983.

STATEMENT

This bill revises various provisions of the election law regarding the reporting of election campaign contributions and expenditures.

The bill would:

- (1) Provide for notice to candidates, on State-supplied nomination petition forms, of their reporting obligations under law;
- (2) Provide for certification by election officials to the Election Law Enforcement Commission ("ELEC") of names of candidates;
- (3) Clarify that contributions and expenditures made prior to and in connection with (i.e., to "test the waters" for) a formal declaration of candidacy or ballot certification of a public question are subject, under "The New Jersey Campaign Contributions and Expenditures Reporting Act," to disclosure at the time of the declaration or certification;
- (4) Raise the ceiling on campaign contributions through public solicitation from \$10.00 to \$20.00 and prohibit currency contributions other than by public solicitation;
- (5) Replace existing annual and campaign reporting requirements applicable under the act to political party committees with a four-times-annually reporting sequence and allow other continuing (i.e., non-candidate related) political committees to report on that sequence as well;
- (6) Provide that campaign financing information be reported on a cumulative, rather than interim, basis;
- (7) Require a political committee to notify a candidate of expenditures it has made in his behalf;
- (8) Clarify the filing deadline for candidates' and party committees' designation of campaign treasurer and depository;
- (9) Establish in law the obligation of candidates and treasurers to make and maintain records of campaign contributions;
- (10) Revise the due dates of campaign reports to provide more time for treasurers to close their books prior to reporting;

(11) Increase from \$1,000.00 to \$2,000.00 the amount which a candidate may spend before he must file detailed campaign finance reports:

(12) Provide for an option to file the sworn statement (of limited campaign expenditures) in lieu of campaign finance reports simultaneously with the designation of campaign treasurer and depository; and

(13) Eliminate reporting obligations by banks serving as campaign depositories.

In a November, 1982 report, the Election Law Enforcement Commission recommended statutory revisions substantially identical to those listed above.

The bill would also: apply the statutory campaign financing report requirements to candidates for membership on national or county committees of political parties; specify certain events which would identify a person as a candidate for the purposes of the Act; exempt political committees which raise and spend less than \$1,000.00 in connection with campaign activity from having to report under the Act; require timely notice to ELEC of pre-election contributions, if in excess of \$100.00, not identified in a campaign finance report; and permit multicandidate joint campaign committees expending less than \$2,000.00 in an election to file sworn statements to that effect, in lieu of detailed campaign reports.

The bill would take effect upon enactment, except that the provisions (section 11) regarding the substitution of the four-times-annually report sequence for the campaign-and-annual report schedule would become effective on March 2, 1983, to assure that the 1982 annual report—due on March 1, 1983—will remain a requirement under the law.

ASSEMBLY, No. 2290

STATE OF NEW JERSEY

INTRODUCED DECEMBER 20, 1982

By Assemblymen ZIMMER, FRANKS, KERN, MARKERT,
Assemblywomen WRIGHT, OGDEN, Assemblymen ROD,
HENDRICKSON and WOLF

AN ACT concerning campaign contributions and expenditures and
revising parts of the statutory law.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 19:13-4 is amended to read as follows:

2 19:13-4. Such petition shall set forth the names, places of
3 residence and post-office addresses of the candidates for the offices
4 to be filled, the title of the office for which each candidate is named,
5 that the petitioners are legally qualified to vote for such candidates
6 and pledge themselves to support and vote for the persons named
7 in such petition and that they have not signed any other petition of
8 nomination for the primary or for the general election for such
9 office.

10 In the case of a petition or petitions nominating electors of
11 president and vice president of the United States, the names of the
12 candidates for president and vice president for whom such electors
13 are to vote may be included in the petition or petitions, but the
14 petition or petitions shall not include the names of any candidates
15 for president or vice president who have been nominated at a
16 convention of a political party as defined by this title.

17 The petition shall **[also]** state in not more than three words the
18 designation of the party or principles which the candidates therein
19 named represent; but such designation shall not contain the desig-
20 nation, name, derivative, or any part thereof as a noun or an
21 adjective of any political party entitled to participate in the
22 primary election.

**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 printed in italics thus is new matter.**

23 The petition shall [also] include the request that the names of
24 the candidates and their designations of party or principles be
25 printed upon the ballots to be used at the ensuing general elections.

26 *The petition shall also include the following notice: "NOTICE:*
27 *All candidates are required by law to file pre-election reports prior*
28 *to the election and to further comply with the provisions of "The*
29 *New Jersey Campaign Contributions and Expenditures Reporting*
30 *Act", C. 19:44A-1 et seq. Please contact the Election Law Enforce-*
31 *ment Commission for details immediately."*

32 No such petition shall undertake to nominate any candidate who
33 has accepted the nomination for the primary for such position.

1 2. R. S. 19:13-9 is amended to read as follows:

2 19:13-9. All such petitions and acceptances thereof shall be filed
3 with the officer or officers to whom they are addressed before 4:00
4 o'clock P. M. of the fortieth day next preceding the day of the
5 holding of the primary election for the general election in this Title
6 provided. All petitions when filed shall be opened under proper
7 regulations for public inspection.

8 *The officer or officers shall immediately provide the Election Law*
9 *Enforcement Commission with official certification of the filing or*
10 *withdrawal of a petition of nomination.*

11 The county clerks shall certify to the Secretary of State, within
12 20 days after the primary election for the general election, the
13 names, places of residence and post-office addresses of the several
14 candidates nominated for Senator and members of the General
15 Assembly together with the designation of the party nominating
16 the candidates, whether by petition or at the primary election and
17 the dates of filing the certificates of nominations and petitions.

1 3. R. S. 19:23-7 is amended to read as follows:

2 19:23-7. Each such petition shall set forth that the signers
3 thereof are qualified voters of the State, congressional district,
4 county, or county election district, municipality, ward or election
5 district, as the case may be, in which they reside and for which
6 they desire to nominate candidates; that they are members of a
7 political party (naming the same), and that at the last general
8 election preceding the execution of the petition they voted for a
9 majority of the candidates of such political party, and that they
10 intend to affiliate with that political party at the ensuing election;
11 that they indorse the person or persons named in their petition
12 as candidate or candidates for nomination for the office or offices
13 therein named, and that they request that the name of the person
14 or persons therein mentioned be printed upon the official primary
15 ballots of their political party as the candidate or candidates for

16 such nomination. The petition shall **[further]** state the residence
 17 and post-office address of each person so indorsed, and shall certify
 18 that the person or persons so indorsed is or are legally qualified
 19 under the laws of this State to be nominated, and is or are a
 20 member or members of the political party named in the petition.
 21 *The petition shall further contain the following notice: "NOTICE:*
 22 *All candidates are required by law to file pre-election reports prior*
 23 *to the primary election and to further comply with the provisions*
 24 *of "The New Jersey Campaign Contributions and Expenditures*
 25 *Reporting Act", C. 19:44A-1 et seq. Please contact the Election*
 26 *Law Enforcement Commission for details immediately."*

27 Accompanying the petition each person indorsed therein shall
 28 file a certificate, stating that he is qualified for the office mentioned
 29 in the petition, that he is a member of the political party named
 30 therein; that he consents to stand as a candidate for nomination
 31 at the ensuing primary election of such political party, and that, if
 32 nominated, he consents to accept the nomination, to which shall be
 33 annexed the oath of allegiance prescribed in R. S. 41:1-1 duly
 34 taken and subscribed by him before an officer authorized to take
 35 oaths in this State.

1 4. R. S. 19:23-14 is amended to read as follows:

2 19:23-14. Petitions addressed to the Secretary of State, the
 3 county clerks, or the municipal clerks, shall be filed with such
 4 officers, respectively, before 4:00 o'clock p.m. of the fortieth day
 5 next preceding the day of the holding of the primary election for
 6 the general election.

7 Within six days after the last day for filing the petitions for nomi-
 8 nations at the primary election for the general election, the munici-
 9 pal clerk shall certify to the county clerk the full and correct names
 10 and addresses of all candidates for nomination for public and party
 11 office and the name of the political party of which such persons are
 12 candidates together with their slogan and designation.

