



**FLOOR AMENDMENT STATEMENT:** Yes 1/31/2019  
3/25/2019

**LEGISLATIVE FISCAL ESTIMATE:** No

**A1524**

**SPONSOR'S STATEMENT:** (Begins on page 42 of introduced bill) Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes 3/18/2019

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, may possibly be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**VETO MESSAGE (S1500):** Yes (conditional)

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**GOVERNOR'S SIGNING STATEMENT:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

Gov. signs 'dark money' bill he initially vetoed  
Star-Ledger, The (Newark, NJ) - June 18, 2019

Governor signs dark money bill, but seeks changes - Gov. Murphy reiterated concerns that the measure is too broad and that he expects lawmakers to quickly make changes. - Gov. Murphy reiterated concerns that the measure is too broad and that he expects lawmakers to quickly make changes.  
Burlington County Times (Willingboro, NJ) - June 19, 2019

Sweeney: There was no deal on 'dark money' bill  
Star-Ledger, The (Newark, NJ) - June 19, 2019

STATE'S 'DARK MONEY' BILL'S DARK IMPACT ON CITIZENS' VOICES  
Record, The (Hackensack, NJ) - June 22, 2019

RWH/CL

P.L. 2019, CHAPTER 124, *approved June 17, 2019*  
Senate, No. 150

1 AN ACT concerning campaign finance disclosures and limits and  
2 amending various parts of the statutory law.

3

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

6

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

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

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

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

13 c. The term "candidate" means: (1) an individual seeking  
14 election to a public office of the State or of a county, municipality  
15 or school district at an election; except that the term shall not  
16 include an individual seeking party office; (2) an individual who  
17 shall have been elected or failed of election to an office, other than  
18 a party office, for which he sought election and who receives  
19 contributions and makes expenditures for any of the purposes  
20 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during  
21 the period of his service in that office; and (3) an individual who  
22 has received funds or other benefits or has made payments solely  
23 for the purpose of determining whether the individual should  
24 become a candidate as defined in paragraphs (1) and (2) of this  
25 subsection.

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

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

38 f. The term "paid personal services" means personal, clerical,  
39 administrative or professional services of every kind and nature

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

**Matter underlined thus is new matter.**

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

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

34 h. The term "political information" means any statement  
35 including, but not limited to, press releases, pamphlets, newsletters,  
36 advertisements, flyers, form letters, Internet or digital  
37 advertisements, or radio or television programs or advertisements  
38 which reflects the opinion of the members of the organization on  
39 any candidate or candidates for public office, on any public  
40 question, or which contains facts on any such candidate, or public  
41 question whether or not such facts are within the personal  
42 knowledge of members of the organization.

43 i. The term "political committee" means any two or more  
44 persons acting jointly, or any corporation, partnership, or any other  
45 incorporated or unincorporated association which is organized to, or  
46 does, aid or promote the nomination, election or defeat of any  
47 candidate or candidates for public office, or which is organized to,  
48 or does, aid or promote the passage or defeat of a public question in

1 any election, if the persons, corporation, partnership or incorporated  
2 or unincorporated association raises or expends ~~【\$1,000.00】~~ \$2,400  
3 or more to so aid or promote the nomination, election or defeat of a  
4 candidate or candidates or the passage or defeat of a public  
5 question; provided that for the purposes of this act, the term  
6 "political committee" shall not include a "continuing political  
7 committee," as defined by subsection n. of this section, a "political  
8 party committee," as defined by subsection p. of this section, a  
9 "candidate committee," as defined by subsection q. of this section, a  
10 "joint candidates committee," as defined by subsection r. of this  
11 section ~~【or】~~, a "legislative leadership committee," as defined by  
12 subsection s. of this section, or an "independent expenditure  
13 committee," as defined by subsection t. of this section.

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

32 k. The term "testimonial affair" means an affair of any kind or  
33 nature including, without limitation, cocktail parties, breakfasts,  
34 luncheons, dinners, dances, picnics or similar affairs directly or  
35 indirectly intended to raise campaign funds in behalf of a person  
36 who holds, or who is or was a candidate for nomination or election  
37 to a public office in this State, or directly or indirectly intended to  
38 raise funds in behalf of any political party committee or in behalf of  
39 a political committee, continuing political committee, candidate  
40 committee, joint candidates committee, independent expenditure  
41 committee, or legislative leadership committee.

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

45 m. The term "qualified candidate" means:

46 (1) Joint candidates for election to the offices of Governor and  
47 Lieutenant Governor whose names appear on the general election  
48 ballot; who have deposited and expended \$150,000.00 pursuant to

1 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than  
2 September 1 preceding a general election in which the offices of  
3 Governor and Lieutenant Governor are to be filled, (a) notify the  
4 Election Law Enforcement Commission in writing that the  
5 candidates intend that application will be made on the candidates'  
6 behalf for monies for general election campaign expenses under  
7 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)  
8 sign a statement of agreement, in a form to be prescribed by the  
9 commission, to participate in interactive gubernatorial election  
10 debates under the provisions of sections 9 through 11 of P.L.1989,  
11 c.4 (C.19:44A-45 through C.19:44A-47); or

12 (2) Joint candidates for election to the offices of Governor and  
13 Lieutenant Governor whose names do not appear on the general  
14 election ballot; who have deposited and expended \$150,000.00  
15 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,  
16 not later than September 1 preceding a general election in which the  
17 offices of Governor and Lieutenant Governor are to be filled, (a)  
18 notify the Election Law Enforcement Commission in writing that  
19 the candidates intend that application will be made on the  
20 candidates' behalf for monies for general election campaign  
21 expenses under subsection b. of section 8 of P.L.1974, c.26  
22 (C.19:44A-33), and (b) sign a statement of agreement, in a form to  
23 be prescribed by the commission, to participate in interactive  
24 gubernatorial election debates under the provisions of sections 9  
25 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);  
26 or

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

42 (4) Any candidate for nomination for election to the office of  
43 Governor whose name does not appear on the primary election  
44 ballot; who has deposited and expended \$150,000.00 pursuant to  
45 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than  
46 the last day for filing petitions to nominate candidates to be voted  
47 upon in a primary election for a general election in which the office  
48 of Governor is to be filled, (a) notifies the Election Law

1 Enforcement Commission in writing that the candidate intends that  
2 application will be made on the candidate's behalf for monies for  
3 primary election campaign expenses under subsection a. of section  
4 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of  
5 agreement, in a form to be prescribed by the commission, to  
6 participate in two interactive gubernatorial primary debates under  
7 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-  
8 45 through C.19:44A-47).

9 n. The term "continuing political committee" means any group  
10 of two or more persons acting jointly, or any corporation,  
11 partnership, or any other incorporated or unincorporated  
12 association, including a political club, political action committee,  
13 civic association or other organization, which in any calendar year  
14 contributes or expects to contribute at least ~~【\$2,500.00】~~ \$5,500  
15 to the aid or promotion of the candidacy of an individual, or of the  
16 candidacies of individuals, for elective public office, or the passage  
17 or defeat of a public question or public questions, and which may be  
18 expected to make contributions toward such aid or promotion or  
19 passage or defeat during a subsequent election, provided that the  
20 group, corporation, partnership, association or other organization  
21 has been determined to be a continuing political committee under  
22 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided  
23 that for the purposes of this act, the term "continuing political  
24 committee" shall not include a "political party committee," as  
25 defined by subsection p. of this section, **【or】** a "legislative  
26 leadership committee," as defined by subsection s. of this section,  
27 or an "independent expenditure committee," as defined by  
28 subsection t. of this section.

29 o. The term "statement of agreement" means a written  
30 declaration, by a candidate for nomination for election to the office  
31 of Governor, or by joint candidates for election to the offices of  
32 Governor and Lieutenant Governor who intend that application will  
33 be made on behalf of the candidate for the office of Governor to  
34 receive monies for the primary election or on behalf of the  
35 candidates for the office of Governor and the office of Lieutenant  
36 Governor for general election campaign expenses under subsection  
37 a. or subsection b., respectively, of section 8 of P.L.1974, c.26  
38 (C.19:44A-33), that the candidates undertake to abide by the terms  
39 of any rules established by any private organization sponsoring a  
40 gubernatorial primary or general election debate, as appropriate, to  
41 be held under the provisions of sections 9 through 11 of P.L.1989,  
42 c.4 (C.19:44A-45 through C.19:44A-47) and in which the  
43 candidates are to participate. The statement of agreement shall  
44 include an acknowledgment of notice to the candidates who sign it  
45 that failure on the candidates' part to participate in any of the  
46 gubernatorial debates may be cause for the termination of the  
47 payment of such monies on the candidates' behalf and for the

1 imposition of liability for the return to the commission of such  
2 monies as may previously have been so paid.

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

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

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

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

34 t. The term "independent expenditure committee" means a  
35 person organized under section 527 of the federal Internal Revenue  
36 Code (26 U.S.C. s.527) or under paragraph (4) of subsection (c) of  
37 section 501 of the federal Internal Revenue Code (26 U.S.C. s.501)  
38 that does not fall within the definition of any other organization  
39 subject to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.),  
40 that engages in influencing or attempting to influence the outcome  
41 of any election or the nomination, election, or defeat of any person  
42 to any State or local elective public office, or the passage or defeat  
43 of any public question, legislation, or regulation, or in providing  
44 political information on any candidate or public question,  
45 legislation, or regulation, and raises or expends \$3,000 or more in  
46 the aggregate for any such purpose annually, but does not  
47 coordinate its activities with any candidate or political party as  
48 determined by the Election Law Enforcement Commission pursuant

1 to the provisions of section 11 of P.L. , c. (C. ) (pending before  
2 the Legislature as this bill).

3 u. The term “electioneering communication” means any  
4 communication made within the period beginning on January 1 of  
5 an election year and the date of the election and refers to: (1) a  
6 clearly identified candidate for office and promotes or supports a  
7 candidate for that office or opposes a candidate for that office,  
8 regardless of whether the communication expressly advocates a  
9 vote for or against a candidate; or (2) a public question and  
10 promotes or supports the passage or defeat of that question,  
11 regardless of whether the communication expressly advocates a  
12 vote for or against the passage of the question. The term includes  
13 communications published in any newspaper or periodical;  
14 broadcast on radio, television, or the Internet or digital media , or  
15 any public address system; placed on any billboard, outdoor  
16 facility, button, motor vehicle, window display, poster, card,  
17 pamphlet, leaflet, flyer, or other circular; or contained in any direct  
18 mailing, robotic phone calls, or mass e-mails.

19 v. The term “independent expenditure” means an expenditure  
20 by a person expressly advocating, or the functional equivalent  
21 thereof, the election or defeat of: (1) a clearly identified candidate  
22 that is not made in concert or cooperation with or at the request or  
23 suggestion of the candidate, the candidate’s committee, a political  
24 party committee, or an agent thereof; or (2) a public question,  
25 legislation, or regulation, that is not made in concert or cooperation  
26 with or at the request or suggestion of the sponsors, organizers, or  
27 committee supporting or opposing the question, legislation, or  
28 regulation, a political party, or agents thereof. The “functional  
29 equivalent” of expressly advocating means specific advocacy that  
30 can be interpreted by a reasonable person as advocating the election  
31 or defeat of a candidate, or the passage or defeat of a public  
32 question, legislation, or regulation, taking into account whether the  
33 communication involved mentions a candidate, a political party, or  
34 a challenger to a candidate, or takes a position on a candidate’s  
35 character, qualifications, or fitness for office, or that can be  
36 interpreted by a reasonable person as taking a position on the merits  
37 of a public question, legislation, or regulation, or taking a position  
38 in favor or against the passage or defeat of a public question,  
39 legislation, or regulation.

40 (cf: P.L.2009, c.66, s.5)

41

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

44 8. a. (1) Each political committee shall make a full cumulative  
45 report, upon a form prescribed by the Election Law Enforcement  
46 Commission, of all contributions in the form of moneys, loans, paid  
47 personal services, or other things of value made to it and all  
48 expenditures made, incurred, or authorized by it in furtherance of

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

28 The campaign treasurer of the political committee reporting shall  
29 certify to the correctness of each report.

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

1 person, firm or organization to whom or which the expenditure was  
2 paid and the amount and purpose of the expenditure.

3 (2) When a political committee or an individual seeking party  
4 office makes or authorizes an expenditure on behalf of a candidate,  
5 it shall provide immediate written notification to the candidate of  
6 the expenditure.

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

26 No person serving as the chairman of a political party committee  
27 or a legislative leadership committee shall be eligible to be  
28 appointed or to serve as the chairman of a continuing political  
29 committee.

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

43 The cumulative quarterly report shall contain the name and  
44 mailing address of each person or group from whom moneys, loans,  
45 paid personal services or other things of value have been  
46 contributed and the amount contributed by each person or group,  
47 and where an individual has made such contributions, the report  
48 shall indicate the occupation of the individual and the name and

1 mailing address of the individual's employer. In the case of any  
2 loan reported pursuant to this subsection, the report shall contain  
3 the name and address of each person who cosigns such loan, and  
4 where an individual has cosigned such loans, the report shall  
5 indicate the occupation of the individual and the name and mailing  
6 address of the individual's employer. The report shall also contain  
7 the name and address of each person, firm or organization to whom  
8 expenditures have been paid and the amount and purpose of each  
9 such expenditure. The treasurer of the continuing political  
10 committee reporting shall certify to the correctness of each  
11 cumulative quarterly report.

12 Each continuing political committee shall provide immediate  
13 written notification to each candidate of all expenditures made or  
14 authorized on behalf of the candidate.

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

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

47 c. Each political party committee and each legislative  
48 leadership committee shall file with the Election Law Enforcement

1 Commission, not later than April 15, July 15, October 15 and  
2 January 15 of each calendar year, a cumulative quarterly report of  
3 all moneys, loans, paid personal services or other things of value  
4 contributed to it during the period ending on the 15th day preceding  
5 that date and commencing on January 1 of that calendar year or, in  
6 the case of the cumulative quarterly report to be filed not later than  
7 January 15, of the previous calendar year, and all expenditures  
8 made, incurred, or authorized by it during the period, whether or not  
9 such expenditures were made, incurred or authorized in furtherance  
10 of the election or defeat of any candidate, or in aid of the passage or  
11 defeat of any public question or to provide information on any  
12 candidate or public question.

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

30 **【If】** d. (1) Each independent expenditure committee shall file  
31 with the Election Law Enforcement Commission, not later than  
32 April 15, July 15, October 15 and January 15 of each calendar year,  
33 a cumulative quarterly report, upon a form prescribed by the  
34 Election Law Enforcement Commission, of all contributions  
35 received in excess of \$10,000 in the form of moneys, loans, paid  
36 personal services, or other things of value made to it, and of all  
37 expenditures in excess of \$3,000 made, incurred, or authorized by it  
38 in influencing or attempting to influence the outcome of any  
39 election or the nomination, election, or defeat of any person to State  
40 or local elective public office or the passage or defeat of any public  
41 question, legislation, or regulation, or in providing political  
42 information on any candidate or public question, legislation, or  
43 regulation, during the period ending 48 hours preceding the date of  
44 the report and beginning on the date on which the first of those  
45 contributions was received or the first of those expenditures was  
46 made, whichever occurred first. The quarterly report, except as  
47 hereinafter provided, shall contain the name and mailing address of  
48 each person or group from whom moneys, loans, paid personal

1 services or other things of value have been contributed since 48  
2 hours preceding the date on which such previous report was made  
3 and the amount contributed by each person or group in excess of  
4 \$10,000, and when the contributor is an individual, the report shall  
5 indicate the occupation of the individual and the name and mailing  
6 address of the individual's employer. In the case of any loan  
7 reported pursuant to this subsection, the report shall contain the  
8 name and mailing address of each person who has cosigned such  
9 loan since 48 hours preceding the date on which the previous such  
10 report was made, and when an individual has cosigned such loans,  
11 the report shall indicate the occupation of the individual and the  
12 name and mailing address of the individual's employer. The  
13 quarterly report shall also contain the name and address of each  
14 person, firm, or organization to whom expenditures have been paid  
15 since 48 hours preceding the date on which the previous such report  
16 was made and the amount and purpose of each such expenditure.

17 (2) An independent expenditure committee shall disclose all  
18 expenditures made by it in excess of \$3,000, including, but not  
19 limited to, for electioneering communications, voter registration,  
20 get-out-the-vote efforts, polling, and research. The disclosures  
21 required by this paragraph shall be reported to the Election Law  
22 Enforcement Commission on the same schedule as required for  
23 continuing political committees pursuant to this section.

24 The treasurer of the reporting independent expenditure  
25 committee shall certify the correctness of each report and shall  
26 maintain all records of contributions and expenditures for a period  
27 of not less than four years.

28 The \$10,000 contribution amount and the \$3,000 expenditure  
29 amount established in this subsection shall remain as stated in this  
30 subsection without further adjustment by the commission pursuant  
31 to section 22 of P.L.1993, c.65 (C.19:44A-7.2).

32 e. ~~When~~ a political party committee ~~or a~~, legislative  
33 leadership committee ~~submitting cumulative quarterly reports as~~  
34 provided under this subsection] ~~or independent expenditure~~  
35 committee receives a contribution from a single source of more than  
36 \$500 after the final day of a quarterly reporting period and on or  
37 before a primary, general, municipal, school, or special election  
38 which occurs after that final day but prior to the final day of the  
39 next reporting period it shall, in writing or by ~~telegram~~ electronic  
40 transmission, report that contribution to the commission within 48  
41 hours of the receipt thereof, including in that report the amount and  
42 date of the contribution; the name and mailing address of the  
43 contributor; and where the contributor is an individual, the  
44 individual's occupation and the name and mailing address of the  
45 individual's employer. ~~If~~ ~~When~~ a political party committee  
46 ~~or a~~, legislative leadership committee ~~submitting cumulative~~  
47 quarterly reports as provided under this subsection] , ~~or an~~

1 independent expenditure committee makes or authorizes an  
2 expenditure of money or other thing of value in excess of \$800, or  
3 incurs any obligation therefor, to support or defeat a candidate in an  
4 election, or to aid the passage or defeat of any public question, or to  
5 aid the passage or defeat of legislation or regulation in the case of  
6 an independent expenditure committee, after March 31 and on or  
7 before the day of the primary election, or after September 30 and on  
8 or before the day of the general election, it shall, in writing or by  
9 **【telegram】** electronic transmission, report that expenditure to the  
10 commission within 48 hours of the making, authorizing or incurring  
11 thereof.

12 **【d.】** f. In any report filed pursuant to the provisions of this  
13 section the organization or committee reporting may exclude from  
14 the report the name of and other information relating to any  
15 contributor whose contributions during the period covered by the  
16 report did not exceed \$300, provided, however, that (1) such  
17 exclusion is unlawful if any person responsible for the preparation  
18 or filing of the report knew that it was made with respect to any  
19 person whose contributions relating to the same election or issue  
20 and made to the reporting organization or committee aggregate, in  
21 combination with the contribution in respect of which such  
22 exclusion is made, more than \$300 and (2) any person who  
23 knowingly prepares, assists in preparing, files or acquiesces in the  
24 filing of any report from which the identification of a contributor  
25 has been excluded contrary to the provisions of this section is  
26 subject to the provisions of section 21 of **【this act】** P.L.1973, c.83  
27 (C.19:44A-21), but (3) nothing in this proviso shall be construed as  
28 requiring any committee or organization reporting pursuant to this  
29 act to report the amounts, dates or other circumstantial data  
30 regarding contributions made to any other organization or political  
31 committee, political party committee or campaign organization of a  
32 candidate.

33 g. Any report filed pursuant to the provisions of this section  
34 shall include an itemized accounting of all receipts and  
35 expenditures relative to any testimonial affairs held since the date  
36 of the most recent report filed, which accounting shall include the  
37 name and mailing address of each contributor in excess of \$300 to  
38 such testimonial affair and the amount contributed by each; in the  
39 case of an individual contributor, the occupation of the individual  
40 and the name and mailing address of the individual's employer; the  
41 expenses incurred; and the disposition of the proceeds of such  
42 testimonial affair.

43 The \$300 limit established in this subsection shall remain as  
44 stated in this subsection without further adjustment by the  
45 commission in the manner prescribed by section 22 of P.L.1993,  
46 c.65 (C.19:44A-7.2).

47 (cf: P.L.2004, c.33, s.1)

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

3       21. a. Each political committee, as defined in subsection i. of  
4 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes  
5 the nomination for election or the election of a candidate or the  
6 passage or defeat of a public question, each independent  
7 expenditure committee, as defined in subsection t. of section 3 of  
8 P.L.1973, c.83 (C.19:44A-3), each continuing political committee  
9 as defined in subsection n. of section 3 of P.L.1973, c.83, and each  
10 legislative leadership committee as defined in subsection s. of  
11 section 3 of P.L.1973, c.83, shall submit to the commission a  
12 statement of registration which includes:

13       (1) the complete name or identifying title of the committee and  
14 the general category of entity or entities, including but not limited  
15 to business organizations, labor organizations, professional or trade  
16 associations, candidate for or holder of public office, political party,  
17 ideological grouping or civic association, the interests of which are  
18 shared by the leadership, members, or financial supporters of the  
19 committee;

20       (2) the mailing address of the committee and the name and  
21 resident address of a resident of this State who shall have been  
22 designated by the committee as its agent to accept service of  
23 process; and

24       (3) a descriptive statement prepared by the organizers or officers  
25 of the committee that identifies (a) the names and mailing addresses  
26 of the persons having control over the affairs of the committee,  
27 including but not limited to persons in whose name or at whose  
28 direction or suggestion the committee solicits funds, and persons  
29 participating in any decision to make a contribution of such funds to  
30 any candidate, political committee or continuing political  
31 committee and, in the case of an independent expenditure  
32 committee, any decision to expend funds for the purpose of  
33 influencing or attempting to influence the outcome of any election  
34 or the nomination, election, or defeat of any person to State or local  
35 elective public office or the passage or defeat of any public  
36 question, legislation, or regulation, or in providing political  
37 information on any candidate or public question, legislation, or  
38 regulation; (b) the name and mailing address of any person not  
39 included among the persons identified under subparagraph (a) of  
40 this paragraph who, directly or through an agent, participated in the  
41 initial organization of the committee; (c) in the case of any person  
42 identified under subparagraph (a) or subparagraph (b) who is an  
43 individual, the occupation of that individual, the individual's home  
44 address, and the name and mailing address of the individual's  
45 employer, or, in the case of any such person which is a corporation,  
46 partnership, unincorporated association, or other organization, the  
47 name and mailing address of the organization; and (d) any other  
48 information which the Election Law Enforcement Commission may,

1 under such regulations as it shall adopt pursuant to the provisions of  
2 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
3 seq.), require as being material to the fullest possible disclosure of  
4 the economic, political and other particular interests and objectives  
5 which the committee has been organized to or does advance. The  
6 commission shall be informed, in writing, of any change in the  
7 information required by this paragraph within three days of the  
8 occurrence of the change. Legislative leadership committees shall  
9 be exempt from the requirements of subparagraphs (a), (b) and (c)  
10 of this paragraph.

11 b. After submission of a statement of registration to the  
12 commission pursuant to this section, the committee shall use the  
13 complete name or identifying title on all documents submitted to  
14 the commission, in all solicitations for contributions, in all paid  
15 media advertisements purchased or paid for by the committee in  
16 support of or in opposition to any candidate or public question, and  
17 in all contributions made by the committee to candidates or other  
18 committees and, in the case of an independent expenditure  
19 committee, any decision to expend funds for the purpose of  
20 influencing or attempting to influence the outcome of any election  
21 or the selection, nomination, election, or defeat of any person to  
22 State or local elective public office or the passage or defeat of any  
23 public question, legislation, or regulation, or in providing political  
24 information on any candidate or public question, legislation, or  
25 regulation.

26 c. Each report of contributions under section 8 of P.L.1973,  
27 c.83 (C.19:44A-8) by a political committee, continuing political  
28 committee, independent expenditure committee, or legislative  
29 leadership committee required under subsection a. of this section to  
30 submit a statement of registration shall include, in the case of each  
31 contributor who is an individual, the home address of the individual  
32 if different from the individual's mailing address, or, in the case of  
33 any contributor which is an organization, any information, in  
34 addition to that otherwise required, which the Election Law  
35 Enforcement Commission may, under such regulations as it shall  
36 adopt pursuant to the provisions of the "Administrative Procedure  
37 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being  
38 material to the fullest possible disclosure of the economic, political  
39 and other particular interests and objectives which the contributing  
40 organization has been organized to or does advance.

41 d. Any political committee, continuing political committee,  
42 independent expenditure committee, or legislative leadership  
43 committee may at any time apply to the commission for approval of  
44 an abbreviation or acronym of its complete, official name or title for  
45 its exclusive use on documents which it shall submit to the  
46 commission. Upon verification that the abbreviation or acronym  
47 has not been approved for such use by any other political  
48 committee, continuing political committee, independent expenditure

1 committee, or legislative leadership committee, the commission  
2 shall approve the abbreviation or acronym for such use by the  
3 applicant committee, and the committee, and any individual,  
4 corporation, partnership, membership organization or incorporated  
5 or unincorporated association which, under the provisions of  
6 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the  
7 commission containing a reference to that committee, shall  
8 thereafter use that approved abbreviation or acronym in documents  
9 submitted to the commission. The commission shall, during its  
10 regular office hours, maintain for public inspection in its offices a  
11 current alphabetically arranged list of all such approved  
12 abbreviations and acronyms, indicating for each the name of the  
13 committee for which it stands, and shall make copies of the list  
14 available upon request.

15 e. No foreign national, government, instrumentality, or agent may  
16 register as an independent expenditure committee for the purpose of  
17 making independent expenditures in any State or local election.

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

19

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

22 10. Each political party committee shall, on or before July 1 in  
23 each year, designate a single organizational treasurer and an  
24 organizational depository and shall, not later than the tenth day after  
25 the designation of the organizational depository file the name and  
26 address of that depository, and of the organizational treasurer, with  
27 the Election Law Enforcement Commission.

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

44 Every independent expenditure committee may designate a  
45 chairman of the committee, but no person serving as the chairman  
46 of a political party committee or a legislative leadership committee  
47 shall be eligible to be appointed or to serve as the chairman of an  
48 independent expenditure committee. No candidate or holder of

1 public office, directly or indirectly, shall establish, authorize the  
2 establishment of, maintain, or participate in the management or  
3 control of any independent expenditure committee. Every  
4 independent expenditure committee, not later than the date on  
5 which it first receives any contribution or makes or incurs any  
6 expenditure for the purpose of influencing or attempting to  
7 influence the outcome of any election or the nomination, election,  
8 or defeat of any person to State or local elective public office or the  
9 passage or defeat of any public question, legislation, or regulation,  
10 or providing political information on any candidate or public  
11 question, legislation, or regulation, shall appoint a single  
12 organizational treasurer and designate an organizational depository,  
13 but no person serving as the chairman of a political party committee  
14 or a legislative leadership committee shall be eligible to be  
15 appointed or to serve as the organizational treasurer of an  
16 independent expenditure committee. Not later than the 10th day  
17 after the initial designation of the organizational depository, the  
18 committee shall file the name and address of the depository, and of  
19 the organizational treasurer, with the Election Law Enforcement  
20 Commission.

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

34 Every legislative leadership committee shall, not later than the  
35 date on which it first receives any contribution or makes or incurs  
36 any expenditure in the furtherance or aid of the election or defeat of  
37 any candidate or the passage or defeat of any public question,  
38 appoint a single organizational treasurer and designate an  
39 organizational depository. Not later than the tenth day after the  
40 initial designation of the organizational depository, the committee  
41 shall file the name and address of the depository, and of the  
42 organizational treasurer, with the Election Law Enforcement  
43 Commission.

44 Each organizational treasurer of a State political party committee  
45 or a legislative leadership committee shall be a trained treasurer,  
46 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-  
47 6), or shall acquire such training within 90 days of appointment as  
48 an organizational treasurer. An organizational treasurer of any

1 other political party committee or a continuing political committee  
2 or an independent expenditure committee and a campaign treasurer  
3 of a political committee may be a trained treasurer.

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

14 Any political party committee, any political committee, any  
15 independent expenditure committee, any continuing political  
16 committee, and any legislative leadership committee may remove  
17 its organizational or campaign treasurer or deputy treasurer. In the  
18 case of the death, resignation or removal of its organizational or  
19 campaign treasurer, the committee shall appoint a successor as soon  
20 as practicable and shall file his name and address with the Election  
21 Law Enforcement Commission within three days.

22 (cf: P.L.2004, c.22, s.3)

23

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

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

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

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

42 c. The duly appointed campaign treasurer or deputy campaign  
43 treasurers of a political committee; **[or]**

44 d. The duly appointed organizational treasurer or deputy  
45 organizational treasurer of a legislative leadership committee; or

46 e. The duly appointed organizational treasurer or deputy  
47 organizational treasurer of an independent expenditure committee.