13 *The county clerk shall immediately provide the Election Law*
 14 *Enforcement Commission with official certification of the filing or*
 15 *withdrawal of a petition of nomination.*

1 5. R. S. 19:23-21 is amended to read as follows:

2 19:23-21. The Secretary of State shall certify the names of the
 3 persons indorsed in the petitions filed in his office to the clerks of
 4 counties concerned thereby at least 34 days prior to the holding
 5 of the primary election, specifying in such certificate the political
 6 parties to which the persons so nominated in the petitions belong.
 7 *The Secretary of State shall also immediately provide the Elec-*
 8 *tion Law Enforcement Commission with official certification of the*
 9 *filing or withdrawal of a petition of nomination.*

1 6. R. S. 19:23-22 is amended to read as follows:

2 19:23-22. The county clerk shall certify all of the persons so
3 certified to him by the Secretary of State and in addition the names
4 of all persons indorsed in petitions filed in his office to the clerk of
5 each municipality concerned thereby in his respective county at
6 least 33 days prior to the time fixed by law for the holding of the
7 primary election, specifying in such certificate the political party
8 to which the person or persons so nominated belong. *The county*
9 *clerk shall also immediately provide the Election Law Enforcement*
10 *Commission with official certification of the filing or withdrawal of*
11 *a petition of nomination filed in his office.*

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

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

5 a. The term "allied candidates" means candidates in any election
6 who are (1) seeking nomination or election (A) to an office or offices
7 in the same county or municipal government or school district
8 or (B) to the Legislature representing in whole or part the same
9 constituency [(C) as members of the State committee of the same
10 political party from the same county or (D) as delegates or
11 alternates to the national convention of the same political party;]
12 and who are (2) either (A) nominees of the same political party
13 or (B) publicly declared in any manner, including the seeking or
14 obtaining of any ballot position or common ballot slogan, to be
15 aligned or mutually supportive.

16 b. The term "allied campaign organization" means any political
16A committee, any State, county or municipal committee of a political
17 party or any campaign organization of a candidate which is in
18 support or furtherance of the same candidate or any one or more
19 of the same group of allied candidates or the same public question
20 as any other such committee or organization.

21 c. The term "candidate" means an individual seeking or having
22 sought election to a public office of the State or of a county, munic-
23 ipality or school district at a primary, general, municipal, school or
24 special election; except that the term shall not include the office of
25 county committeeman or committeewoman *or a member of the State*
26 *committee of a political party.*

27 d. The terms "contributions" and "expenditures" include all
28 loans and transfers of money or other thing of value to or by any
29 candidate, political committee, committee of a political party or
30 [political information organization] *ongoing political committee,*
31 and all pledges or other commitments or assumptions of liability

32 to make any such transfer; and for purposes of reports required
33 under the provisions of this act shall be deemed to have been made
34 upon the date when such commitment is made or liability assumed.

35 *The terms also include funds received and expenditures made*
36 *solely for the purpose of determining whether an individual, except*
37 *those individuals whose contributions are publicly financed, should*
38 *become a candidate, or whether a public question will be certified*
39 *for the ballot, including conducting polls, telephone calls and travel*
40 *expenses, provided the individual subsequently becomes a candidate*
41 *or the public question becomes certified for the ballot.*

42 e. The term "election" means any election described in section 4
43 of this act.

44 f. The term "paid personal services" means personal, clerical,
45 administrative or professional services of every kind and nature
46 including, without limitation, public relations, research, legal, can-
47 vassing, telephone, speech writing or other such services, per-
48 formed other than on a voluntary basis, the salary, cost or con-
49 sideration for which is paid, borne or provided by someone other
50 than the committee, candidate or organization for whom such ser-
51 vices are rendered. In determining the value, for the purpose of
52 reports required under this act, of contributions made in the form
53 of paid personal services, the person contributing such services
54 shall furnish to the campaign treasurer through whom such con-
55 tribution is made a statement setting forth the actual amount of
56 compensation paid by said contributor to the individuals actually
57 performing said services for the performance thereof. But if any
58 individual or individuals actually performing such services also
59 performed for the contributor other services during the same
60 period, and the manner of payment was such that payment for the
61 services contributed cannot readily be segregated from contem-
62 porary payment for the other services, the contributor shall in his
63 statement to the campaign treasurer so state and shall either (1)
64 set forth his best estimate of the dollar amount of payment to each
65 such individual which is attributable to the contribution of his paid
66 personal services, and shall certify the substantial accuracy of the
67 same, or (2) if unable to determine such amount with sufficient
68 accuracy, set forth the total compensation paid by him to each such
69 individual for the period of time during which the services con-
70 tributed by him were performed. If any candidate is a holder of
71 public office to whom there is attached or assigned, by virtue of said
72 office, any aide or aides whose services are of a personal or con-
73 fidential nature in assisting him to carry out the duties of said office,
74 and whose salary or other compensation is paid in whole or part

75 out of public funds, the services of such aid or aides which are paid
 76 for out of public funds shall be for public purposes only; but they
 77 may contribute their personal services, on a voluntary basis, to
 78 such candidate for election campaign purposes.

79 g. **¶**The term “political information organization” means any
 80 two or more persons acting jointly, or any corporation, partner-
 81 ship, or any other incorporated or unincorporated association,
 82 whether or not it is required to be registered pursuant to the
 83 “Legislative Activities Disclosure Act of 1971,” P. L. 1971, c. 183
 84 (C. 52:13C-18 et seq.), which is organized for the purpose of, or
 85 which provides political information concerning any candidate or
 86 candidates for public office or with respect to any public question.

87 The term shall not apply to any bona fide newspaper, magazine,
 88 radio or television station or other bona fide news medium dis-
 89 seminating political information, advertising and comment in the
 90 normal course of its business; nor to any recognized school or in-
 91 stitution of higher education, public or private, in conducting
 92 sponsoring or subsidizing any classes, seminars, forums, discus-
 93 sions or other events in which political information or discussion
 94 thereof or comment thereon is an integral part. **¶** (*Deleted by*
 95 *amendment, P. L. . . . , c. . . .*).

96 h. The term “political information” means any statement in-
 97 cluding but not limited to, press releases, pamphlets, newsletters,
 98 advertisements, flyers, form letters, or radio or television programs
 99 or advertisements which reflect the opinion of the members of the
 100 organization on any candidate or candidates for public office, on
 101 any public question, or which contains facts on any such candidate,
 102 or public question whether or not such facts are within the personal
 103 knowledge of members of the organization.

104 i. The term “political committee” means any two or more per-
 105 sons acting jointly, or any corporation, partnership, or any other
 106 incorporated or unincorporated association which is organized to,
 107 or does, aid or promote the nomination, election or defeat of any
 108 candidate or candidates for public office, or which is organized to,
 109 or does, aid or promote the passage or defeat of a public question
 110 in any election.

111 j. The term “public solicitation” means any activity by or on
 112 behalf of any candidate, State, county or municipal party commit-
 113 tee, political committee or **¶**political information organization**¶**
 114 *ongoing political committee* whereby either (1) members of the
 115 general public are personally solicited for cash contributions not
 116 exceeding **¶**\$10.00**¶** \$20.00 from each person so solicited and con-
 117 tributed on the spot by the person so solicited to a person soliciting

118 or through a receptacle provided for the purpose of depositing
 119 contributions, or (2) members of the general public are personally
 120 solicited for the purchase of items having some tangible value as
 121 merchandise, at a price not exceeding ~~【\$10.00】~~ \$20.00 per item,
 122 which price is paid on the spot in cash by the person so solicited
 123 to the person so soliciting, when the net proceeds of such solicita-
 124 tion are to be used by or on behalf of such candidate, party com-
 125 mittee, ~~【or】~~ political committee or ~~【political information organi-~~
 126 ~~zation】~~ *ongoing political committee*.

127 k. The term “testimonial affair” means an affair of any kind or
 128 nature including, without limitation, cocktail parties, breakfasts,
 129 luncheons, dinners, dances, picnics or similar affairs directly or
 130 indirectly intended to raise campaign funds in behalf of a person
 131 who holds, or who is or was a candidate for nomination or election
 132 to a public office in this State, or directly or indirectly intended to
 133 raise funds in behalf of any State, county or municipal committee
 134 of a political party or in behalf of a political committee~~【~~, or directly
 135 or indirectly intended to raise funds for any political information
 136 organization~~】~~.

137 l. The term “other thing of value” means any item of real or
 138 personal property, tangible or intangible, but shall not be deemed
 139 to include personal services other than paid personal services.

140 m. The term “qualified candidate” means:

141 (1) Any candidate for election to the office of Governor whose
 142 name appears on the general election ballot and who has deposited
 143 and expended \$50,000.00 pursuant to section 7 of P. L. 1974, c. 26
 144 (C. 19:44A-32); or

145 (2) Any candidate for election to the office of Governor whose
 146 name does not appear on the general election ballot but who has
 147 deposited and expended \$50,000.00 pursuant to section 7 of P. L.
 148 1974, c. 26 (C. 19:44A-32); or

149 (3) Any candidate for nomination for election to the office of
 150 Governor whose name appears on the primary election ballot and
 151 who has deposited and expended \$50,000.00 pursuant to section 7
 152 of P. L. 1974, c. 26 (C. 19:44A-32); or

153 (4) Any candidate for nomination for election to the office of
 154 Governor whose name does not appear on the primary election
 155 ballot but who has deposited and expended \$50,000.00 pursuant to
 156 section 7 of P. L. 1974, c. 26 (C. 19:44A-32).