1       It shall be lawful, however, for any person, not acting in concert  
2 with any other person or group, to expend personally from his own  
3 funds a sum which is not to be repaid to him for any purpose not  
4 prohibited by law, or to contribute his own personal services and  
5 personal traveling expenses, to support or defeat a candidate or to  
6 aid the passage or defeat of a public question; provided, however,  
7 that any person making such expenditure shall be required to report  
8 his or her name and mailing address and the amount of all such  
9 expenditures and expenses, except personal traveling expenses, if  
10 the total of the money so expended, exclusive of such traveling  
11 expenses, exceeds \$500, and also, where the person is an individual,  
12 to report the individual's occupation and the name and mailing  
13 address of the individual's employer, to the Election Law  
14 Enforcement Commission at the same time and in the same manner  
15 as a political committee subject to the provisions of section 8 of  
16 **【this act】** P.L.1973, c.83 (C.19:44A-8). Such expenditure made  
17 during the period between the 13th day prior to the election and the  
18 date of the election shall be filed in writing or by telegram within  
19 48 hours of the making, incurring or authorization of the  
20 expenditure and shall set forth the name and mailing address of the  
21 person, firm or organization to whom or which the expenditure was  
22 paid and the amount and purpose of the expenditure.

23       No contribution of money shall be made in currency, except  
24 contributions in response to a public solicitation, provided that  
25 cumulative currency contributions of up to \$200 may be made to a  
26 candidate committee or joint candidates committee, a political  
27 committee, a continuing political committee, an independent  
28 expenditure committee, a legislative leadership committee or a  
29 political party committee if the contributor submits with the  
30 currency contribution a written statement of a form as prescribed by  
31 the commission, indicating the contributor's name, mailing address  
32 and occupation and the amount of the contribution, including the  
33 contributor's signature and the name and mailing address of the  
34 contributor's employer. Adjustments to the \$200 limit established in  
35 this paragraph which have been made by the Election Law  
36 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
37 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
38 rescinded. The \$200 limit established in this paragraph shall remain  
39 as stated in this paragraph without further adjustment by the  
40 commission in the manner prescribed by section 22 of P.L.1993,  
41 c.65 (C.19:44A-7.2).

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

46       No person, partnership or association, either directly or through  
47 an agent, shall make any loan or advance, the proceeds of which  
48 that person, partnership or association knows or has reason to know

1 or believe are intended to be used by the recipient thereof to make a  
2 contribution or expenditure, except by check or money order  
3 identifying the name, mailing address and occupation or business of  
4 the maker of the loan, and, if the maker is an individual, the name  
5 and mailing address of that individual's employer; provided,  
6 however, that such loans or advances to a single individual, up to a  
7 cumulative amount of \$50 in any calendar year, may be made in  
8 currency.

9 (cf: P.L.2004, c.33, s.2)

10

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

13 12. An organizational or campaign treasurer or deputy  
14 organizational or campaign treasurer of a candidate committee or  
15 joint candidates committee, a political committee, a continuing  
16 political committee, an independent expenditure committee, a  
17 political party committee or a legislative leadership committee shall  
18 make a written record of all funds which he receives as  
19 contributions to the candidate committee, joint candidates  
20 committee, political committee, continuing political committee,  
21 independent expenditure committee, political party committee or  
22 legislative leadership committee, including in that record the name  
23 and mailing address of the contributor, the amount and date of the  
24 contribution, and where the contributor is an individual, the  
25 occupation of the individual and the name and mailing address of  
26 the individual's employer. The organizational or campaign treasurer  
27 shall retain that record for a period of not less than four years. All  
28 funds so received shall be deposited by the campaign or  
29 organizational treasurer or deputy campaign or organizational  
30 treasurer in a campaign depository of the candidate committee or  
31 joint candidates committee, the continuing political committee,  
32 political committee, independent expenditure committee, political  
33 party committee or legislative leadership committee no later than  
34 the tenth calendar day following receipt of such funds; except that  
35 any such treasurer or deputy treasurer may, when authorized by the  
36 candidate, candidates or committee of which he is the campaign or  
37 organizational treasurer or deputy campaign or organizational  
38 treasurer, transfer any such funds to the duly designated campaign  
39 or organizational treasurer or deputy campaign or organizational  
40 treasurer of another candidate or committee, for inclusion in the  
41 campaign depository thereof, without first so depositing them;  
42 provided, however, that the amount so transferred shall not be in  
43 excess of the amount that may be contributed by one candidate to  
44 another candidate in an election pursuant to section 18 of P.L.1993,  
45 c.65 (C.19:44A-11.3), but this proviso shall not be construed to  
46 prohibit a county or municipal committee of a political party from  
47 making a contribution or contributions, or from transferring funds  
48 as hereinabove authorized, to any candidate, candidate committee,

1 joint candidates committee, political committee, continuing political  
2 committee, independent expenditure committee, political party  
3 committee, or legislative leadership committee. A record of all  
4 nondeposited funds so transferred shall be attached to the statement  
5 required under this section, identifying them as to source and  
6 amount in the same manner as deposited funds.  
7 (cf: P.L.1995, c.178, s.1)

8  
9 7. Section 18 of P.L.1973, c.83 (C.19:44A-18) is amended to  
10 read as follows:

11 18. If any former candidate or any political committee or any  
12 person or association of persons in behalf of such political  
13 committee or former candidate shall receive any contributions or  
14 make any expenditures with relation to any election after the date  
15 set in section 16 of **[this act]** P.L.1973, c.83 (C.19:44A-16) for the  
16 final report subsequent to such election, or shall conduct any  
17 testimonial affair or public solicitation for the purpose of raising  
18 funds to cover any part of the expenses of a candidate **[or]**,  
19 political committee, independent expenditure committee, or other  
20 organization in such election, all such contributions, expenditures,  
21 testimonial affairs or public solicitations shall be reported to the  
22 Election Law Enforcement Commission by the person or persons  
23 receiving such contributions or making such expenditures or  
24 conducting such testimonial affairs or public solicitations. Such  
25 report shall be made by any person receiving any such contribution  
26 or contributions, or making any such expenditure or expenditures,  
27 which in the aggregate total more than \$100.00, or conducting any  
28 testimonial affair or public solicitation of which the net proceeds  
29 exceed \$100.00; and shall be made within 20 days from the date  
30 upon which the aggregate of such contributions, expenditures or  
31 proceeds exceed \$100.00 for the period commencing with the 19th  
32 day following such election or with the date upon which any  
33 previous report was made pursuant to this section, whichever is  
34 sooner. Such report shall be made in the same form and shall  
35 contain the same detail prescribed for any other report made  
36 pursuant to section 8 or 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8  
37 or C.19:44A-16).

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

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

42 19. a. No person shall conduct any public solicitation as defined  
43 in this act except (1) upon written authorization of the campaign or  
44 organizational treasurer of the candidate committee or joint  
45 candidates committee, political committee, continuing political  
46 committee, political party committee, independent expenditure  
47 committee, or legislative leadership committee on whose behalf  
48 such solicitation is conducted, or (2) in accordance with the

1 provisions of subsection c. of this section. A person with such  
2 written authorization may employ and accept the services of others  
3 as solicitors, and shall be responsible for reporting to the treasurer  
4 the information required under subsection b. of this section and for  
5 delivery to the treasurer the net proceeds of such solicitation in  
6 compliance with section 11 of **[this act]** P.L.1973, c.83 (C.19:44A-  
7 11). A contribution made through donation or purchase in response  
8 to a public solicitation conducted pursuant to written authorization  
9 of a treasurer shall be deemed to have been made through such  
10 treasurer.

11 b. Whenever a public solicitation has been authorized by a  
12 treasurer during a period covered by a report required to be filed  
13 under sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8  
14 and C.19:44A-16), there shall be filed with such report and as a part  
15 thereof an itemized report on any such solicitation of which the net  
16 proceeds exceed \$200, in such form and detail as required by the  
17 rules of the Election Law Enforcement Commission, which report  
18 shall include:

19 (1) The name and mailing address of the person authorized to  
20 conduct such solicitation, the method of solicitation and, where the  
21 person is an individual, the occupation of the individual and the  
22 name and mailing address of the individual's employer;

23 (2) The gross receipts and expenses involved in the solicitation  
24 including the actual amount paid for any items purchased for resale  
25 in connection with the solicitation, or, if such items or any portion  
26 of the cost thereof was donated, the estimated actual value thereof  
27 and the actual amount paid therefor, and the names and addresses of  
28 any such donors. If it is not practicable for such itemized report to  
29 be completed in time to be included with the report due under  
30 sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8 and  
31 C.19:44A-16) for the period during which such solicitation was  
32 held, then such itemized report may be omitted from said report and  
33 if so omitted shall be included in the report for the next succeeding  
34 period.

35 Adjustments to the \$200 limit established in this subsection  
36 which have been made by the Election Law Enforcement  
37 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-  
38 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The  
39 \$200 limit established in this subsection shall remain as stated in  
40 this subsection without further adjustment by the commission in the  
41 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

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

1 provide political information on any candidate or public question or  
2 to seek to influence the content, introduction, passage or defeat of  
3 legislation; provided, however, that any individual making such  
4 solicitation who receives gross contributions exceeding \$200 in  
5 respect to activities relating to any one election shall be required to  
6 make a report stating (1) the amount so collected, (2) the method of  
7 solicitation, (3) the purpose or purposes for which the funds so  
8 collected were expended and the amount expended for each such  
9 purpose and (4) the individual's name and mailing address, the  
10 individual's occupation and the name and mailing address of the  
11 individual's employer. Adjustments to the \$200 limit established in  
12 this subsection which have been made by the Election Law  
13 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
14 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
15 rescinded. The \$200 limit established in this subsection shall  
16 remain as stated in this subsection without further adjustment by the  
17 commission in the manner prescribed by section 22 of P.L.1993,  
18 c.65 (C.19:44A-7.2).

19 Such report shall be made to the Election Law Enforcement  
20 Commission at the same time and in the same manner as a political  
21 committee, continuing political committee, political party  
22 committee, independent expenditure committee, or a legislative  
23 leadership committee subject to the provisions of section 8 of **[this**  
24 **act]** P.L.1973, c.83 (C.19:44A-8).

25 d. Contributions or purchases made in response to a public  
26 solicitation conducted in conformity with the requirements and  
27 conditions of **[this act]** P.L.1973, c.83 (C.19:44A-1 et seq.) shall  
28 not be deemed anonymous within the meaning of sections 11 and 20  
29 of **[this]** the act.

30 e. No person contributing in good faith to a public solicitation  
31 not duly authorized in compliance with the provisions of **[this act]**  
32 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be liable to any penalty  
33 under **[this]** the act by reason of having made such contribution.  
34 (cf: P.L.2004, c.28, s.6)

35  
36 9. Section 20 of P.L.1973, c.83 (C.19:44A-20) is amended to  
37 read as follows:

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

1 No individual, either alone or jointly with one or more other  
2 individuals, and no corporation, partnership, membership  
3 organization or other incorporated or unincorporated association  
4 shall loan or advance to any individual, group of individuals,  
5 corporation, partnership, membership organization or other  
6 incorporated or unincorporated association any money or other  
7 thing of value expressly for the purpose of inducing the recipient  
8 thereof, or any other individual, group, corporation, partnership,  
9 organization or association, to make a contribution, either directly  
10 or indirectly, of money or other thing of value to a candidate or the  
11 candidate committee or joint candidates committee of a candidate.

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

24 No treasurer, candidate or member of a candidate committee,  
25 joint candidates committee, political committee, continuing political  
26 committee, independent expenditure committee, political party  
27 committee or legislative leadership committee shall solicit or  
28 knowingly accept, agree to accept or concur in or abet the  
29 solicitation or acceptance of any contribution contrary to the  
30 provisions of this section.

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

32

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

35 2. a. Whenever a candidate committee, joint candidates  
36 committee, political committee, continuing political committee,  
37 independent expenditure committee, political party committee or  
38 legislative leadership committee, or any group other than such a  
39 committee, or any person makes, incurs or authorizes an expenditure  
40 for the purpose of financing a communication aiding or promoting the  
41 nomination, election or defeat of any candidate or providing political  
42 information on any candidate which is an expenditure that the  
43 committee, group or person is required to report to the Election Law  
44 Enforcement Commission pursuant to P.L.1973, c.83 (C.19:44A-1 et  
45 seq.), the communication shall clearly state the name and business or  
46 residence address of the committee, group or person, as that  
47 information appears on reports filed with the commission, and that the  
48 communication has been financed by that committee, group or person.

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

17        c. A communication that is financed by an independent  
18 expenditure committee or by any person, not acting in concert with a  
19 candidate or any person or committee acting on behalf of a candidate,  
20 shall contain a clear and conspicuous statement that the expenditure  
21 was not made with the cooperation or prior consent of, or in  
22 consultation with or at the request or suggestion of, any such  
23 candidate, person or committee.

24        d. Any person who accepts compensation from a committee,  
25 group or individual described in subsection a. or b. of this section for  
26 the purpose of printing, broadcasting, or otherwise disseminating to  
27 the electorate a communication shall require the committee, group, or  
28 individual to file a copy of the statement of registration required to be  
29 filed with the Election Law Enforcement Commission pursuant to  
30 section 21 of P.L.1993, c.65 (C.19:44A-8.1) and shall maintain a  
31 record of the transaction which shall include an exact copy of the  
32 communication and a statement of the number of copies made or the  
33 dates and times that the communication was broadcast or otherwise  
34 transmitted, and the name and address of the committee, group or  
35 individual paying for the communication. The record shall be  
36 maintained on file at the principal office of the person accepting the  
37 communication for at least two years and shall be available for public  
38 inspection during normal business hours.

39        e. As used in this section, "communication" means a press  
40 release, pamphlet, flyer, form letter, sign, billboard, paid advertisement  
41 printed in any newspaper or other publication or broadcast on radio or  
42 television, or telephone call featuring a recorded message, or any other  
43 form of advertising , including Internet and digital advertising,  
44 directed to the electorate.

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

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

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

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

25 In addition, the commission shall have the authority to provide, by  
26 regulation, that a communication need not include the address of the  
27 committee, group or person financing the communication in  
28 circumstances where the name of a committee, group or person would  
29 be sufficient to identify it from the commission's records.

30 (cf: P.L.2004, c.30, s.1)

31  
32 11. (New section) To determine whether a person, candidate  
33 committee, joint candidates committee, continuing political  
34 committee, or independent expenditure committee has made a  
35 coordinated expenditure with any candidate or political party, the  
36 Election Law Enforcement Commission shall consider whether the  
37 candidate or political party, the candidate committee, or any staff  
38 member or agent thereof:

39 a. cooperated with, consented to, authorized, or exercised  
40 control over the production or circulation of the communication  
41 expenditure;

42 b. requested or suggested that the communication expenditure  
43 be made;

44 c. provided information to the person or entity making the  
45 communication expenditure with regard to the content, timing,  
46 location, mode, intended audience, distribution, or placement of the  
47 television, radio, direct mail, or other form of communication;

1 d. discussed or negotiated with the purchaser, creator,  
2 producer, or distributor of the communication concerning the  
3 content, timing, location, mode, intended audience, distribution, or  
4 placement of the communication;

5 e. shared information or held discussions on campaign or  
6 media strategy with the person or entity making the communication  
7 expenditure or with the purchaser, creator, producer, or distributor  
8 of the communication;

9 f. shared its polling or other research with the person or entity  
10 making the communication expenditure or whether or not the  
11 person or entity making the communication expenditure shared its  
12 polling or other research with the candidate, candidate committee,  
13 or with any agent of the candidate or candidate committee; or

14 g. engaged in any other activity the Election Law Enforcement  
15 Commission determines, by regulation, constitutes a coordinated  
16 expenditure.

17

18 12. (New section) If any provision of this act, P.L. , c. (pending  
19 before the Legislature as this bill), or the application thereof to any  
20 person or circumstance is held invalid, such invalidity shall not affect  
21 other provisions or applications which can be given effect without the  
22 invalid provisions or applications, and to this end the provisions of this  
23 act are declared to be severable.

24

25 13. This act shall take effect on the first date, following  
26 enactment, that occurs after July 16, 2019 by which a quarterly  
27 report would be required to be filed pursuant to paragraph (1) of  
28 subsection d. of section 8 of P.L.1973, c.83 (C.19:44A-8), but the  
29 first such report shall not be required to be filed until the next  
30 quarterly report filing deadline thereafter as specified in that  
31 paragraph and shall include only those reportable items which occur  
32 after the effective date of this act.

33

34

35

#### STATEMENT

36

37 This bill revises “The New Jersey Campaign Contributions and  
38 Expenditures Reporting Act” to institute new reporting  
39 requirements on certain organizations.

40 The bill requires disclosure by any “independent expenditure  
41 committee,” defined as any person organized under section 527 or  
42 paragraph (4) of subsection (c) of section 501 of the federal Internal  
43 Revenue Code that engages in influencing or attempting to  
44 influence the outcome of any election or the nomination, election,  
45 or defeat of any person to any State or local elective public office or  
46 the passage or defeat of any public question, legislation, or  
47 regulation, or in providing political information on any candidate or  
48 public question, legislation, or regulation, and raises or expends

1 \$3,000 or more for any such purpose. The bill requires these  
2 committees to report contributions in excess of \$10,000 and  
3 expenditures in excess of \$3,000 to the Election Law Enforcement  
4 Commission (ELEC), and prohibits a candidate or holder of public  
5 office from establishing, authorizing the establishment of,  
6 maintaining, or participating directly or indirectly, in the  
7 management or control of any independent expenditure committee.  
8 Under R.S.1:1-2, the term “person” includes corporations,  
9 companies, associations, societies, firms, partnerships and joint  
10 stock companies as well as individuals.

11 The bill defines “electioneering communication” as any  
12 communication made from January 1 of an election year and the  
13 date of the election and refers to: 1) a clearly identified candidate  
14 for office and promotes or supports a candidate for that office or  
15 opposes a candidate for that office, regardless of whether the  
16 communication expressly advocates a vote for or against a  
17 candidate; or 2) a public question, and promotes or supports the  
18 passage or defeat of that question, regardless of whether the  
19 communication expressly advocates a vote for or against the  
20 passage of the question. The term includes communications  
21 published in any newspaper or periodical; or broadcast on radio,  
22 television, the Internet or digital media, or any public address  
23 system; placed on any billboard, outdoor facility, button, motor  
24 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or  
25 other circular; or contained in any direct mailing, robotic phone  
26 calls, or mass e-mails.

27 The bill defines “independent expenditure” as an expenditure by  
28 a person expressly advocating, or the functional equivalent thereof,  
29 the election or defeat of: 1) a clearly identified candidate that is not  
30 made in concert or cooperation with or at the request or suggestion  
31 of the candidate, the candidate’s committee, a political party  
32 committee, or an agent thereof; or 2) a public question, legislation,  
33 or regulation, that is not made in concert or cooperation with or at  
34 the request or suggestion of the sponsors, organizers, or committee  
35 supporting or opposing the question, legislation, or regulation, a  
36 political party, or agents thereof. The “functional equivalent” of  
37 expressly advocating means specific advocacy that can be  
38 interpreted by a reasonable person as advocating the election or  
39 defeat of a candidate, or the passage or defeat of a public question,  
40 legislation, or regulation, taking into account whether the  
41 communication involved mentions a candidate, a political party, or  
42 a challenger to a candidate, or takes a position on a candidate’s  
43 character, qualifications, or fitness for office, or that can be  
44 interpreted by a reasonable person as taking a position on the merits  
45 of a public question, legislation, or regulation, or taking a position  
46 in favor or against the passage or defeat of the public question,  
47 legislation, or regulation.

1       The bill codifies the criteria used by ELEC to determine when  
2 coordination with a candidate or political party has occurred, and  
3 allows ELEC to issue additional criteria by regulation. Under the  
4 bill, foreign entities would be prohibited from registering as  
5 independent expenditure committees for the purpose of making  
6 independent expenditures in any State or local election. The bill  
7 explicitly includes Internet and digital advertisement in the  
8 definitions of “political information,” “electioneering  
9 communication,” and “communication.” It further requires persons  
10 who accept compensation from any committee, group, or individual  
11 for the placement of communication to be disseminated to the  
12 electorate to require such committee, group, or individual to file a  
13 copy of their statement of registration they filed with ELEC.

14       Under the bill, independent expenditure committees would file  
15 quarterly reports of contributions received in excess of \$10,000 and  
16 expenditures made in excess of \$3,000. The bill requires  
17 independent expenditure committees to also report within 48 hours  
18 any contribution received or expenditure made in excess of \$500  
19 and \$800, respectively, when such is received or made after the  
20 final day of a quarterly reporting period and on or before an election  
21 which occurs after that final day but before the final day of the next  
22 reporting period.

23       The provisions of the bill are severable. The bill would take  
24 effect on the first date, following enactment, that occurs after July  
25 16, 2019 by which a quarterly report would be required to be filed  
26 pursuant to N.J.S.A.19:44A-8(d)(1). The bill specifies that the first  
27 of those reports will not be required to be filed until the next  
28 quarterly report filing deadline as specified in that paragraph and  
29 specifies that the report need only include those reportable items  
30 which occur after the effective date of the bill.

31

32

33

34

35       Concerns disclosure requirements by independent expenditure  
36 committees.

# SENATE, No. 150

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 10, 2019

**Sponsored by:**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Assemblyman ANDREW ZWICKER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman SHAVONDA E. SUMTER**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

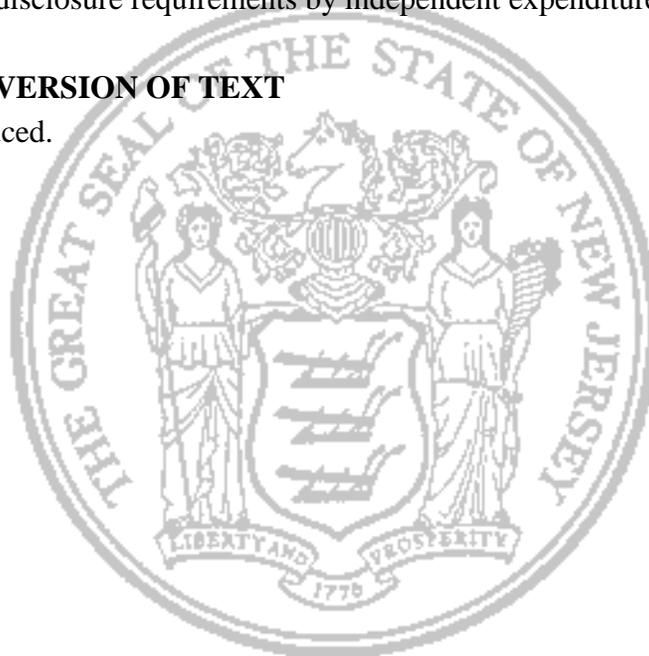
**Assemblyman Bramnick**

**SYNOPSIS**

Concerns disclosure requirements by independent expenditure committees.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/11/2019)**

1 AN ACT concerning campaign finance disclosures and limits and  
2 amending various parts of the statutory law.

3

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

6

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

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

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

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

13 c. The term "candidate" means: (1) an individual seeking  
14 election to a public office of the State or of a county, municipality  
15 or school district at an election; except that the term shall not  
16 include an individual seeking party office; (2) an individual who  
17 shall have been elected or failed of election to an office, other than  
18 a party office, for which he sought election and who receives  
19 contributions and makes expenditures for any of the purposes  
20 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during  
21 the period of his service in that office; and (3) an individual who  
22 has received funds or other benefits or has made payments solely  
23 for the purpose of determining whether the individual should  
24 become a candidate as defined in paragraphs (1) and (2) of this  
25 subsection.

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

36 e. The term "election" means any election described in section  
37 4 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,  
41 canvassing, telephone, speech writing or other such services,  
42 performed other than on a voluntary basis, the salary, cost or  
43 consideration for which is paid, borne or provided by someone  
44 other than the committee, candidate or organization for whom such  
45 services are rendered. In determining the value, for the purpose of

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

**Matter underlined thus is new matter.**

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

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

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

37 i. The term "political committee" means any two or more  
38 persons acting jointly, or any corporation, partnership, or any other  
39 incorporated or unincorporated association which is organized to, or  
40 does, aid or promote the nomination, election or defeat of any  
41 candidate or candidates for public office, or which is organized to,  
42 or does, aid or promote the passage or defeat of a public question in  
43 any election, if the persons, corporation, partnership or incorporated  
44 or unincorporated association raises or expends **[\$1,000.00] \$2,400**  
45 or more to so aid or promote the nomination, election or defeat of a  
46 candidate or candidates or the passage or defeat of a public  
47 question; provided that for the purposes of this act, the term  
48 "political committee" shall not include a "continuing political

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

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

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

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

39 m. The term "qualified candidate" means:

40 (1) Joint candidates for election to the offices of Governor and  
41 Lieutenant Governor whose names appear on the general election  
42 ballot; who have deposited and expended \$150,000.00 pursuant to  
43 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than  
44 September 1 preceding a general election in which the offices of  
45 Governor and Lieutenant Governor are to be filled, (a) notify the  
46 Election Law Enforcement Commission in writing that the  
47 candidates intend that application will be made on the candidates'  
48 behalf for monies for general election campaign expenses under

1 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)  
2 sign a statement of agreement, in a form to be prescribed by the  
3 commission, to participate in interactive gubernatorial election  
4 debates under the provisions of sections 9 through 11 of P.L.1989,  
5 c.4 (C.19:44A-45 through C.19:44A-47); or

6 (2) Joint candidates for election to the offices of Governor and  
7 Lieutenant Governor whose names do not appear on the general  
8 election ballot; who have deposited and expended \$150,000.00  
9 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,  
10 not later than September 1 preceding a general election in which the  
11 offices of Governor and Lieutenant Governor are to be filled, (a)  
12 notify the Election Law Enforcement Commission in writing that  
13 the candidates intend that application will be made on the  
14 candidates' behalf for monies for general election campaign  
15 expenses under subsection b. of section 8 of P.L.1974, c.26  
16 (C.19:44A-33), and (b) sign a statement of agreement, in a form to  
17 be prescribed by the commission, to participate in interactive  
18 gubernatorial election debates under the provisions of sections 9  
19 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);  
20 or

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

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

1 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-  
2 45 through C.19:44A-47).

3 n. The term "continuing political committee" means any group  
4 of two or more persons acting jointly, or any corporation,  
5 partnership, or any other incorporated or unincorporated  
6 association, including a political club, political action committee,  
7 civic association or other organization, which in any calendar year  
8 contributes or expects to contribute at least ~~【\$2,500.00】~~ \$5,500 to  
9 the aid or promotion of the candidacy of an individual, or of the  
10 candidacies of individuals, for elective public office, or the passage  
11 or defeat of a public question or public questions, and which may be  
12 expected to make contributions toward such aid or promotion or  
13 passage or defeat during a subsequent election, provided that the  
14 group, corporation, partnership, association or other organization  
15 has been determined to be a continuing political committee under  
16 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided  
17 that for the purposes of this act, the term "continuing political  
18 committee" shall not include a "political party committee," as  
19 defined by subsection p. of this section, **【or】** a "legislative  
20 leadership committee," as defined by subsection s. of this section,  
21 or an "independent expenditure committee," as defined by  
22 subsection t. of this section.

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

44 p. The term "political party committee" means the State  
45 committee of a political party, as organized pursuant to R.S.19:5-4,  
46 any county committee of a political party, as organized pursuant to  
47 R.S.19:5-3, or any municipal committee of a political party, as  
48 organized pursuant to R.S.19:5-2.

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

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

20 s. The term "legislative leadership committee" means a  
21 committee established, authorized to be established, or designated  
22 by the President of the Senate, the Minority Leader of the Senate,  
23 the Speaker of the General Assembly or the Minority Leader of the  
24 General Assembly pursuant to section 16 of P.L.1993, c.65  
25 (C.19:44A-10.1) for the purpose of receiving contributions and  
26 making expenditures.

27 t. The term "independent expenditure committee" means a  
28 person organized under section 527 of the federal Internal Revenue  
29 Code (26 U.S.C. s.527) or under paragraph (4) of subsection (c) of  
30 section 501 of the federal Internal Revenue Code (26 U.S.C. s.501)  
31 that does not fall within the definition of any other organization  
32 subject to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.),  
33 that engages in influencing or attempting to influence the outcome  
34 of any election or the nomination, election, or defeat of any person  
35 to any State or local elective public office, or the passage or defeat  
36 of any public question, legislation, or regulation, or in providing  
37 political information on any candidate or public question,  
38 legislation, or regulation, and raises or expends \$3,000 or more in  
39 the aggregate for any such purpose annually, but does not  
40 coordinate its activities with any candidate or political party as  
41 determined by the Election Law Enforcement Commission pursuant  
42 to the provisions of section 11 of P.L. , c. (C. ) (pending before  
43 the Legislature as this bill).

44 u. The term "electioneering communication" means any  
45 communication made within the period beginning on January 1 of  
46 an election year and the date of the election and refers to: (1) a  
47 clearly identified candidate for office and promotes or supports a  
48 candidate for that office or opposes a candidate for that office,

1 regardless of whether the communication expressly advocates a  
2 vote for or against a candidate; or (2) a public question and  
3 promotes or supports the passage or defeat of that question,  
4 regardless of whether the communication expressly advocates a  
5 vote for or against the passage of the question. The term includes  
6 communications published in any newspaper or periodical;  
7 broadcast on radio, television, or the Internet or digital media , or  
8 any public address system; placed on any billboard, outdoor  
9 facility, button, motor vehicle, window display, poster, card,  
10 pamphlet, leaflet, flyer, or other circular; or contained in any direct  
11 mailing, robotic phone calls, or mass e-mails.