157 n. *The term “ongoing political committee” means (1) the State*
 158 *committee, or any county or municipal committee, of a political*
 159 *party, or (2) a political club, association or other group of persons,*
 160 *including a political action committee, which in any calendar year*

161 *contributes, or intends to contribute, at least \$2,500.00 to the aid*
 162 *or promotion of the candidacy of an individual or individuals for*
 163 *elective public office or for the passage or defeat of a public ques-*
 164 *tion or questions and which may be expected to make contributions*
 165 *toward such aid or promotion and passage or defeat during a sub-*
 166 *sequent election.*

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

3 4. The provisions of this act shall apply:

4 a. (Deleted by amendment.)

5 b. **[In any primary election for delegates and alternates to the**
 6 **national conventions of a political party;]** (*Deleted by amend-*
 7 *ment, P. L. , c.).*

8 c. In any election at which a public question is to be voted upon
 9 by the voters of the State or any political subdivision thereof;

10 d. In any primary, general, special, school or municipal election
 11 for any public office of the State or any political subdivision thereof;
 12 provided, however, that this act shall not apply to elections for
 13 county committeeman or committeewoman *or for a delegate and*
 14 *alternate of a State committee of a political party.*

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

3 5. There is hereby created a commission consisting of four
 4 members which shall be designated as the New Jersey Election
 5 Law Enforcement Commission. The members shall be appointed
 6 by the Governor by and with the advice and consent of the Senate
 7 for a term of three years, beginning on July 1 and ending June 30,
 8 except as hereinafter provided. The Governor shall designate one
 9 of **[his appointees]** *the commission members* to serve as chairman
 10 of the commission. No more than two members shall belong to the
 11 same political party, and no person holding a public office or an
 12 office in any political party shall be eligible for appointment to the
 13 commission. Of the members initially appointed, two shall be ap-
 14 pointed for a term of three years, one for a term of two years and
 15 one for a term of one year. Each member shall serve until his
 16 successor has been appointed and qualified. In case of a vacancy,
 17 however, the successor shall be appointed in like manner for the
 18 unexpired term only. The members shall serve without compensa-
 19 tion, but shall be reimbursed for necessary expenses incurred in the
 20 performance of their duties under this act. For the purpose of
 21 complying with the provisions of Article V, Section IV, paragraph 1
 22 of the New Jersey Constitution, the Election Law Enforcement
 23 Commission is hereby allocated within the Department of Law and

24 Public Safety; but, notwithstanding said allocation, the commission
 25 shall be independent of any supervision or control by the depart-
 26 ment or by any board or officer thereof, it being the intention of this
 27 act that the assignment, direction, discipline and supervision of all
 28 the employees of the commission shall be so far as possible, and
 29 except as otherwise provided in this act, fully determined by the
 30 commission or by such officers and employees thereof to whom the
 31 commission may delegate the powers of such assignment, direction,
 32 discipline and supervision.

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

3 6. a. The commission shall appoint a full-time executive director,
 4 legal counsel and hearing officers, all of whom shall serve at the
 5 pleasure of the commission and shall not have tenure by reason
 6 of the provisions of chapter 16 of Title 38 of the Revised Statutes.
 7 The commission shall also appoint such other employees as are
 8 necessary to carry out the purposes of this act, which employees
 9 shall be in the classified service of the civil service and shall be
 10 appointed in accordance with and shall be subject to the provisions
 11 of Title 11, Civil Service.

12 b. It shall be the duty of the commission to enforce the provi-
 13 sions of this act, to conduct hearings with regard to possible viola-
 14 tions and to impose penalties; and for the effectual carrying out
 15 of its enforcement responsibilities the commission shall have the
 16 authority to initiate a civil action in any court of competent juris-
 17 diction for the purpose of enforcing compliance with the provisions
 18 of this act or enjoining violations thereof or recovering any penalty
 19 prescribed by this act. The commission shall promulgate such
 20 regulations and official forms and perform such duties as are
 21 necessary to implement the provisions of this act. Without limiting
 22 the generality of the foregoing, the commission is authorized and
 23 empowered to:

24 (1) Develop form for the making of the required reports;

25 (2) Prepare and publish a manual for all candidates **[,]** and com-
 26 mittees **[and political information organizations]** prescribing the
 27 requirements of the law, including uniform methods of bookkeeping
 28 and reporting and requirements as to the length of time that any
 29 person required to keep any records pursuant to the provisions of
 30 this act shall retain such records, or any class or category thereof,
 31 or any other documents, including canceled checks, deposit slips,
 32 invoices and other similar documents, necessary for the compilation
 33 of such records;

34 (3) Develop a filing, coding and cross-indexing system;

35 (4) Permit copying or photo-copying of any report required to
36 be submitted to this act as requested by any person;

37 (5) Prepare and make available for public inspection summaries
38 of all said reports grouped according to candidates, parties and
39 issues, containing the total receipts and expenditures, and the date,
40 name, address and amount contributed by each contributor;

41 (6) Prepare and publish, prior to May 1 of each year, an annual
42 report to the Legislature;

43 (7) Ascertain whether candidates, committees, organizations or
44 others have failed to file reports or have filed defective reports;
45 extend, for good cause shown, the dates upon which reports are re-
46 quired to be filed; give notice to delinquents to correct or explain
47 defects; and make available for public inspection a list of such
48 delinquents;

49 (8) Ascertain the total expenditures for candidates and deter-
50 mine whether they have exceeded the limits set forth in this act;
51 notify candidates, committees or others if they have exceeded or
52 are about to exceed the limits imposed;

53 (9) Hold public hearings, investigate allegations of any viola-
54 tions of this act, and issue subpoenas for the production of docu-
55 ments and the attendance of witnesses;

56 (10) Forward to the Attorney General or to the appropriate
57 county prosecutor information concerning any violations of this
58 act which may become the subject of criminal prosecution or which
59 may warrant the institution of other legal proceedings by the
60 Attorney General.

61 c. The commission shall take such steps as may be necessary or
62 appropriate to furnish timely and adequate information, in appro-
63 priate printed summaries and in such other form as it may see fit,
64 to every candidate or prospective candidate for public office who
65 becomes or is likely to become subject to the provisions of this act,
66 and to every treasurer and depository duly designated under the
67 provisions of this act, informing them of their actual or prospective
68 obligations and responsibilities under this act. Such steps shall
69 include, but not be limited to, furnishing to every person on whose
70 behalf petitions of nomination are filed for any public office a copy
71 of such printed summary as aforesaid, which shall be furnished
72 to such person by the commission through the public official charged
73 with the responsibility of receiving and accepting such petitions
74 of nomination, at the time when such petitions are filed. The com-
75 mission shall also make available copies of such printed summary
76 to any other person requesting the same. The commission shall
77 also take such steps as it may deem necessary or effectual to dis-

78 seminate among the general public such information as may serve
 79 to guide all persons who may become subject to the provisions of
 80 this act by reason of their participation in election campaigns or
 81 in the dissemination of political information, for the purpose of
 82 facilitating voluntary compliance with the provisions and purposes
 83 of this act. In the dissemination of such information, the commis-
 84 sion shall to the greatest extent practicable enlist the cooperation
 85 of commercial purveyors, within and without the State, of materials
 86 and services commonly used for political campaign purposes.

87 d. If the nomination for or election to any public office or party
 88 position becomes void under the terms of subsection c. of section 21
 89 of this act, the withholding or revocation of his certificate of elec-
 90 tion, the omission of his name from the ballot or the vacation of the
 91 office into which he has been inducted as a result of such void elec-
 92 tion, as the case may be, shall be subject to the provisions of chapter
 93 3, articles 2 and 3, of this Title (R. S. 19:3-7 et seq.).

94 e. The commission shall be assigned suitable quarters for the
 95 performance of its duties hereunder.

96 f. The commission through its legal counsel is authorized to
 97 render advisory opinions as to whether a given set of facts and
 98 circumstances would constitute a violation of any of the provisions
 99 of this act, or whether a given set of facts and circumstances would
 100 render any person subject to any of the reporting requirements of
 101 this act.

102 Unless an extension of time is consented to by any person re-
 103 questing an advisory opinion, the commission shall render its ad-
 104 visory opinion within 10 days of receipt of the request therefor.
 105 Failure of the commission to reply to a request for an advisory
 106 opinion within the time so fixed or agreed to shall preclude it from
 107 instituting proceedings for imposition of a penalty upon any person
 108 for a violation of this act arising out of the particular facts and
 109 circumstances set forth in such request, except as such facts and
 110 circumstances may give rise to a violation when taken in conjunc-
 111 tion with other facts and circumstances not set forth in such request.