12 v. The term “independent expenditure” means an expenditure  
13 by a person expressly advocating, or the functional equivalent  
14 thereof, the election or defeat of: (1) a clearly identified candidate  
15 that is not made in concert or cooperation with or at the request or  
16 suggestion of the candidate, the candidate’s committee, a political  
17 party committee, or an agent thereof; or (2) a public question,  
18 legislation, or regulation, that is not made in concert or cooperation  
19 with or at the request or suggestion of the sponsors, organizers, or  
20 committee supporting or opposing the question, legislation, or  
21 regulation, a political party, or agents thereof. The “functional  
22 equivalent” of expressly advocating means specific advocacy that  
23 can be interpreted by a reasonable person as advocating the election  
24 or defeat of a candidate, or the passage or defeat of a public  
25 question, legislation, or regulation, taking into account whether the  
26 communication involved mentions a candidate, a political party, or  
27 a challenger to a candidate, or takes a position on a candidate’s  
28 character, qualifications, or fitness for office, or that can be  
29 interpreted by a reasonable person as taking a position on the merits  
30 of a public question, legislation, or regulation, or taking a position  
31 in favor or against the passage or defeat of a public question,  
32 legislation, or regulation.

33 (cf: P.L.2009, c.66, s.5)

34

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

37 8. a. (1) Each political committee shall make a full cumulative  
38 report, upon a form prescribed by the Election Law Enforcement  
39 Commission, of all contributions in the form of moneys, loans, paid  
40 personal services, or other things of value made to it and all  
41 expenditures made, incurred, or authorized by it in furtherance of  
42 the nomination, election, or defeat of any candidate, or in aid of the  
43 passage or defeat of any public question, or to provide political  
44 information on any candidate or public question, during the period  
45 ending 48 hours preceding the date of the report and beginning on  
46 the date on which the first of those contributions was received or  
47 the first of those expenditures was made, whichever occurred first.  
48 The cumulative report, except as hereinafter provided, shall contain

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

21 The campaign treasurer of the political committee reporting shall  
22 certify to the correctness of each report.

23 Each campaign treasurer of a political committee shall file  
24 written notice with the commission of a contribution in excess of  
25 \$500 received during the period between the 13th day prior to the  
26 election and the date of the election, and of an expenditure of  
27 money or other thing of value in excess of \$500 made, incurred or  
28 authorized by the political committee to support or defeat a  
29 candidate in an election, or to aid the passage or defeat of any  
30 public question, during the period between the 13th day prior to the  
31 election and the date of the election. The notice of a contribution  
32 shall be filed in writing or by **[telegram]** electronic transmission  
33 within 48 hours of the receipt of the contribution and shall set forth  
34 the amount and date of the contribution, the name and mailing  
35 address of the contributor, and where the contributor is an  
36 individual, the individual's occupation and the name and mailing  
37 address of the individual's employer. The notice of an expenditure  
38 shall be filed in writing or by **[telegram]** electronic transmission  
39 within 48 hours of the making, incurring or authorization of the  
40 expenditure and shall set forth the name and mailing address of the  
41 person, firm or organization to whom or which the expenditure was  
42 paid and the amount and purpose of the expenditure.

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

47 b. (1) A group of two or more persons acting jointly, or any  
48 corporation, partnership, or any other incorporated or

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

18 No person serving as the chairman of a political party committee  
19 or a legislative leadership committee shall be eligible to be  
20 appointed or to serve as the chairman of a continuing political  
21 committee.

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

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

1 such expenditure. The treasurer of the continuing political  
2 committee reporting shall certify to the correctness of each  
3 cumulative quarterly report.

4 Each continuing political committee shall provide immediate  
5 written notification to each candidate of all expenditures made or  
6 authorized on behalf of the candidate.

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

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

39 c. Each political party committee and each legislative  
40 leadership committee shall file with the Election Law Enforcement  
41 Commission, not later than April 15, July 15, October 15 and  
42 January 15 of each calendar year, a cumulative quarterly report of  
43 all moneys, loans, paid personal services or other things of value  
44 contributed to it during the period ending on the 15th day preceding  
45 that date and commencing on January 1 of that calendar year or, in  
46 the case of the cumulative quarterly report to be filed not later than  
47 January 15, of the previous calendar year, and all expenditures  
48 made, incurred, or authorized by it during the period, whether or not

1 such expenditures were made, incurred or authorized in furtherance  
2 of the election or defeat of any candidate, or in aid of the passage or  
3 defeat of any public question or to provide information on any  
4 candidate or public question.

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

22 **【If】** d. (1) Each independent expenditure committee shall file  
23 with the Election Law Enforcement Commission, not later than  
24 April 15, July 15, October 15 and January 15 of each calendar year,  
25 a cumulative quarterly report, upon a form prescribed by the  
26 Election Law Enforcement Commission, of all contributions  
27 received in excess of \$10,000 in the form of moneys, loans, paid  
28 personal services, or other things of value made to it, and of all  
29 expenditures in excess of \$3,000 made, incurred, or authorized by it  
30 in influencing or attempting to influence the outcome of any  
31 election or the nomination, election, or defeat of any person to State  
32 or local elective public office or the passage or defeat of any public  
33 question, legislation, or regulation, or in providing political  
34 information on any candidate or public question, legislation, or  
35 regulation, during the period ending 48 hours preceding the date of  
36 the report and beginning on the date on which the first of those  
37 contributions was received or the first of those expenditures was  
38 made, whichever occurred first. The quarterly report, except as  
39 hereinafter provided, shall contain the name and mailing address of  
40 each person or group from whom moneys, loans, paid personal  
41 services or other things of value have been contributed since 48  
42 hours preceding the date on which such previous report was made  
43 and the amount contributed by each person or group in excess of  
44 \$10,000, and when the contributor is an individual, the report shall  
45 indicate the occupation of the individual and the name and mailing  
46 address of the individual's employer. In the case of any loan  
47 reported pursuant to this subsection, the report shall contain the  
48 name and mailing address of each person who has cosigned such

1 loan since 48 hours preceding the date on which the previous such  
2 report was made, and when an individual has cosigned such loans,  
3 the report shall indicate the occupation of the individual and the  
4 name and mailing address of the individual's employer. The  
5 quarterly report shall also contain the name and address of each  
6 person, firm, or organization to whom expenditures have been paid  
7 since 48 hours preceding the date on which the previous such report  
8 was made and the amount and purpose of each such expenditure.

9 (2) An independent expenditure committee shall disclose all  
10 expenditures made by it in excess of \$3,000, including, but not  
11 limited to, for electioneering communications, voter registration,  
12 get-out-the-vote efforts, polling, and research. The disclosures  
13 required by this paragraph shall be reported to the Election Law  
14 Enforcement Commission on the same schedule as required for  
15 continuing political committees pursuant to this section.

16 The treasurer of the reporting independent expenditure  
17 committee shall certify the correctness of each report and shall  
18 maintain all records of contributions and expenditures for a period  
19 of not less than four years.

20 The \$10,000 contribution amount and the \$3,000 expenditure  
21 amount established in this subsection shall remain as stated in this  
22 subsection without further adjustment by the commission pursuant  
23 to section 22 of P.L.1993, c.65 (C.19:44A-7.2).

24 e. When a political party committee [or a], legislative  
25 leadership committee [submitting cumulative quarterly reports as  
26 provided under this subsection] or independent expenditure  
27 committee receives a contribution from a single source of more than  
28 \$500 after the final day of a quarterly reporting period and on or  
29 before a primary, general, municipal, school, or special election  
30 which occurs after that final day but prior to the final day of the  
31 next reporting period it shall, in writing or by [telegram] electronic  
32 transmission, report that contribution to the commission within 48  
33 hours of the receipt thereof, including in that report the amount and  
34 date of the contribution; the name and mailing address of the  
35 contributor; and where the contributor is an individual, the  
36 individual's occupation and the name and mailing address of the  
37 individual's employer. [If] When a political party committee  
38 [or a], legislative leadership committee [submitting cumulative  
39 quarterly reports as provided under this subsection] , or an  
40 independent expenditure committee makes or authorizes an  
41 expenditure of money or other thing of value in excess of \$800, or  
42 incurs any obligation therefor, to support or defeat a candidate in an  
43 election, or to aid the passage or defeat of any public question, or to  
44 aid the passage or defeat of legislation or regulation in the case of  
45 an independent expenditure committee, after March 31 and on or  
46 before the day of the primary election, or after September 30 and on  
47 or before the day of the general election, it shall, in writing or by

1 **【telegram】** electronic transmission, report that expenditure to the  
2 commission within 48 hours of the making, authorizing or incurring  
3 thereof.

4 **【d.】** f. In any report filed pursuant to the provisions of this  
5 section the organization or committee reporting may exclude from  
6 the report the name of and other information relating to any  
7 contributor whose contributions during the period covered by the  
8 report did not exceed \$300, provided, however, that (1) such  
9 exclusion is unlawful if any person responsible for the preparation  
10 or filing of the report knew that it was made with respect to any  
11 person whose contributions relating to the same election or issue  
12 and made to the reporting organization or committee aggregate, in  
13 combination with the contribution in respect of which such  
14 exclusion is made, more than \$300 and (2) any person who  
15 knowingly prepares, assists in preparing, files or acquiesces in the  
16 filing of any report from which the identification of a contributor  
17 has been excluded contrary to the provisions of this section is  
18 subject to the provisions of section 21 of **【this act】** P.L.1973, c.83  
19 (C.19:44A-21), but (3) nothing in this proviso shall be construed as  
20 requiring any committee or organization reporting pursuant to this  
21 act to report the amounts, dates or other circumstantial data  
22 regarding contributions made to any other organization or political  
23 committee, political party committee or campaign organization of a  
24 candidate.

25 g. Any report filed pursuant to the provisions of this section  
26 shall include an itemized accounting of all receipts and  
27 expenditures relative to any testimonial affairs held since the date  
28 of the most recent report filed, which accounting shall include the  
29 name and mailing address of each contributor in excess of \$300 to  
30 such testimonial affair and the amount contributed by each; in the  
31 case of an individual contributor, the occupation of the individual  
32 and the name and mailing address of the individual's employer; the  
33 expenses incurred; and the disposition of the proceeds of such  
34 testimonial affair.

35 The \$300 limit established in this subsection shall remain as  
36 stated in this subsection without further adjustment by the  
37 commission in the manner prescribed by section 22 of P.L.1993,  
38 c.65 (C.19:44A-7.2).

39 (cf: P.L.2004, c.33, s.1)

40

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

43 21. a. Each political committee, as defined in subsection i. of  
44 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes  
45 the nomination for election or the election of a candidate or the  
46 passage or defeat of a public question, each independent  
47 expenditure committee, as defined in subsection t. of section 3 of  
48 P.L.1973, c.83 (C.19:44A-3), each continuing political committee

1 as defined in subsection n. of section 3 of P.L.1973, c.83, and each  
2 legislative leadership committee as defined in subsection s. of  
3 section 3 of P.L.1973, c.83, shall submit to the commission a  
4 statement of registration which includes:

5 (1) the complete name or identifying title of the committee and  
6 the general category of entity or entities, including but not limited  
7 to business organizations, labor organizations, professional or trade  
8 associations, candidate for or holder of public office, political party,  
9 ideological grouping or civic association, the interests of which are  
10 shared by the leadership, members, or financial supporters of the  
11 committee;

12 (2) the mailing address of the committee and the name and  
13 resident address of a resident of this State who shall have been  
14 designated by the committee as its agent to accept service of  
15 process; and

16 (3) a descriptive statement prepared by the organizers or officers  
17 of the committee that identifies (a) the names and mailing addresses  
18 of the persons having control over the affairs of the committee,  
19 including but not limited to persons in whose name or at whose  
20 direction or suggestion the committee solicits funds, and persons  
21 participating in any decision to make a contribution of such funds to  
22 any candidate, political committee or continuing political  
23 committee and, in the case of an independent expenditure  
24 committee, any decision to expend funds for the purpose of  
25 influencing or attempting to influence the outcome of any election  
26 or the nomination, election, or defeat of any person to State or local  
27 elective public office or the passage or defeat of any public  
28 question, legislation, or regulation, or in providing political  
29 information on any candidate or public question, legislation, or  
30 regulation; (b) the name and mailing address of any person not  
31 included among the persons identified under subparagraph (a) of  
32 this paragraph who, directly or through an agent, participated in the  
33 initial organization of the committee; (c) in the case of any person  
34 identified under subparagraph (a) or subparagraph (b) who is an  
35 individual, the occupation of that individual, the individual's home  
36 address, and the name and mailing address of the individual's  
37 employer, or, in the case of any such person which is a corporation,  
38 partnership, unincorporated association, or other organization, the  
39 name and mailing address of the organization; and (d) any other  
40 information which the Election Law Enforcement Commission may,  
41 under such regulations as it shall adopt pursuant to the provisions of  
42 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
43 seq.), require as being material to the fullest possible disclosure of  
44 the economic, political and other particular interests and objectives  
45 which the committee has been organized to or does advance. The  
46 commission shall be informed, in writing, of any change in the  
47 information required by this paragraph within three days of the  
48 occurrence of the change. Legislative leadership committees shall

1 be exempt from the requirements of subparagraphs (a), (b) and (c)  
2 of this paragraph.

3 b. After submission of a statement of registration to the  
4 commission pursuant to this section, the committee shall use the  
5 complete name or identifying title on all documents submitted to  
6 the commission, in all solicitations for contributions, in all paid  
7 media advertisements purchased or paid for by the committee in  
8 support of or in opposition to any candidate or public question, and  
9 in all contributions made by the committee to candidates or other  
10 committees and, in the case of an independent expenditure  
11 committee, any decision to expend funds for the purpose of  
12 influencing or attempting to influence the outcome of any election  
13 or the selection, nomination, election, or defeat of any person to  
14 State or local elective public office or the passage or defeat of any  
15 public question, legislation, or regulation, or in providing political  
16 information on any candidate or public question, legislation, or  
17 regulation.

18 c. Each report of contributions under section 8 of P.L.1973,  
19 c.83 (C.19:44A-8) by a political committee, continuing political  
20 committee, independent expenditure committee, or legislative  
21 leadership committee required under subsection a. of this section to  
22 submit a statement of registration shall include, in the case of each  
23 contributor who is an individual, the home address of the individual  
24 if different from the individual's mailing address, or, in the case of  
25 any contributor which is an organization, any information, in  
26 addition to that otherwise required, which the Election Law  
27 Enforcement Commission may, under such regulations as it shall  
28 adopt pursuant to the provisions of the "Administrative Procedure  
29 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being  
30 material to the fullest possible disclosure of the economic, political  
31 and other particular interests and objectives which the contributing  
32 organization has been organized to or does advance.

33 d. Any political committee, continuing political committee,  
34 independent expenditure committee, or legislative leadership  
35 committee may at any time apply to the commission for approval of  
36 an abbreviation or acronym of its complete, official name or title for  
37 its exclusive use on documents which it shall submit to the  
38 commission. Upon verification that the abbreviation or acronym  
39 has not been approved for such use by any other political  
40 committee, continuing political committee, independent expenditure  
41 committee, or legislative leadership committee, the commission  
42 shall approve the abbreviation or acronym for such use by the  
43 applicant committee, and the committee, and any individual,  
44 corporation, partnership, membership organization or incorporated  
45 or unincorporated association which, under the provisions of  
46 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the  
47 commission containing a reference to that committee, shall  
48 thereafter use that approved abbreviation or acronym in documents

1 submitted to the commission. The commission shall, during its  
2 regular office hours, maintain for public inspection in its offices a  
3 current alphabetically arranged list of all such approved  
4 abbreviations and acronyms, indicating for each the name of the  
5 committee for which it stands, and shall make copies of the list  
6 available upon request.

7 e. No foreign national, government, instrumentality, or agent may  
8 register as an independent expenditure committee for the purpose of  
9 making independent expenditures in any State or local election.  
10 (cf: P.L.1993, c.65, s.21)

11

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

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

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

36 Every independent expenditure committee may designate a  
37 chairman of the committee, but no person serving as the chairman  
38 of a political party committee or a legislative leadership committee  
39 shall be eligible to be appointed or to serve as the chairman of an  
40 independent expenditure committee. No candidate or holder of  
41 public office, directly or indirectly, shall establish, authorize the  
42 establishment of, maintain, or participate in the management or  
43 control of any independent expenditure committee. Every  
44 independent expenditure committee, not later than the date on  
45 which it first receives any contribution or makes or incurs any  
46 expenditure for the purpose of influencing or attempting to  
47 influence the outcome of any election or the nomination, election,  
48 or defeat of any person to State or local elective public office or the

1 passage or defeat of any public question, legislation, or regulation,  
2 or providing political information on any candidate or public  
3 question, legislation, or regulation, shall appoint a single  
4 organizational treasurer and designate an organizational depository,  
5 but no person serving as the chairman of a political party committee  
6 or a legislative leadership committee shall be eligible to be  
7 appointed or to serve as the organizational treasurer of an  
8 independent expenditure committee. Not later than the 10th day  
9 after the initial designation of the organizational depository, the  
10 committee shall file the name and address of the depository, and of  
11 the organizational treasurer, with the Election Law Enforcement  
12 Commission.

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

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

36 Each organizational treasurer of a State political party committee  
37 or a legislative leadership committee shall be a trained treasurer,  
38 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-  
39 6), or shall acquire such training within 90 days of appointment as  
40 an organizational treasurer. An organizational treasurer of any  
41 other political party committee or a continuing political committee  
42 or an independent expenditure committee and a campaign treasurer  
43 of a political committee may be a trained treasurer.

44 An organizational treasurer of a political party committee, a  
45 continuing political committee, an independent expenditure  
46 committee, or a legislative leadership committee and a campaign  
47 treasurer of a political committee may appoint deputy  
48 organizational or campaign treasurers as may be required and may

1 designate additional organizational or campaign depositories. Such  
2 committees shall file the names and addresses of such deputy  
3 treasurers and additional depositories with the Election Law  
4 Enforcement Commission not later than the fifth day after their  
5 appointment or designation, respectively.

6 Any political party committee, any political committee, any  
7 independent expenditure committee, any continuing political  
8 committee, and any legislative leadership committee may remove  
9 its organizational or campaign treasurer or deputy treasurer. In the  
10 case of the death, resignation or removal of its organizational or  
11 campaign treasurer, the committee shall appoint a successor as soon  
12 as practicable and shall file his name and address with the Election  
13 Law Enforcement Commission within three days.

14 (cf: P.L.2004, c.22, s.3)

15

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

18 11. No contribution of money or other thing of value, nor  
19 obligation therefor, including but not limited to contributions, loans  
20 or obligations of a candidate himself or of his family, shall be made  
21 or received, and no expenditure of money or other thing of value,  
22 nor obligation therefor, including expenditures, loans or obligations  
23 of a candidate himself or of his family, shall be made or incurred,  
24 directly or indirectly, to support or defeat a candidate in any  
25 election, or to aid the passage or defeat of any public question, or to  
26 aid the passage or defeat of legislation or regulation in the case of an  
27 independent expenditure committee, except through:

28 a. The duly appointed campaign treasurer or deputy campaign  
29 treasurers of the candidate committee or joint candidates  
30 committee;

31 b. The duly appointed organizational treasurer or deputy  
32 organizational treasurers of a political party committee or a  
33 continuing political committee;

34 c. The duly appointed campaign treasurer or deputy campaign  
35 treasurers of a political committee; **[or]**

36 d. The duly appointed organizational treasurer or deputy  
37 organizational treasurer of a legislative leadership committee; or

38 e. The duly appointed organizational treasurer or deputy  
39 organizational treasurer of an independent expenditure committee.

40 It shall be lawful, however, for any person, not acting in concert  
41 with any other person or group, to expend personally from his own  
42 funds a sum which is not to be repaid to him for any purpose not  
43 prohibited by law, or to contribute his own personal services and  
44 personal traveling expenses, to support or defeat a candidate or to  
45 aid the passage or defeat of a public question; provided, however,  
46 that any person making such expenditure shall be required to report  
47 his or her name and mailing address and the amount of all such  
48 expenditures and expenses, except personal traveling expenses, if

1 the total of the money so expended, exclusive of such traveling  
2 expenses, exceeds \$500, and also, where the person is an individual,  
3 to report the individual's occupation and the name and mailing  
4 address of the individual's employer, to the Election Law  
5 Enforcement Commission at the same time and in the same manner  
6 as a political committee subject to the provisions of section 8 of  
7 **【this act】** P.L.1973, c.83 (C.19:44A-8). Such expenditure made  
8 during the period between the 13th day prior to the election and the  
9 date of the election shall be filed in writing or by telegram within  
10 48 hours of the making, incurring or authorization of the  
11 expenditure and shall set forth the name and mailing address of the  
12 person, firm or organization to whom or which the expenditure was  
13 paid and the amount and purpose of the expenditure.

14 No contribution of money shall be made in currency, except  
15 contributions in response to a public solicitation, provided that  
16 cumulative currency contributions of up to \$200 may be made to a  
17 candidate committee or joint candidates committee, a political  
18 committee, a continuing political committee, an independent  
19 expenditure committee, a legislative leadership committee or a  
20 political party committee if the contributor submits with the  
21 currency contribution a written statement of a form as prescribed by  
22 the commission, indicating the contributor's name, mailing address  
23 and occupation and the amount of the contribution, including the  
24 contributor's signature and the name and mailing address of the  
25 contributor's employer. Adjustments to the \$200 limit established in  
26 this paragraph which have been made by the Election Law  
27 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
28 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
29 rescinded. The \$200 limit established in this paragraph shall remain  
30 as stated in this paragraph without further adjustment by the  
31 commission in the manner prescribed by section 22 of P.L.1993,  
32 c.65 (C.19:44A-7.2).

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

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

48 (cf: P.L.2004, c.33, s.2)

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

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

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

46

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

1 18. If any former candidate or any political committee or any  
2 person or association of persons in behalf of such political  
3 committee or former candidate shall receive any contributions or  
4 make any expenditures with relation to any election after the date  
5 set in section 16 of **[this act]** P.L.1973, c.83 (C.19:44A-16) for the  
6 final report subsequent to such election, or shall conduct any  
7 testimonial affair or public solicitation for the purpose of raising  
8 funds to cover any part of the expenses of a candidate **[or]**,  
9 political committee, independent expenditure committee, or other  
10 organization in such election, all such contributions, expenditures,  
11 testimonial affairs or public solicitations shall be reported to the  
12 Election Law Enforcement Commission by the person or persons  
13 receiving such contributions or making such expenditures or  
14 conducting such testimonial affairs or public solicitations. Such  
15 report shall be made by any person receiving any such contribution  
16 or contributions, or making any such expenditure or expenditures,  
17 which in the aggregate total more than \$100.00, or conducting any  
18 testimonial affair or public solicitation of which the net proceeds  
19 exceed \$100.00; and shall be made within 20 days from the date  
20 upon which the aggregate of such contributions, expenditures or  
21 proceeds exceed \$100.00 for the period commencing with the 19th  
22 day following such election or with the date upon which any  
23 previous report was made pursuant to this section, whichever is  
24 sooner. Such report shall be made in the same form and shall  
25 contain the same detail prescribed for any other report made  
26 pursuant to section 8 or 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8  
27 or C.19:44A-16).

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

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

32 19. a. No person shall conduct any public solicitation as defined  
33 in this act except (1) upon written authorization of the campaign or  
34 organizational treasurer of the candidate committee or joint  
35 candidates committee, political committee, continuing political  
36 committee, political party committee, independent expenditure  
37 committee, or legislative leadership committee on whose behalf  
38 such solicitation is conducted, or (2) in accordance with the  
39 provisions of subsection c. of this section. A person with such  
40 written authorization may employ and accept the services of others  
41 as solicitors, and shall be responsible for reporting to the treasurer  
42 the information required under subsection b. of this section and for  
43 delivery to the treasurer the net proceeds of such solicitation in  
44 compliance with section 11 of **[this act]** P.L.1973, c.83 (C.19:44A-  
45 11). A contribution made through donation or purchase in response  
46 to a public solicitation conducted pursuant to written authorization  
47 of a treasurer shall be deemed to have been made through such  
48 treasurer.

1       b. Whenever a public solicitation has been authorized by a  
2 treasurer during a period covered by a report required to be filed  
3 under sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8  
4 and C.19:44A-16), there shall be filed with such report and as a part  
5 thereof an itemized report on any such solicitation of which the net  
6 proceeds exceed \$200, in such form and detail as required by the  
7 rules of the Election Law Enforcement Commission, which report  
8 shall include:

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

13       (2) The gross receipts and expenses involved in the solicitation  
14 including the actual amount paid for any items purchased for resale  
15 in connection with the solicitation, or, if such items or any portion  
16 of the cost thereof was donated, the estimated actual value thereof  
17 and the actual amount paid therefor, and the names and addresses of  
18 any such donors. If it is not practicable for such itemized report to  
19 be completed in time to be included with the report due under  
20 sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8 and  
21 C.19:44A-16) for the period during which such solicitation was  
22 held, then such itemized report may be omitted from said report and  
23 if so omitted shall be included in the report for the next succeeding  
24 period.

25       Adjustments to the \$200 limit established in this subsection  
26 which have been made by the Election Law Enforcement  
27 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-  
28 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The  
29 \$200 limit established in this subsection shall remain as stated in  
30 this subsection without further adjustment by the commission in the  
31 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

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

1 individual's employer. Adjustments to the \$200 limit established in  
2 this subsection which have been made by the Election Law  
3 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
4 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
5 rescinded. The \$200 limit established in this subsection shall  
6 remain as stated in this subsection without further adjustment by the  
7 commission in the manner prescribed by section 22 of P.L.1993,  
8 c.65 (C.19:44A-7.2).

9 Such report shall be made to the Election Law Enforcement  
10 Commission at the same time and in the same manner as a political  
11 committee, continuing political committee, political party  
12 committee, independent expenditure committee, or a legislative  
13 leadership committee subject to the provisions of section 8 of **[this**  
14 **act]** P.L.1973, c.83 (C.19:44A-8).

15 d. Contributions or purchases made in response to a public  
16 solicitation conducted in conformity with the requirements and  
17 conditions of **[this act]** P.L.1973, c.83 (C.19:44A-1 et seq.) shall  
18 not be deemed anonymous within the meaning of sections 11 and 20  
19 of **[this]** the act.

20 e. No person contributing in good faith to a public solicitation  
21 not duly authorized in compliance with the provisions of **[this act]**  
22 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be liable to any penalty  
23 under **[this]** the act by reason of having made such contribution.  
24 (cf: P.L.2004, c.28, s.6)

25  
26 9. Section 20 of P.L.1973, c.83 (C.19:44A-20) is amended to  
27 read as follows:

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

37 No individual, either alone or jointly with one or more other  
38 individuals, and no corporation, partnership, membership  
39 organization or other incorporated or unincorporated association  
40 shall loan or advance to any individual, group of individuals,  
41 corporation, partnership, membership organization or other  
42 incorporated or unincorporated association any money or other  
43 thing of value expressly for the purpose of inducing the recipient  
44 thereof, or any other individual, group, corporation, partnership,  
45 organization or association, to make a contribution, either directly  
46 or indirectly, of money or other thing of value to a candidate or the  
47 candidate committee or joint candidates committee of a candidate.

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

13 No treasurer, candidate or member of a candidate committee,  
14 joint candidates committee, political committee, continuing political  
15 committee, independent expenditure committee, political party  
16 committee or legislative leadership committee shall solicit or  
17 knowingly accept, agree to accept or concur in or abet the  
18 solicitation or acceptance of any contribution contrary to the  
19 provisions of this section.

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

21

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

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

38 b. Whenever a candidate committee, joint candidates committee,  
39 political committee, continuing political committee, independent  
40 expenditure committee, political party committee or legislative  
41 leadership committee, or any group other than such a committee, or  
42 any person makes, incurs or authorizes an expenditure for the purpose  
43 of financing a communication aiding the passage or defeat of any  
44 public question or providing political information on any public  
45 question, or aiding the passage or defeat of legislation or regulation in  
46 the case of an independent expenditure committee, which is an  
47 expenditure that the committee, group or person is required to report to  
48 the Election Law Enforcement Commission pursuant to P.L.1973, c.83

1 (C.19:44A-1 et seq.), the communication shall clearly state the name  
2 and business or residence address of the committee, group or person,  
3 as that information appears on reports filed with the commission, and  
4 that the communication has been financed by that committee, group or  
5 person.

6 c. A communication that is financed by an independent  
7 expenditure committee or by any person, not acting in concert with a  
8 candidate or any person or committee acting on behalf of a candidate,  
9 shall contain a clear and conspicuous statement that the expenditure  
10 was not made with the cooperation or prior consent of, or in  
11 consultation with or at the request or suggestion of, any such  
12 candidate, person or committee.

13 d. Any person who accepts compensation from a committee,  
14 group or individual described in subsection a. or b. of this section for  
15 the purpose of printing, broadcasting, or otherwise disseminating to  
16 the electorate a communication shall require the committee, group, or  
17 individual to file a copy of the statement of registration required to be  
18 filed with the Election Law Enforcement Commission pursuant to  
19 section 21 of P.L.1993, c.65 (C.19:44A-8.1) and shall maintain a  
20 record of the transaction which shall include an exact copy of the  
21 communication and a statement of the number of copies made or the  
22 dates and times that the communication was broadcast or otherwise  
23 transmitted, and the name and address of the committee, group or  
24 individual paying for the communication. The record shall be  
25 maintained on file at the principal office of the person accepting the  
26 communication for at least two years and shall be available for public  
27 inspection during normal business hours.

28 e. As used in this section, "communication" means a press  
29 release, pamphlet, flyer, form letter, sign, billboard, paid advertisement  
30 printed in any newspaper or other publication or broadcast on radio or  
31 television, or telephone call featuring a recorded message, or any other  
32 form of advertising , including Internet and digital advertising,  
33 directed to the electorate.