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

3 8. a. Each [State, county and municipal committee of a political
 4 party, each] political committee [and each political information
 5 organization] *except an ongoing political committee* shall make a
 6 full report, upon a form prescribed by the Election Law Enforce-
 7 ment Commission of all *contributions in the form of moneys, loans,*
 8 *paid personal services, or other things of value* [contributed] *made*
 9 *to it and all expenditures made, incurred, or authorized by it in*

10 furtherance of the nomination, election or defeat of any candidate,
11 or in aid of the passage or defeat of any public question, or to
12 provide political information on any candidate or public question,
13 during the period ending **[with the day]** *48 hours* preceding the
14 date of the report and beginning on the date **[of the most recent**
15 **such report filed]** *on which the first such contribution or the first*
16 *such expenditure, whichever occurs first, was made.* The report,
17 except as hereinafter provided, shall contain the name and address
18 of each person or group from whom moneys, loans, paid personal
19 services or other things of value have been contributed and the
20 amount contributed by each person or group. In the case of any
21 loan reported pursuant to this section, the report shall contain
22 the name and address of each person who co-signs such loan. The
23 report shall also contain the name and address of each person,
24 firm or organization to whom expenditures have been paid and the
25 amount and purpose of each such expenditure. The report shall be
26 filed with the Election Law Enforcement Commission on the dates
27 designated in section 16 hereof.

28 The campaign treasurer of the **[committee or]** political com-
29 mittee reporting **[or the treasurer of the political information**
30 **organization reporting]** shall certify to the correctness of each
31 report.

32 **[Each State, county and municipal committee of a political party**
33 **and each political information organization].**

34 *b. A political committee which in a calendar year contributes, or*
35 *expects to contribute, \$2,500.00 to aid or promote the candidacy of*
36 *an individual or individuals for elective public office, or for the*
37 *passage or defeat of a public question or questions shall notify the*
38 *commission. The commission shall determine whether the political*
39 *committee is an ongoing political committee for the purpose of*
40 *this act and shall notify the committee of its decision.*

41 (1) An ongoing political committee shall **[also]** file with the
42 Election Law Enforcement Commission**,** not later than March 1
43 of each year, an annual**] a quarterly** report *not later than Janu-*
44 *ary 15, April 15, July 15 and October 15,* of all moneys, loans, paid
45 personal services or other things of value contributed to it during
46 the previous **[calendar year]** *quarter* and all expenditures made,
47 incurred, or authorized in furtherance of the election or defeat of
48 any candidate, or in aid of the passage or defeat of any public
49 question or to provide information on any candidate or public
50 question. The report shall contain the name and address of each
51 person or group from whom moneys, loans, paid personal services
52 or other things of value have been contributed and the amount

53 contributed by each person or group. In the case of any loan
54 reported pursuant to this section, the report shall contain the
55 name and address of each person who co-signs such loan. The report
56 shall also contain the name and address of each person, firm or
57 organization to whom expenditures have been paid and the amount
58 and purpose of each such expenditure. The treasurer of the com-
59 mittee or organization reporting shall certify to the correctness of
60 each report.

61 *(2) During the period preceding an election but after the day*
62 *covered by the latest quarterly report, an ongoing political com-*
63 *mittee shall report, within 48 hours of the receipt thereof, a con-*
64 *tribution or contributions in the aggregate which, from a single*
65 *source, exceeds \$500.00. The report shall include the name and*
66 *address of the contributor, and the date and amount of the con-*
67 *tribution.*

68 *(3) An ongoing political committee which at any point expects*
69 *to cease making contributions toward the aiding or promoting of*
70 *the candidacy of an individual or individuals for elective public*
71 *office in this State or the passage or defeat of a public question*
72 *or questions in this State shall certify that fact in writing to the*
73 *commission, and that certification shall be accompanied by a final*
74 *accounting of any campaign fund relating to such aiding or pro-*
75 *moting, including the final disposition of any balance in such fund*
76 *at the time of dissolution. Until that certification has been filed, the*
77 *committee shall continue to file the quarterly report as provided*
78 *under this subsection.*

79 *(4) An ongoing political committee shall immediately notify a*
80 *candidate in writing of an expenditure made on his behalf.*

81 *c.* In any report filed pursuant to the provisions of this section the
82 organization or committee reporting may exclude from the report
83 the names and addresses of contributors whose contributions dur-
84 ing the period covered by the report did not exceed **[\$100.00]**
85 **\$200.00**; provided, however, that (1) such exclusion is unlawful if
86 any person responsible for the preparation or filing of the report
87 knew that it was made with respect to any person whose contribu-
88 tions relating to the same election or issue and made to the
89 reporting organization or committee or to an allied campaign
90 organization or organizations aggregate, in combination with the
91 contribution in respect of which such exclusion is made, more than
92 **[\$100.00]** **\$200.00** and (2) any person who knowingly prepares,
93 assists in preparing, files or acquiesces in the filing of any report
94 from which the identification of a contributor has been excluded
95 contrary to the provisions of this section is subject to the provisions

96 of section 21 of this act, but (3) nothing in this proviso shall be
 97 construed as requiring any committee or organization reporting
 98 pursuant to this act to report the amounts, dates or other circum-
 99 stantial data regarding contributions made to any other orga-
 100 nization or political committee, committee of a political party or
 101 campaign organization of a candidate.

102 Any report filed pursuant to the provisions of this section shall
 103 include an itemized accounting of all receipts and expenditures
 104 relative to any testimonial affairs held since the date of the most
 105 recent report filed, which accounting shall include the names and
 106 addresses of each contributor in excess of ~~[\$100.00]~~ \$200.00 to
 107 such testimonial affair and the amount contributed by each, the
 108 expenses incurred, and the disposition of the proceeds of such
 109 testimonial affair.

110 *d.* ~~【No】~~ A State, county or municipal committee of a political
 111 party ~~【nor any】~~ or a political committee, *excluding ongoing polit-*
 112 *ical committees,* ~~【nor any political information organization】~~ shall
 113 be ~~【required to file】~~ *exempt from filing* reports pursuant to this
 114 section of contributions received or expenditures made in behalf of
 115 ~~【any candidate who is not required to file reports pursuant to~~
 116 ~~section 16 of this act】~~ *two or more joint candidates in any election*
 117 *of the committee files with the Election Law Enforcement Com-*
 118 *mission a sworn statement to the effect that the total amount to be*
 119 *expended on behalf of their candidacies shall not exceed \$4,000.00;*
 120 *provided, that if a committee which has filed such a sworn state-*
 121 *ment receives contributions from any one source aggregating more*
 122 *than \$200.00, it shall forthwith report that fact, including the*
 123 *identity of the source and the aggregate total of contributions*
 124 *therefrom to the commission.*

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

3 9. Each candidate in an election shall appoint one campaign
 4 treasurer and shall designate one campaign depository ~~【before~~
 5 ~~receiving any contribution or expending any money in furtherance~~
 6 ~~or aid of his candidacy】~~. Any bank authorized by law to transact
 7 business in the State may be designated as the campaign depository.
 8 ~~【The designation of the campaign treasurer and the campaign de-~~
 9 ~~pository shall be made by the candidate's filing】~~ *Within ten days*
 10 *of designating a campaign depository or on the date of the filing*
 11 *of the first report under subsection b. of section 16 of P. L. 1973,*
 12 *c. 83 (C. 19:44A-16b.), whichever occurs first, a candidate shall*
 13 *file the name and address of such campaign treasurer and such*
 14 *depository with the Election Law Enforcement Commission.*

15 A campaign treasurer of the candidate may appoint deputy
 16 campaign treasurers as required and may designate additional
 17 campaign depositories in each county in which the campaign is
 18 conducted. The candidate shall file the names and addresses of
 19 deputy campaign treasurers and additional campaign depositories
 20 with the Election Law Enforcement Commission.

21 A candidate may remove a campaign treasurer or deputy cam-
 22 paign treasurer. In the case of the death, resignation or removal
 23 of a campaign treasurer, the candidate shall appoint a successor
 24 as soon as practicable and shall file his name and address with the
 25 Election Law Enforcement Commission within three days. A candi-
 26 date may serve as his own campaign treasurer.

27 *A campaign treasurer shall maintain records of all contributions*
 28 *for a period of not less than four years.*

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

3 10. Each State, county and municipal committee of a political
 4 party shall, on or before **[January 31]** *July 1* in each year, desig-
 5 nate a campaign treasurer and a campaign depository and shall
 6 file *within 10 days of the designation* the name and address thereof
 7 with the Election Law Enforcement Commission.