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

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

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

44 h. The Election Law Enforcement Commission shall promulgate  
45 rules and regulations pursuant to the "Administrative Procedure Act,"  
46 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purpose of this  
47 section. The commission may, by regulation, exempt from the  
48 provisions of this section small, tangible items of de minimis value

1 which are commonly used in campaigns to convey a political message,  
2 including, but not limited to, buttons, combs, and nail files. The  
3 commission may also, by regulation, exempt from the provisions of  
4 this section advertising space purchased by a candidate committee,  
5 joint candidates committee, political committee, continuing political  
6 committee, political party committee, legislative leadership committee  
7 or other person, in a political program book distributed at a fund-  
8 raising event if the financial transaction is otherwise subject to  
9 disclosure. An exemption granted by the commission with respect to  
10 any item shall not relieve the committee, group or individual making  
11 an expenditure therefor from any applicable campaign finance  
12 reporting requirements.

13 In addition, the commission shall have the authority to provide, by  
14 regulation, that a communication need not include the address of the  
15 committee, group or person financing the communication in  
16 circumstances where the name of a committee, group or person would  
17 be sufficient to identify it from the commission's records.

18 (cf: P.L.2004, c.30, s.1)

19

20 11. (New section) To determine whether a person, candidate  
21 committee, joint candidates committee, continuing political  
22 committee, or independent expenditure committee has made a  
23 coordinated expenditure with any candidate or political party, the  
24 Election Law Enforcement Commission shall consider whether the  
25 candidate or political party, the candidate committee, or any staff  
26 member or agent thereof:

27 a. cooperated with, consented to, authorized, or exercised  
28 control over the production or circulation of the communication  
29 expenditure;

30 b. requested or suggested that the communication expenditure  
31 be made;

32 c. provided information to the person or entity making the  
33 communication expenditure with regard to the content, timing,  
34 location, mode, intended audience, distribution, or placement of the  
35 television, radio, direct mail, or other form of communication;

36 d. discussed or negotiated with the purchaser, creator,  
37 producer, or distributor of the communication concerning the  
38 content, timing, location, mode, intended audience, distribution, or  
39 placement of the communication;

40 e. shared information or held discussions on campaign or  
41 media strategy with the person or entity making the communication  
42 expenditure or with the purchaser, creator, producer, or distributor  
43 of the communication;

44 f. shared its polling or other research with the person or entity  
45 making the communication expenditure or whether or not the  
46 person or entity making the communication expenditure shared its  
47 polling or other research with the candidate, candidate committee,  
48 or with any agent of the candidate or candidate committee; or

1 g. engaged in any other activity the Election Law Enforcement  
2 Commission determines, by regulation, constitutes a coordinated  
3 expenditure.

4  
5 12. (New section) If any provision of this act, P.L. , c. (pending  
6 before the Legislature as this bill), or the application thereof to any  
7 person or circumstance is held invalid, such invalidity shall not affect  
8 other provisions or applications which can be given effect without the  
9 invalid provisions or applications, and to this end the provisions of this  
10 act are declared to be severable.

11  
12 13. This act shall take effect on the first date, following  
13 enactment, that occurs after July 16, 2019 by which a quarterly  
14 report would be required to be filed pursuant to paragraph (1) of  
15 subsection d. of section 8 of P.L.1973, c.83 (C.19:44A-8), but the  
16 first such report shall not be required to be filed until the next  
17 quarterly report filing deadline thereafter as specified in that  
18 paragraph and shall include only those reportable items which occur  
19 after the effective date of this act.

20  
21  
22 STATEMENT

23  
24 This bill revises “The New Jersey Campaign Contributions and  
25 Expenditures Reporting Act” to institute new reporting  
26 requirements on certain organizations.

27 The bill requires disclosure by any “independent expenditure  
28 committee,” defined as any person organized under section 527 or  
29 paragraph (4) of subsection (c) of section 501 of the federal Internal  
30 Revenue Code that engages in influencing or attempting to  
31 influence the outcome of any election or the nomination, election,  
32 or defeat of any person to any State or local elective public office or  
33 the passage or defeat of any public question, legislation, or  
34 regulation, or in providing political information on any candidate or  
35 public question, legislation, or regulation, and raises or expends  
36 \$3,000 or more for any such purpose. The bill requires these  
37 committees to report contributions in excess of \$10,000 and  
38 expenditures in excess of \$3,000 to the Election Law Enforcement  
39 Commission (ELEC), and prohibits a candidate or holder of public  
40 office from establishing, authorizing the establishment of,  
41 maintaining, or participating directly or indirectly, in the  
42 management or control of any independent expenditure committee.  
43 Under R.S.1:1-2, the term “person” includes corporations,  
44 companies, associations, societies, firms, partnerships and joint  
45 stock companies as well as individuals.

46 The bill defines “electioneering communication” as any  
47 communication made from January 1 of an election year and the  
48 date of the election and refers to: 1) a clearly identified candidate

1 for office and promotes or supports a candidate for that office or  
2 opposes a candidate for that office, regardless of whether the  
3 communication expressly advocates a vote for or against a  
4 candidate; or 2) a public question, and promotes or supports the  
5 passage or defeat of that question, regardless of whether the  
6 communication expressly advocates a vote for or against the  
7 passage of the question. The term includes communications  
8 published in any newspaper or periodical; or broadcast on radio,  
9 television, the Internet or digital media, or any public address  
10 system; placed on any billboard, outdoor facility, button, motor  
11 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or  
12 other circular; or contained in any direct mailing, robotic phone  
13 calls, or mass e-mails.

14 The bill defines “independent expenditure” as an expenditure by  
15 a person expressly advocating, or the functional equivalent thereof,  
16 the election or defeat of: 1) a clearly identified candidate that is not  
17 made in concert or cooperation with or at the request or suggestion  
18 of the candidate, the candidate’s committee, a political party  
19 committee, or an agent thereof; or 2) a public question, legislation,  
20 or regulation, that is not made in concert or cooperation with or at  
21 the request or suggestion of the sponsors, organizers, or committee  
22 supporting or opposing the question, legislation, or regulation, a  
23 political party, or agents thereof. The “functional equivalent” of  
24 expressly advocating means specific advocacy that can be  
25 interpreted by a reasonable person as advocating the election or  
26 defeat of a candidate, or the passage or defeat of a public question,  
27 legislation, or regulation, taking into account whether the  
28 communication involved mentions a candidate, a political party, or  
29 a challenger to a candidate, or takes a position on a candidate’s  
30 character, qualifications, or fitness for office, or that can be  
31 interpreted by a reasonable person as taking a position on the merits  
32 of a public question, legislation, or regulation, or taking a position  
33 in favor or against the passage or defeat of the public question,  
34 legislation, or regulation.

35 The bill codifies the criteria used by ELEC to determine when  
36 coordination with a candidate or political party has occurred, and  
37 allows ELEC to issue additional criteria by regulation. Under the  
38 bill, foreign entities would be prohibited from registering as  
39 independent expenditure committees for the purpose of making  
40 independent expenditures in any State or local election. The bill  
41 explicitly includes Internet and digital advertisement in the  
42 definitions of “political information,” “electioneering  
43 communication,” and “communication.” It further requires persons  
44 who accept compensation from any committee, group, or individual  
45 for the placement of communication to be disseminated to the  
46 electorate to require such committee, group, or individual to file a  
47 copy of their statement of registration they filed with ELEC.

1 Under the bill, independent expenditure committees would file  
2 quarterly reports of contributions received in excess of \$10,000 and  
3 expenditures made in excess of \$3,000. The bill requires  
4 independent expenditure committees to also report within 48 hours  
5 any contribution received or expenditure made in excess of \$500  
6 and \$800, respectively, when such is received or made after the  
7 final day of a quarterly reporting period and on or before an election  
8 which occurs after that final day but before the final day of the next  
9 reporting period.

10 The provisions of the bill are severable. The bill would take  
11 effect on the first date, following enactment, that occurs after July  
12 16, 2019 by which a quarterly report would be required to be filed  
13 pursuant to N.J.S.A.19:44A-8(d)(1). The bill specifies that the first  
14 of those reports will not be required to be filed until the next  
15 quarterly report filing deadline as specified in that paragraph and  
16 specifies that the report need only include those reportable items  
17 which occur after the effective date of the bill.

# ASSEMBLY, No. 100

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 10, 2019

**Sponsored by:**

**Assemblyman ANDREW ZWICKER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman SHAVONDA E. SUMTER**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblyman Bramnick**

**SYNOPSIS**

Concerns disclosure requirements by independent expenditure committees.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning campaign finance disclosures and limits and  
2 amending various parts of the statutory law.

3

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

6

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

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

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

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

13 c. The term "candidate" means: (1) an individual seeking  
14 election to a public office of the State or of a county, municipality  
15 or school district at an election; except that the term shall not  
16 include an individual seeking party office; (2) an individual who  
17 shall have been elected or failed of election to an office, other than  
18 a party office, for which he sought election and who receives  
19 contributions and makes expenditures for any of the purposes  
20 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during  
21 the period of his service in that office; and (3) an individual who  
22 has received funds or other benefits or has made payments solely  
23 for the purpose of determining whether the individual should  
24 become a candidate as defined in paragraphs (1) and (2) of this  
25 subsection.

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

36 e. The term "election" means any election described in section  
37 4 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,  
41 canvassing, telephone, speech writing or other such services,  
42 performed other than on a voluntary basis, the salary, cost or  
43 consideration for which is paid, borne or provided by someone  
44 other than the committee, candidate or organization for whom such  
45 services are rendered. In determining the value, for the purpose of

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

**Matter underlined thus is new matter.**

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

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

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

37 i. The term "political committee" means any two or more  
38 persons acting jointly, or any corporation, partnership, or any other  
39 incorporated or unincorporated association which is organized to, or  
40 does, aid or promote the nomination, election or defeat of any  
41 candidate or candidates for public office, or which is organized to,  
42 or does, aid or promote the passage or defeat of a public question in  
43 any election, if the persons, corporation, partnership or incorporated  
44 or unincorporated association raises or expends ~~【\$1,000.00】~~ \$2,400  
45 or more to so aid or promote the nomination, election or defeat of a  
46 candidate or candidates or the passage or defeat of a public  
47 question; provided that for the purposes of this act, the term  
48 "political committee" shall not include a "continuing political

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

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

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

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

39 m. The term "qualified candidate" means:

40 (1) Joint candidates for election to the offices of Governor and  
41 Lieutenant Governor whose names appear on the general election  
42 ballot; who have deposited and expended \$150,000.00 pursuant to  
43 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than  
44 September 1 preceding a general election in which the offices of  
45 Governor and Lieutenant Governor are to be filled, (a) notify the  
46 Election Law Enforcement Commission in writing that the  
47 candidates intend that application will be made on the candidates'  
48 behalf for monies for general election campaign expenses under

1 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)  
2 sign a statement of agreement, in a form to be prescribed by the  
3 commission, to participate in interactive gubernatorial election  
4 debates under the provisions of sections 9 through 11 of P.L.1989,  
5 c.4 (C.19:44A-45 through C.19:44A-47); or

6 (2) Joint candidates for election to the offices of Governor and  
7 Lieutenant Governor whose names do not appear on the general  
8 election ballot; who have deposited and expended \$150,000.00  
9 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,  
10 not later than September 1 preceding a general election in which the  
11 offices of Governor and Lieutenant Governor are to be filled, (a)  
12 notify the Election Law Enforcement Commission in writing that  
13 the candidates intend that application will be made on the  
14 candidates' behalf for monies for general election campaign  
15 expenses under subsection b. of section 8 of P.L.1974, c.26  
16 (C.19:44A-33), and (b) sign a statement of agreement, in a form to  
17 be prescribed by the commission, to participate in interactive  
18 gubernatorial election debates under the provisions of sections 9  
19 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);  
20 or

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

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

1 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-  
2 45 through C.19:44A-47).

3 n. The term "continuing political committee" means any group  
4 of two or more persons acting jointly, or any corporation,  
5 partnership, or any other incorporated or unincorporated  
6 association, including a political club, political action committee,  
7 civic association or other organization, which in any calendar year  
8 contributes or expects to contribute at least ~~【\$2,500.00】~~ \$5,500 to  
9 the aid or promotion of the candidacy of an individual, or of the  
10 candidacies of individuals, for elective public office, or the passage  
11 or defeat of a public question or public questions, and which may be  
12 expected to make contributions toward such aid or promotion or  
13 passage or defeat during a subsequent election, provided that the  
14 group, corporation, partnership, association or other organization  
15 has been determined to be a continuing political committee under  
16 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided  
17 that for the purposes of this act, the term "continuing political  
18 committee" shall not include a "political party committee," as  
19 defined by subsection p. of this section, ~~【or】~~ a "legislative  
20 leadership committee," as defined by subsection s. of this section,  
21 or an "independent expenditure committee," as defined by  
22 subsection t. of this section.

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

44 p. The term "political party committee" means the State  
45 committee of a political party, as organized pursuant to R.S.19:5-4,  
46 any county committee of a political party, as organized pursuant to  
47 R.S.19:5-3, or any municipal committee of a political party, as  
48 organized pursuant to R.S.19:5-2.

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

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

20 s. The term "legislative leadership committee" means a  
21 committee established, authorized to be established, or designated  
22 by the President of the Senate, the Minority Leader of the Senate,  
23 the Speaker of the General Assembly or the Minority Leader of the  
24 General Assembly pursuant to section 16 of P.L.1993, c.65  
25 (C.19:44A-10.1) for the purpose of receiving contributions and  
26 making expenditures.

27 t. The term "independent expenditure committee" means a  
28 person organized under section 527 of the federal Internal Revenue  
29 Code (26 U.S.C. s.527) or under paragraph (4) of subsection (c) of  
30 section 501 of the federal Internal Revenue Code (26 U.S.C. s.501)  
31 that does not fall within the definition of any other organization  
32 subject to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.),  
33 that engages in influencing or attempting to influence the outcome  
34 of any election or the nomination, election, or defeat of any person  
35 to any State or local elective public office, or the passage or defeat  
36 of any public question, legislation, or regulation, or in providing  
37 political information on any candidate or public question,  
38 legislation, or regulation, and raises or expends \$3,000 or more in  
39 the aggregate for any such purpose annually, but does not  
40 coordinate its activities with any candidate or political party as  
41 determined by the Election Law Enforcement Commission pursuant  
42 to the provisions of section 11 of P.L. , c. (C. ) (pending before  
43 the Legislature as this bill).