8 Every political committee *and every ongoing political committee*
 9 shall, **[before]** *upon* receiving any contribution or expending any
 10 money in furtherance or aid of the election or defeat of any candi-
 11 date, or to aid the passage or defeat of any public question, appoint
 12 one campaign treasurer and designate one campaign depository
 13 **[and file the]**. *The name and address thereof shall be filed with*
 14 *the Election Law Enforcement Commission within 10 days of the*
 15 *designation of the campaign depository or on the date of the filing*
 16 *of the first report under subsection b. of P. L. 1973, c. 83 (C.*
 17 *19:44A-16b.), whichever occurs first.* A campaign treasurer of the
 18 State, county or municipal committee of a political party, and a
 19 campaign treasurer of a political committee may appoint deputy
 20 campaign treasurers as may be required and may designate addi-
 21 tional campaign depositories. Such committees shall file the names
 22 and addresses of such deputy campaign treasurers and additional
 23 campaign depositories with the Election Law Enforcement Com-
 24 mission.

25 Any State, county or municipal committee of a political party
 26 and any political committee may remove its campaign treasurer or
 27 deputy campaign treasurer. In the case of the death, resignation
 28 or removal of its campaign treasurer, the committee shall appoint
 29 a successor as soon as practicable and shall file his name and

30 address with the Election Law Enforcement Commission within
31 three days.

32 *A treasurer shall maintain records of all contributions for a*
33 *period of not less than four years.*

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

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

12 a. The duly appointed campaign treasurer, or deputy campaign
13 treasurers of the candidate;

14 b. The duly appointed campaign treasurer or deputy campaign
15 treasurers of a political party committee;

16 c. The duly appointed campaign treasurer or deputy campaign
17 treasurers of a political committee *or ongoing political committee.*

18 It shall be lawful, however, for any person, not acting in concert
19 with any other person or group, to expend personally from his own
20 funds a sum which is not to be repaid to him for any purpose not
21 prohibited by law, or to contribute his own personal services and
22 personal traveling expenses, to support or defeat a candidate or to
23 aid the passage or defeat of a public question; provided, however,
24 that any person making such expenditure shall be required to re-
25 port all such expenditures and expenses, except personal traveling
26 expenses, if the total of the money so expended, exclusive of such
27 traveling expenses, exceeds ~~[\$100.00]~~ \$200.00, either:

28 a. To the campaign treasurer of the candidate, political party
29 committee or political committee on whose behalf such expenditure
30 or contribution was made, or to his deputy, who shall cause the
31 same to be included in his report to the Election Law Enforcement
32 Commission subject to the provisions of sections 8 and 9 of this
33 act; or

34 b. Directly to the Election Law Enforcement Commission at the
35 same time and in the same manner as a political committee subject
36 to the provisions of section 8 of this act.

37 *No contribution of money shall be made in currency, except con-*
38 *tributions in response to a public solicitation.*

39 Any anonymous contribution received by a campaign treasurer

40 or deputy campaign treasurer shall not be used or expended, but
 41 shall be returned to the donor, if his identity is known, and if no
 42 donor is found, the contribution shall escheat to the State.

43 Any State, county or municipal committee of any political party,
 44 after a primary election, but not prior thereto, may receive and
 45 expend funds to be spent in furtherance and in aid of the candidacy
 46 of all the candidates of such party, or of any one or more of such
 47 candidates, in accordance with the provisions of this act.

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

3 12. a. **【All funds received by a】** *The* campaign treasurer or
 4 deputy campaign treasurer of a candidate, of a State, county or
 5 municipal committee of a political party, or of a political committee
 6 *shall make a written record of all funds which he receives as con-*
 7 *tributions to the candidate, party committee, political committee or*
 8 *ongoing political committee, including in that record the name and*
 9 *address of the contributor and the amount and date of the contribu-*
 10 *tion, and shall retain that record for a period of not less than four*
 11 *years. All funds so received shall be deposited by the campaign*
 12 *treasurer or deputy campaign treasurer in a campaign depository*
 13 *of the candidate, committee or political committee, in an account*
 14 *designated "Campaign Fund of (name of candidate or committee)"*
 15 *no later than the tenth calendar day following receipt of such funds;*
 16 *except that any such treasurer or deputy treasurer may, when*
 17 *authorized by the candidate or committee of which he is the cam-*
 18 *paign treasurer or deputy campaign treasurer, transfer any such*
 19 *funds to the duly designated campaign treasurer or deputy cam-*
 20 *paign treasurer of another candidate or committee, for inclusion*
 21 *in the campaign fund thereof, without first so depositing them;*
 22 *provided, however, that a record of all nondeposited funds so trans-*
 23 *ferred shall be attached to the statement required under this sec-*
 24 *tion, identifying them as to source and amount in the same manner*
 25 *as deposited funds.*

26 b. All deposits made by a campaign treasurer or deputy campaign
 27 treasurer shall be accompanied by a statement containing the name
 28 and address of each person or group contributing or providing
 29 the funds so deposited, and the amount contributed or provided by
 30 each person or group, provided that the campaign treasurer or
 31 deputy campaign treasurer may exclude from such statement the
 32 names and addresses of persons or groups contributing **【\$100.00】**
 33 *\$200.00* or less. The statement shall be made upon a form prescribed
 34 by the Election Law Enforcement Commission, and one copy thereof
 35 shall be filed by the campaign depository with the Election Law

36 Enforcement Commission in accordance with section 17 of this act,
 37 one copy shall be retained by the campaign depository for its records
 38 and one copy shall be retained by the campaign treasurer for his
 39 records.

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

3 16. a. Each campaign treasurer of a candidate shall make a full,
 4 *cumulative* report, upon a form prescribed by the Election Law En-
 5 forcement Commission, of all moneys, loans, paid personal services
 6 or other things of value, [contributed to him or to the deputy cam-
 7 paign treasurers of the candidate,] and all expenditures paid out
 8 of the campaign fund of the candidate[, during the period ending
 9 with the day preceding the date of the report and beginning on the
 10 date the most recent such report was filed, or, in the case of the first
 11 such report filed after the appointment of the campaign treasurer,
 12 beginning on the date of the appointment of the campaign trea-
 13 surer]. *The initial reporting period shall begin on the date of the*
 14 *first contribution or expenditure, whichever occurs first. If no*
 15 *moneys, loans, paid personal services or other things of value are*
 16 *contributed and if no expenditures are paid, the initial report shall*
 17 *so indicate. Subsequent reporting periods shall begin on the date*
 18 *the most recent such report was filed. All reporting periods shall*
 19 *end 48 hours prior to the reporting due dates.*

20 The report shall [also] contain the name and address of each
 21 person or group from whom moneys, loans, paid personal services
 22 or other things of value have been contributed and the amount con-
 23 tributed by each person or group. In the case of any loan reported
 24 pursuant to this section, the report shall further contain the name
 25 and address of each person who cosigns such loan. The campaign
 26 treasurer and the candidate shall certify the correctness of the
 27 report.

28 b. During the period between the appointment of the campaign
 29 treasurer and the election with respect to which contributions are
 30 [accepted] *received* or expenditures made by him, the campaign
 31 treasurer shall file [his] a report (1) on the [seventh] *twenty-ninth*
 32 *day* preceding the election, and (2) on the [twenty-fifth] *eleventh*
 33 *day* preceding the election[; and after the election he shall file his
 34 report on the fifteenth day following such election]. *The campaign*
 35 *treasurer shall, for the purpose of these pre-election reports, dis-*
 36 *close financial activity ending 48 hours prior to each filing deadline.*
 37 *Any contribution in excess of \$500.00 received after the close of the*
 38 *quarterly report immediately preceding an election shall be reported*
 39 *immediately by the campaign treasurer or the candidate to the com-*

40 mission by any written means, including letter, telegram or mail-
41 gram.

42 *The campaign treasurer shall file a post-election report on the*
43 *twentieth day following the election.* Concurrent with the report
44 filed on the **[fifteenth]** *twentieth* day following an election, or at
45 any time thereafter, the campaign treasurer of a candidate or
46 political committee or committee of a political party **[or the trea-**
47 **surer of a political information organization]** may certify to the
48 Election Law Enforcement Commission that the campaign fund
49 of such candidate, political committee or committee of a political
50 party, **[or the fund of such political information organization,]**
51 having been instituted for the purposes of the late election, has
52 wound up its business and been dissolved or, in the case of a political
53 committee or a committee of a political party **[or a political infor-**
54 **mation organization]** which continues its activities beyond the
55 election, that its business regarding the late election has been
56 wound up; and said certification shall be accompanied by a final
57 accounting of such campaign fund, or of the transactions relating
58 to such election, including the final disposition of any balance re-
59 maining in such fund at the time of dissolution or the arrangements
60 which have been made for the discharge of any obligations remain-
61 ing unpaid at the time of dissolution. Until such certification has
62 been filed, each such treasurer shall continue to file, at the con-
63 clusion of each 60-day interval from the **[fifteenth]** *twentieth* day
64 following such election, reports in the form and manner herein
65 prescribed. *The Election Law Enforcement Commission shall pro-*
66 *mulgate regulations providing for the termination of reporting re-*
67 *quirements. This requirement to file post-election reports may be*
68 *waived by the commission, notwithstanding that the certification*
69 *has not been filed, if it determines under any regulations that the*
70 *outstanding obligations are de minimis in value or are likely to be*
71 *discharged or forgiven.*

72 c. **[In the case of a primary, general, municipal, school, or special**
73 **election of a candidate for an office elected by a municipal or county-**
74 **wide constituency or a school district a duplicate copy of the**
75 **campaign treasurer's report, duly certified, shall be filed at the**
76 **same time with the county clerk of the county in which the candidate**
77 **resides.]**

78 *If a political committee, with the exception of political party com-*
79 *mittees for primary elections, assumes the obligations of a candi-*
80 *date, the campaign treasurer or candidate shall not be required to*
81 *report further.*

82 d. There shall be no obligation to file the reports required by this
83 section on behalf of a candidate if such candidate files with the
84 Election Law Enforcement Commission a sworn statement to the
85 effect that the total amount to be expended in behalf of his candi-
86 dacy by the candidate, by any State, county or municipal committee
87 of a political party, by any political committee, or by any person
88 shall not in the aggregate exceed ~~[\$1,000.00; provided that if]~~
89 *\$2,000.00, or that he received no contributions. The sworn statement*
90 *may be submitted at the time when the name and address of the*
91 *campaign treasurer and depository is filed with the Election Law*
92 *Enforcement Commission, provided that in no case the statement is*
93 *filed no later than the twenty-ninth day before an election. If a*
94 candidate who has filed such a sworn statement receives contribu-
95 tions from any one source aggregating more than ~~[\$100.00]~~ *\$200.00*
96 he shall forthwith make report of the same, including the identity
97 of the source and the aggregate total of contributions therefrom,
98 to the Election Law Enforcement Commission.

99 e. There shall be no obligation imposed upon a candidate seeking
100 election to a public office of a school district to file either the reports
101 required under section 16 (b) or the sworn statement referred to
102 in subsection d. of this section or to comply with the requirements
103 of sections 9, 11 or 12 of this act, if the total amount expended and
104 to be expended in behalf of his candidacy by the candidate, any
105 political committee, any political party committee or by any person,
106 does not in the aggregate exceed ~~[\$1,000.00]~~ *\$2,000.00*; provided,
107 that if such candidate receives contributions from any one source
108 aggregating more than ~~[\$100.00]~~ *\$200.00* he shall forthwith make a
109 report of the same, including the identity of the source and the ag-
110 gregate total of contributions therefrom, to the commission.

111 f. *In any report filed pursuant to the provisions of this section,*
112 *the names and addresses of contributors whose contributions during*
113 *the period covered by the report or in the aggregate exceed \$200.00*
114 *from a single source, that contributor and the additional amount*
115 *must be identified.*

116 In any report filed pursuant to the provisions of this section,
117 the names and addresses of contributors whose contributions ~~[dur-~~
118 *ing the period covered by the report]* *in the aggregate* did not
119 exceed ~~[\$100.00]~~ *\$200.00* may be excluded; provided, however, that
120 (1) such exclusion is unlawful if any person responsible for the
121 preparation or filing of the report knew that such exclusion was
122 made with respect to any person whose contributions relating to
123 the same election and made to the reporting candidate or to an
124 allied campaign organization or organizations aggregate, in com-

125 bination with the contribution in respect of which such exclusion
 126 is made, more than ~~【\$100.00】~~ \$200.00, and (2) any person who
 127 knowingly prepares, assists in preparing, files or acquiesces in the
 128 filing of any report from which the identity of any contributor has
 129 been excluded contrary to the provisions of this section is subject
 130 to the provisions of section 21 of this act, but (3) nothing in this
 131 proviso shall be construed as requiring any candidate reporting
 132 pursuant to this act to report the amounts, dates or other circum-
 133 stantial data regarding contributions made to any other candidate,
 134 political committee or committee of a political party.

135 g. Any report filed pursuant to the provisions of this section shall
 136 include an itemized accounting of all receipts and expenditures
 137 relative to any testimonial affair held since the date of the most
 138 recent report filed, which accounting shall include the names and
 139 addresses of each contributor in excess of ~~【\$100.00】~~ \$200.00 to such
 140 testimonial affair and the amount contributed by each, the expenses
 140A incurred, and the disposition of the proceeds of such testimonial
 141 affair.

142 h. *If all expenditures and all receipts of contributions on behalf*
 143 *of a candidate which are required to be reported under subsection a.*
 144 *of this section are conducted by and through a political committee*
 145 *which is required to file financial reports under section 8 of P. L.*
 146 *1973, c. 83 (C. 19:44A-8), the candidate may authorize that political*
 147 *committee to be his agent with respect to the reporting of those ex-*
 148 *penditures and receipts by filing with the Election Law Enforce-*
 149 *ment Commission a certificate of that authorization on a form*
 150 *prescribed by the commission. The certificate shall provide for*
 151 *designation by the candidate of the treasurer of the political com-*
 152 *mittee as the campaign treasurer of the candidate for the purpose*
 153 *of subsection a. hereof and shall generally identify and be signed*
 154 *by the candidate and the chairman and the treasurer of the political*
 155 *committee. Upon the filing of such a certificate of authorization and*
 156 *until the authorization is revoked in writing by the candidate, the*
 157 *political committee shall file the reports which the campaign trea-*
 158 *surer of the candidate would otherwise be required to file under*
 159 *subsection a. of this section.*

160 i. *In the case of a primary, general, municipal, school, or special*
 161 *election of a candidate for an office elected by a municipal or county-*
 162 *wide constituency or a school district a duplicate copy of the cam-*
 163 *paign treasurer's report, duly certified, shall be filed at the same*
 164 *time with the county clerk of the county in which the candidate*
 165 *resides.*

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

3 18. If any former candidate or any political committee [or any
 4 political information organization] or any person or association of
 5 persons in behalf of such political committee or former candidate
 6 [or organization] shall receive any contributions or make any ex-
 7 penditures with relation to any election after the date set in
 8 section 16 of this act for the final report subsequent to such election,
 9 or shall conduct any testimonial affair or public solicitation for the
 10 purpose of raising funds to cover any part of the expenses of a
 11 candidate or political committee or organization in such election,
 12 all such contributions, expenditures, testimonial affairs or public
 13 solicitations shall be reported to the Election Law Enforcement
 14 Commission by the person or persons receiving such contributions
 15 or making such expenditures or conducting such testimonial affairs
 16 or public solicitations. Such report shall be made by any person
 17 receiving any such contribution or contributions, or making any
 18 such expenditure or expenditures, which in the aggregate total
 19 more than [\\$100.00] \$200.00, or conducting any testimonial affair
 20 or public solicitation of which the net proceeds exceed [\\$100.00]
 21 \$200.00; and shall be made within 20 days from the date upon which
 22 the aggregate of such contributions, expenditures or proceeds ex-
 23 ceeds [\\$100.00] \$200.00 for the period commencing with the [fif-
 24 teenth] *twentieth* day following such election or with the date upon
 25 which any previous report was made pursuant to this section, which-
 26 ever is soonest. Such report shall be made in the same form and
 27 shall contain the same detail prescribed for any other report made
 28 pursuant to section 8 or 16 of this act.

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

3 19. a. No person shall conduct any public solicitation as defined
 4 in this act except (1) upon written authorization of the campaign
 5 treasurer of the candidate, party committee or political committee
 6 on whose behalf such solicitation is conducted, or (2) [upon written
 7 authorization of the treasurer of a political information organiza-
 8 tion, or (3)] in accordance with the provisions of subsection c. of
 9 this section. A person with such written authorization may employ
 10 and accept the services of others as solicitors, and shall be respon-
 11 sible for reporting to the treasurer the information required under
 12 subsection b. of this section and for delivery to the treasurer the
 13 net proceeds of such solicitation in compliance with sections 11 and
 14 14 of this act. A contribution made through donation or purchase in
 15 response to a public solicitation conducted pursuant to written
 16 authorization of a treasurer shall be deemed to have been made
 17 through such treasurer.

18 b. Whenever a public solicitation has been authorized by a
19 treasurer during a period covered by a report required to be filed
20 under sections 8 and 16 of this act, there shall be filed with such
21 report and as a part thereof an itemized report on any such solicita-
22 tion of which the net proceeds exceed ~~[\$100.00]~~ \$200.00, in such
23 form and detail as required by the rules of the Election Law En-
24 forcement Commission, which report shall include:

25 (1) The name of the person authorized to conduct such solicita-
26 tion, and the method of solicitation;

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

38 c. Notwithstanding the provisions of subsection b. of this section,
39 it shall be lawful for any natural person, not acting in concert with
40 any other person or group, to make personally a public solicitation
41 the entire proceeds of which, without deduction for the expenses of
42 solicitation, are to be expended by him personally or under his
43 personal direction to finance any lawful activity in support of or
44 opposition to any candidate or public question or to provide
45 political information on any candidate or public question
46 or to seek to influence the content, introduction, passage or defeat
47 of legislation; provided, however, that any individual making
48 such solicitation who receives gross contributions exceeding
49 ~~[\$100.00]~~ \$200.00 in respect of activities relating to any one election
50 shall be required to make a report stating (1) the amount so col-
51 lected, (2) the method of solicitation and (3) the purpose or pur-
52 poses for which the funds so collected were expended and the
53 amount expended for each such purpose. Such report shall be made
54 either

55 (1) to the treasurer of the candidate, political party committee,
56 or political committee ~~[or political information organization]~~ on
57 whose behalf such funds were collected and expenditures made, or
58 to his deputy, who shall cause the same to be included in this report
59 to the Election Law Enforcement Commission subject to the pro-
60 visions of sections 8 and 16 of this act; or,

61 (2) directly to the Election Law Enforcement Commission at the
62 same time and in the same manner as a political committee or
63 political information organization subject to the provisions of
64 section 8 of this act.

65 d. Contributions or purchases made in response to a public
66 solicitation conducted in conformity with the requirements and con-
67 ditions of this act shall not be deemed anonymous within the mean-
68 ing of sections 11, 14 and 20 of this act.

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

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

3 20. No contribution of money or other thing of value, nor obliga-
4 tion therefor, shall be made, and no expenditure of money or other
5 thing of value, nor obligation therefor, shall be made or incurred
6 whether anonymously, in a fictitious name, or by one person or
7 group in the name of another, to support or defeat a candidate
8 in a primary or general election or to aid the passage or defeat
9 of any public question or to provide political information on any
10 candidate or public question or to seek to influence the content,
11 introduction, passage or defeat of legislation. No person shall
12 contribute, or purport to contribute, to any political candidate,
13 party committee, political committee or [political information or-
14 ganization] *ongoing political committee* funds or property not
15 actually belonging to him and in his full custody and control, or
16 which has been given or furnished to him by any other person or
17 groups for the purpose of making a contribution thereof, except in
18 the case of group contributions by persons who are members of the
19 contributing group. No treasurer, candidate or member of a party
20 committee, political committee or [political information organiza-
21 tion] *ongoing political committee* shall solicit or knowingly accept,
22 agree to accept or concur in or abet the solicitation or acceptance
23 of any contribution contrary to the provisions of this section.

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

3 22. a. Any [person charged with the responsibility under the
4 terms of this act for the filing of any reports or other documents
5 required to be filed pursuant to this act] *candidate, campaign trea-
6 surer or the designated political committee* who fails, neglects or
7 omits to file *or certify* any such report or document at the time and
8 in the manner prescribed by law, or who omits or incorrectly states

9 any of the information required by law to be included in such report
 10 or document *or who receives prohibited currency contributions*,
 11 shall, in addition to any other penalty provided by law, be liable
 12 to a penalty of not more than \$1,000.00 for the first offense and not
 13 more than \$2,000.00 for the second and each subsequent offense.

14 b. Upon receiving evidence of any violation of this section, the
 15 Election Law Enforcement Commission shall have power to hold
 16 or to cause to be held under the provisions of subsection d. of this
 17 section, hearings upon such violation and, upon finding any person
 18 to have committed such a violation, to assess such penalty, within
 19 the limits prescribed in subsection a. of this section, as it deems
 20 proper under the circumstances, which penalty shall be paid forth-
 21 with into the State Treasury for the general purposes of the State.
 22 Such penalty shall be enforceable in a summary proceeding under
 23 "the penalty enforcement law" (N. J. S. 2A:58-1 et seq.).

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

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

1 21. Section 4 of P. L. 1981, c. 379 (C. 40:45-8) is amended to
 2 read as follows:

3 4. At least 47 days prior to a regular municipal election, the
 4 names of candidates for all elected offices shall be filed with the
 5 municipal clerk, in the following manner and form and subject to
 6 the following conditions:

7 a. The petition of nomination shall consist of individual certifi-
 8 cates, equal in number to at least 1%, but in no event less than 25,
 9 of the registered voters of the municipality or the ward, as the
 10 case may be, and shall read substantially as follows:

11 "I, the undersigned, a registered voter of the municipality
 12 of residing at
 13 certify that I do hereby join in a petition of the nomination

14 of whose residence it at
 15 for the office of mayor (or council-
 16 man-at-large, or ward councilman of the ward,
 17 or commissioner, or village trustee, as the case may be) to
 18 be voted for at the election to be held in the municipality on the
 19 19...., and I further certify that I
 20 know this candidate to be a registered voter, for the period
 21 required by law, of the municipality (and the ward, in the case
 22 of ward councilman) and a person of good moral character,
 23 and qualified, in my judgment, or perform the duties of the
 24 office, and I further certify that I have not signed more
 25 petitions or certificates of nominations than there are places
 26 to be filled for the above office.

27 Signed

28 b. Each petition signature shall be on a separate sheet of paper
 29 and shall bear the name and address of the petitioner. The candi-
 30 date for office and his campaign manager shall make an oath be-
 31 fore an officer competent to administer oaths that the statements
 32 made therein are true, and that such signature to the papers
 33 appended thereto is the genuine signature of the person whose
 34 name it purports to be, to their best knowledge and belief. The
 35 oath, signed by the candidate, shall constitute his acceptance of
 36 nomination and shall be annexed to the petition, together with the
 37 oath of his campaign manager, at the time the petition is sub-
 38 mitted.

39 c. *The municipal clerk shall immediately provide the Election*
 40 *Law Enforcement Commission with official certification of the*
 41 *filing or withdrawal of a petition of nomination.*

1 22. Section 13, 14, 15 and 17 of P. L. 1973, c. 83 (C. 19:44A-13;
 2 19:44A-14; 19:44A-15; and 19:44A-17) are repealed.

1 23. This act shall take effect on March 2, 1983.

STATEMENT

The Election Law Enforcement Commission has recently published a report which proposes numerous amendments to "The Campaign Contributions and Expenditures Reporting Act." The report is a representation of the commission's extensive review of the campaign financial disclosure requirements. This bill implements the commission's recommendations and is a product of a series of meetings with the commission's staff.

The commission's report contains three sections: simplification of filing, adjustments to thresholds and technical amendments.

The section which addresses simplifying the filing procedures included such recommendations as:

- (1) Permitting a candidate whose campaign finance activity is conducted exclusively by and through a reporting political committee to designate that committee as the candidate's reporting vehicle and thereby relieving the candidate of further reporting requirements;
- (2) Revising due dates of campaign reports to allow more time for treasurers to prepare reports;
- (3) Establishing a notice requirement for pre-election contributions in excess of \$500.00;
- (4) Providing for an option to file a sworn statement in lieu of a campaign report simultaneously with the filing of the designation of the treasurer and depository;
- (5) Permitting multi-candidate joint campaign committees expending less than \$4,000.00 in an election to file short statements in lieu of detailed reports;
- (6) Substituting a regular quarterly report in lieu of both annual and campaign reports required of political party and other ongoing political committees; and
- (7) Requiring political committees to give notice to any candidate on whose behalf expenditures are made.

The section pertaining to the adjustment of thresholds included such proposals as:

- (1) Increasing from \$1,000.00 to \$2,000.00 the amount of money which may be spent by a candidate before the requirement to file a detailed report is activated;
- (2) Increasing from \$100.00 to \$200.00 the amount that may be contributed to a candidate or committee without disclosure; and
- (3) Prohibiting all currency contributions except those qualifying as "public solicitations."

The technical amendments recommended by the commission included:

- (1) Clarifying that receipts and expenditures occurring prior to a formal declaration of candidacy are subject to disclosure;
- (2) Deleting the definition and statutory provisions relating to political information organizations;
- (3) Re-emphasizing that the identity of a contributor whose contributions in the aggregate exceed \$200.00 shall be disclosed;
- (4) Codifying the current policy that obligations remaining at the conclusion of a candidacy may be assumed by an ongoing political committee; and

(5) Modifying campaign disclosure reports to now provide for cumulative reporting of campaign finance activities.

The effective date of this bill is March 2, 1983 to assure that the 1982 annual report, due on March 1, 1983, will remain a requirement under current law.

ASSEMBLY STATE GOVERNMENT, CIVIL SERVICE,
ELECTIONS, PENSIONS AND VETERANS AFFAIRS
COMMITTEE

STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 3099 and 2290

STATE OF NEW JERSEY

DATED: JUNE 20, 1983

This bill makes numerous revisions in the election laws, and particularly in "The New Jersey Campaign Contributions and Expenditures Reporting Act," regarding the disclosure of election-related financial information.

One set of changes addresses the relief of individuals or groups from reporting obligations under the "Reporting Act." (1) The bill increases from \$1,000.00 to \$2,000.00 the total amount which a candidate may spend without having to file any detailed campaign reports. However, it requires that the sworn statement which he must submit to the Election Law Enforcement Commission (ELEC), indicating that his spending will not exceed that ceiling, must be filed no later than the date on which the first such campaign report would otherwise be due. (2) The bill adds a new provisions allowing two or more joint candidates in an election to spend up to \$4,000.00 on their joint candidacy without having to file campaign reports, provided that they likewise file with ELEC a sworn statement that the total amount to be spent on behalf of their candidacies will not exceed the indicated ceiling. (3) The bill allows a candidate whose campaign finance activity is conducted exclusively by and through a reporting political committee to designate that committee as the candidate's reporting vehicle, thereby relieving the candidate of further reporting requirement. (4) Finally, the bill directs ELEC to promulgate regulations to provide for the termination of a political committee's obligation to file post-election campaign reports. The termination would occur upon ELEC's determination that the committee's outstanding indebtedness did not exceed the lesser of 10% of its campaign expenditures or \$1,000.00, or was likely to be discharged or forgiven.

Another set of changes significantly restructures the disclosure obligations of many of the most important groups engaged in election-related financial activity. The bill establishes, as of March 2, 1984, a new reporting entity under the "Reporting Act," the "continuing political committee." This category will automatically include all

political party committees. In addition, it will include any organization (e.g., a political action committee) or group of individuals which expects to make, on an ongoing basis, annual contributions of \$2,500.00 or more to aid candidates or to promote the passage or defeat of public questions, provided ELEC has found the organization or group to qualify as a continuing political committee. After March 2, 1984, groups which qualify as continuing political committees will no longer file reports of campaign contributions and expenditures on a schedule based on the election cycle. Rather, they will file cumulative quarterly reports, on or before the fifteenth day following the close of the calendar quarter, covering activity during that quarter. The timing of the filing obligations of candidates and regular political committees will continue to be governed by the election cycle. However, as with reports of continuing political committees, the financial information in question will be presented on a cumulative, rather than interim, basis. Additionally, the dates on which these campaign reports are due to be filed will be shifted away from election day; that is, the two pre-election reports will be due four days earlier than at present, and post-election reports will be due five days later. Finally, the date on which the campaign reports are due will be two days, rather than one day, following the close of the period covered by the report.

The bill does not substantially alter the kinds of information required to be reported under the "Reporting Act"; it retains, for example, the current requirement that aggregate contributions by a single contributor in excess of \$100.00 be individually disclosed. However, a new provision is added requiring that, if a reporting entity receives a contribution in excess of \$250.00 during the period between the close of the reporting period covered by that entity's final pre-election campaign report or quarterly report, as the case may be, and the date of the election, that entity must notify ELEC of the contribution within 48 hours.

The bill clarifies provisions regarding deadlines for appointing treasurers and designating depositories and for notifying ELEC of those actions. For political party committees, the appointment and designation deadline is moved from January 31 to July 1 in each year. For candidates, political committees and continuing political committees other than party committees, the treasurer and depository must be chosen not later than the date on which the first contribution or expenditure occurs. For all reporting entities, treasurers and depositories must be identified to ELEC within 10 days of the commencement of their campaign financing activity.

The bill generally prohibits currency contributions, except when made in response to public solicitations of on-the-spot cash payments. (The upper limits on such payments, whether in currency or other cash forms,

is raised from \$10.00 to \$20.00.) Currency contributions of up to \$100.00 will be permitted, however, if the contributor submits with his contribution a signed form indicating his name and address and the amount of his contribution.

The treasurer of a candidate, political committee or continuing political committee will be required to retain for four years the record he must make of each contribution. Similarly, the clerk of the county in which a candidate for municipal, county or State office resides will be required to retain for four years a record of the filing (already required by law) of a duplicate copy of the report of the candidate's campaign treasurer.

During the period between a primary election at which members of a municipal, county or State committee of a political party are elected and the reorganization meeting of that party committee, newly elected members of the committee will be able to request and obtain access to the complete financial records of the committee or a copy of the balance sheet of the committee as of the close of business of the day of that primary election.

Three provisions of the bill have as a common purpose the reduction of intentional and inadvertent noncompliance or incomplete compliance with the "Reporting Act." (1) Officially supplied nominating petition forms will carry a notice of candidates' obligations to comply with the act, directing the reader to ELEC for further information. (2) The bill requires that political committees, continuing political committees and candidates for party office immediately notify a candidate of expenditures which they make or authorize in his behalf. (3) The bill makes any violation of the "Reporting Act," and not just (as currently) a filing delinquency or misstatement of required information, subject to a civil penalty of up to \$1,000.00 for the first offense and \$2,000.00 for each subsequent offense.

The bill incorporates into law the existing ELEC regulation that a group or organization is a "political committee," for the purposes of the "Reporting Act," if it raises or spends a total of \$1,000.00 in connection with campaign activity, the financing of which is reportable under the act.

The bill omits references, included in both A-3099 and A-2290, to expenditures by a potential candidate for "testing the waters" with respect to his possible candidacy. This omission was made in recognition of the fact that ELEC intends shortly to promulgate regulations on this subject.

1/18/84
6101

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: CARL GOLDEN

WEEDSDAY, JANUARY 18, 1984

The first major overhaul in the ten year history of New Jersey's election campaign financing and expenditure law was signed into law yesterday by Governor Thomas H. Kean.

The key changes in the law are:

*A prohibition on cash contributions above \$100. Currently, there is no limit on cash contributions.

*A requirement that Political Action Committees (PACs) and similar organizations file cumulative quarterly reports of their activities if they contribute or expect to contribute at least \$2,500. Currently, these groups are required to file reports at the same time as candidates.

*A requirement that any contribution in excess of \$250 received between the 13th day prior to the election and the election be disclosed within 48 hours of its receipt. There is no such requirement now.

*An increase from \$1,000 to \$2,000 in the amount a candidate receives or expends before he or she is required to file an accounting. A candidate in this category must file an affidavit with the Election Law Enforcement Commission, (ELEC) attesting to expenditures under that level.

*Permit a joint election campaign committee for two or more candidates to file a report on the contribution and expenditure activity of the candidates. Currently, the joint committee must file as well as all of the candidates for whom the committee was formed.

-more-

PROPERTY OF
NEW JERSEY STATE LIBRARY

FEB 1 1984

185 W. State Street
Trenton, N. J.

Election Campaign

Page Two

January 18, 1984

*An increase from \$1,000 to \$4,000 in the amount expended by a joint campaign committee before it is necessary to file an accounting. The committee must file an affidavit with ELEC, attesting to its expending less than \$4,000.

*A new system of filing deadlines --- the 29th day prior to the election, the 11th day prior to the election, and the 20th day after the election. Currently, the filings are required on the 25th day prior, the 7th day prior, and the 15th day following the election.

*A requirement that all petitions for office shall contain a notice that candidates are required to comply with the law and giving the telephone number of ELEC for further information.

The legislation is a merged bill, sponsored by Assemblyman Joseph Bocchini, D-Mercer, and Assemblyman Richard Zimmer, R-Hunterdon.

"These revisions in the law will lead to a greater and more timely public accounting of the fundraising and spending activities of candidates for public office," Kean said. "I am particularly pleased with the prohibition on cash contributions above \$100, because it will remove what had always been one of the areas most susceptible to illegal activity; namely, the handling of large sums of money in cash."

-more-

Election Campaign

Page Three

January 18, 1984

The Governor said the changes in the reporting threshold requirements and the provision to enable joint campaign committees to file on behalf of all candidates will result in less paperwork for ELEC and clearer and more concise reporting.

The legislation also makes a number of technical changes to clarify language in the existing law and remove possible ambiguities.

The legislation is effective immediately.

#####