44 u. The term "electioneering communication" means any  
45 communication made within the period beginning on January 1 of  
46 an election year and the date of the election and refers to: (1) a  
47 clearly identified candidate for office and promotes or supports a  
48 candidate for that office or opposes a candidate for that office,

1 regardless of whether the communication expressly advocates a  
2 vote for or against a candidate; or (2) a public question and  
3 promotes or supports the passage or defeat of that question,  
4 regardless of whether the communication expressly advocates a  
5 vote for or against the passage of the question. The term includes  
6 communications published in any newspaper or periodical;  
7 broadcast on radio, television, or the Internet or digital media , or  
8 any public address system; placed on any billboard, outdoor  
9 facility, button, motor vehicle, window display, poster, card,  
10 pamphlet, leaflet, flyer, or other circular; or contained in any direct  
11 mailing, robotic phone calls, or mass e-mails.

12 v. The term “independent expenditure” means an expenditure  
13 by a person expressly advocating, or the functional equivalent  
14 thereof, the election or defeat of: (1) a clearly identified candidate  
15 that is not made in concert or cooperation with or at the request or  
16 suggestion of the candidate, the candidate’s committee, a political  
17 party committee, or an agent thereof; or (2) a public question,  
18 legislation, or regulation, that is not made in concert or cooperation  
19 with or at the request or suggestion of the sponsors, organizers, or  
20 committee supporting or opposing the question, legislation, or  
21 regulation, a political party, or agents thereof. The “functional  
22 equivalent” of expressly advocating means specific advocacy that  
23 can be interpreted by a reasonable person as advocating the election  
24 or defeat of a candidate, or the passage or defeat of a public  
25 question, legislation, or regulation, taking into account whether the  
26 communication involved mentions a candidate, a political party, or  
27 a challenger to a candidate, or takes a position on a candidate’s  
28 character, qualifications, or fitness for office, or that can be  
29 interpreted by a reasonable person as taking a position on the merits  
30 of a public question, legislation, or regulation, or taking a position  
31 in favor or against the passage or defeat of a public question,  
32 legislation, or regulation.

33 (cf: P.L.2009, c.66, s.5)

34

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

37 8. a. (1) Each political committee shall make a full cumulative  
38 report, upon a form prescribed by the Election Law Enforcement  
39 Commission, of all contributions in the form of moneys, loans, paid  
40 personal services, or other things of value made to it and all  
41 expenditures made, incurred, or authorized by it in furtherance of  
42 the nomination, election, or defeat of any candidate, or in aid of the  
43 passage or defeat of any public question, or to provide political  
44 information on any candidate or public question, during the period  
45 ending 48 hours preceding the date of the report and beginning on  
46 the date on which the first of those contributions was received or  
47 the first of those expenditures was made, whichever occurred first.  
48 The cumulative report, except as hereinafter provided, shall contain

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

21 The campaign treasurer of the political committee reporting shall  
22 certify to the correctness of each report.

23 Each campaign treasurer of a political committee shall file  
24 written notice with the commission of a contribution in excess of  
25 \$500 received during the period between the 13th day prior to the  
26 election and the date of the election, and of an expenditure of  
27 money or other thing of value in excess of \$500 made, incurred or  
28 authorized by the political committee to support or defeat a  
29 candidate in an election, or to aid the passage or defeat of any  
30 public question, during the period between the 13th day prior to the  
31 election and the date of the election. The notice of a contribution  
32 shall be filed in writing or by **[telegram]** electronic transmission  
33 within 48 hours of the receipt of the contribution and shall set forth  
34 the amount and date of the contribution, the name and mailing  
35 address of the contributor, and where the contributor is an  
36 individual, the individual's occupation and the name and mailing  
37 address of the individual's employer. The notice of an expenditure  
38 shall be filed in writing or by **[telegram]** electronic transmission  
39 within 48 hours of the making, incurring or authorization of the  
40 expenditure and shall set forth the name and mailing address of the  
41 person, firm or organization to whom or which the expenditure was  
42 paid and the amount and purpose of the expenditure.

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

47 b. (1) A group of two or more persons acting jointly, or any  
48 corporation, partnership, or any other incorporated or

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

18 No person serving as the chairman of a political party committee  
19 or a legislative leadership committee shall be eligible to be  
20 appointed or to serve as the chairman of a continuing political  
21 committee.

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

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

1 such expenditure. The treasurer of the continuing political  
2 committee reporting shall certify to the correctness of each  
3 cumulative quarterly report.

4 Each continuing political committee shall provide immediate  
5 written notification to each candidate of all expenditures made or  
6 authorized on behalf of the candidate.

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

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

39 c. Each political party committee and each legislative  
40 leadership committee shall file with the Election Law Enforcement  
41 Commission, not later than April 15, July 15, October 15 and  
42 January 15 of each calendar year, a cumulative quarterly report of  
43 all moneys, loans, paid personal services or other things of value  
44 contributed to it during the period ending on the 15th day preceding  
45 that date and commencing on January 1 of that calendar year or, in  
46 the case of the cumulative quarterly report to be filed not later than  
47 January 15, of the previous calendar year, and all expenditures  
48 made, incurred, or authorized by it during the period, whether or not

1 such expenditures were made, incurred or authorized in furtherance  
2 of the election or defeat of any candidate, or in aid of the passage or  
3 defeat of any public question or to provide information on any  
4 candidate or public question.

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

22 **【If】** d. (1) Each independent expenditure committee shall file  
23 with the Election Law Enforcement Commission, not later than  
24 April 15, July 15, October 15 and January 15 of each calendar year,  
25 a cumulative quarterly report, upon a form prescribed by the  
26 Election Law Enforcement Commission, of all contributions  
27 received in excess of \$10,000 in the form of moneys, loans, paid  
28 personal services, or other things of value made to it, and of all  
29 expenditures in excess of \$3,000 made, incurred, or authorized by it  
30 in influencing or attempting to influence the outcome of any  
31 election or the nomination, election, or defeat of any person to State  
32 or local elective public office or the passage or defeat of any public  
33 question, legislation, or regulation, or in providing political  
34 information on any candidate or public question, legislation, or  
35 regulation, during the period ending 48 hours preceding the date of  
36 the report and beginning on the date on which the first of those  
37 contributions was received or the first of those expenditures was  
38 made, whichever occurred first. The quarterly report, except as  
39 hereinafter provided, shall contain the name and mailing address of  
40 each person or group from whom moneys, loans, paid personal  
41 services or other things of value have been contributed since 48  
42 hours preceding the date on which such previous report was made  
43 and the amount contributed by each person or group in excess of  
44 \$10,000, and when the contributor is an individual, the report shall  
45 indicate the occupation of the individual and the name and mailing  
46 address of the individual's employer. In the case of any loan  
47 reported pursuant to this subsection, the report shall contain the  
48 name and mailing address of each person who has cosigned such

1 loan since 48 hours preceding the date on which the previous such  
2 report was made, and when an individual has cosigned such loans,  
3 the report shall indicate the occupation of the individual and the  
4 name and mailing address of the individual's employer. The  
5 quarterly report shall also contain the name and address of each  
6 person, firm, or organization to whom expenditures have been paid  
7 since 48 hours preceding the date on which the previous such report  
8 was made and the amount and purpose of each such expenditure.

9 (2) An independent expenditure committee shall disclose all  
10 expenditures made by it in excess of \$3,000, including, but not  
11 limited to, for electioneering communications, voter registration,  
12 get-out-the-vote efforts, polling, and research. The disclosures  
13 required by this paragraph shall be reported to the Election Law  
14 Enforcement Commission on the same schedule as required for  
15 continuing political committees pursuant to this section.

16 The treasurer of the reporting independent expenditure  
17 committee shall certify the correctness of each report and shall  
18 maintain all records of contributions and expenditures for a period  
19 of not less than four years.

20 The \$10,000 contribution amount and the \$3,000 expenditure  
21 amount established in this subsection shall remain as stated in this  
22 subsection without further adjustment by the commission pursuant  
23 to section 22 of P.L.1993, c.65 (C.19:44A-7.2).

24 e. When a political party committee [or a], legislative  
25 leadership committee [submitting cumulative quarterly reports as  
26 provided under this subsection] or independent expenditure  
27 committee receives a contribution from a single source of more than  
28 \$500 after the final day of a quarterly reporting period and on or  
29 before a primary, general, municipal, school, or special election  
30 which occurs after that final day but prior to the final day of the  
31 next reporting period it shall, in writing or by [telegram] electronic  
32 transmission, report that contribution to the commission within 48  
33 hours of the receipt thereof, including in that report the amount and  
34 date of the contribution; the name and mailing address of the  
35 contributor; and where the contributor is an individual, the  
36 individual's occupation and the name and mailing address of the  
37 individual's employer. [If] When a political party committee  
38 [or a], legislative leadership committee [submitting cumulative  
39 quarterly reports as provided under this subsection] , or an  
40 independent expenditure committee makes or authorizes an  
41 expenditure of money or other thing of value in excess of \$800, or  
42 incurs any obligation therefor, to support or defeat a candidate in an  
43 election, or to aid the passage or defeat of any public question, or to  
44 aid the passage or defeat of legislation or regulation in the case of  
45 an independent expenditure committee, after March 31 and on or  
46 before the day of the primary election, or after September 30 and on  
47 or before the day of the general election, it shall, in writing or by

1 **【telegram】** electronic transmission, report that expenditure to the  
2 commission within 48 hours of the making, authorizing or incurring  
3 thereof.

4 **【d.】** f. In any report filed pursuant to the provisions of this  
5 section the organization or committee reporting may exclude from  
6 the report the name of and other information relating to any  
7 contributor whose contributions during the period covered by the  
8 report did not exceed \$300, provided, however, that (1) such  
9 exclusion is unlawful if any person responsible for the preparation  
10 or filing of the report knew that it was made with respect to any  
11 person whose contributions relating to the same election or issue  
12 and made to the reporting organization or committee aggregate, in  
13 combination with the contribution in respect of which such  
14 exclusion is made, more than \$300 and (2) any person who  
15 knowingly prepares, assists in preparing, files or acquiesces in the  
16 filing of any report from which the identification of a contributor  
17 has been excluded contrary to the provisions of this section is  
18 subject to the provisions of section 21 of **【this act】** P.L.1973, c.83  
19 (C.19:44A-21), but (3) nothing in this proviso shall be construed as  
20 requiring any committee or organization reporting pursuant to this  
21 act to report the amounts, dates or other circumstantial data  
22 regarding contributions made to any other organization or political  
23 committee, political party committee or campaign organization of a  
24 candidate.

25 g. Any report filed pursuant to the provisions of this section  
26 shall include an itemized accounting of all receipts and  
27 expenditures relative to any testimonial affairs held since the date  
28 of the most recent report filed, which accounting shall include the  
29 name and mailing address of each contributor in excess of \$300 to  
30 such testimonial affair and the amount contributed by each; in the  
31 case of an individual contributor, the occupation of the individual  
32 and the name and mailing address of the individual's employer; the  
33 expenses incurred; and the disposition of the proceeds of such  
34 testimonial affair.

35 The \$300 limit established in this subsection shall remain as  
36 stated in this subsection without further adjustment by the  
37 commission in the manner prescribed by section 22 of P.L.1993,  
38 c.65 (C.19:44A-7.2).

39 (cf: P.L.2004, c.33, s.1)

40

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

43 21. a. Each political committee, as defined in subsection i. of  
44 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes  
45 the nomination for election or the election of a candidate or the  
46 passage or defeat of a public question, each independent  
47 expenditure committee, as defined in subsection t. of section 3 of  
48 P.L.1973, c.83 (C.19:44A-3), each continuing political committee

1 as defined in subsection n. of section 3 of P.L.1973, c.83, and each  
2 legislative leadership committee as defined in subsection s. of  
3 section 3 of P.L.1973, c.83, shall submit to the commission a  
4 statement of registration which includes:

5 (1) the complete name or identifying title of the committee and  
6 the general category of entity or entities, including but not limited  
7 to business organizations, labor organizations, professional or trade  
8 associations, candidate for or holder of public office, political party,  
9 ideological grouping or civic association, the interests of which are  
10 shared by the leadership, members, or financial supporters of the  
11 committee;

12 (2) the mailing address of the committee and the name and  
13 resident address of a resident of this State who shall have been  
14 designated by the committee as its agent to accept service of  
15 process; and

16 (3) a descriptive statement prepared by the organizers or officers  
17 of the committee that identifies (a) the names and mailing addresses  
18 of the persons having control over the affairs of the committee,  
19 including but not limited to persons in whose name or at whose  
20 direction or suggestion the committee solicits funds, and persons  
21 participating in any decision to make a contribution of such funds to  
22 any candidate, political committee or continuing political  
23 committee and, in the case of an independent expenditure  
24 committee, any decision to expend funds for the purpose of  
25 influencing or attempting to influence the outcome of any election  
26 or the nomination, election, or defeat of any person to State or local  
27 elective public office or the passage or defeat of any public  
28 question, legislation, or regulation, or in providing political  
29 information on any candidate or public question, legislation, or  
30 regulation; (b) the name and mailing address of any person not  
31 included among the persons identified under subparagraph (a) of  
32 this paragraph who, directly or through an agent, participated in the  
33 initial organization of the committee; (c) in the case of any person  
34 identified under subparagraph (a) or subparagraph (b) who is an  
35 individual, the occupation of that individual, the individual's home  
36 address, and the name and mailing address of the individual's  
37 employer, or, in the case of any such person which is a corporation,  
38 partnership, unincorporated association, or other organization, the  
39 name and mailing address of the organization; and (d) any other  
40 information which the Election Law Enforcement Commission may,  
41 under such regulations as it shall adopt pursuant to the provisions of  
42 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
43 seq.), require as being material to the fullest possible disclosure of  
44 the economic, political and other particular interests and objectives  
45 which the committee has been organized to or does advance. The  
46 commission shall be informed, in writing, of any change in the  
47 information required by this paragraph within three days of the  
48 occurrence of the change. Legislative leadership committees shall

1 be exempt from the requirements of subparagraphs (a), (b) and (c)  
2 of this paragraph.

3 b. After submission of a statement of registration to the  
4 commission pursuant to this section, the committee shall use the  
5 complete name or identifying title on all documents submitted to  
6 the commission, in all solicitations for contributions, in all paid  
7 media advertisements purchased or paid for by the committee in  
8 support of or in opposition to any candidate or public question, and  
9 in all contributions made by the committee to candidates or other  
10 committees and, in the case of an independent expenditure  
11 committee, any decision to expend funds for the purpose of  
12 influencing or attempting to influence the outcome of any election  
13 or the selection, nomination, election, or defeat of any person to  
14 State or local elective public office or the passage or defeat of any  
15 public question, legislation, or regulation, or in providing political  
16 information on any candidate or public question, legislation, or  
17 regulation.

18 c. Each report of contributions under section 8 of P.L.1973,  
19 c.83 (C.19:44A-8) by a political committee, continuing political  
20 committee, independent expenditure committee, or legislative  
21 leadership committee required under subsection a. of this section to  
22 submit a statement of registration shall include, in the case of each  
23 contributor who is an individual, the home address of the individual  
24 if different from the individual's mailing address, or, in the case of  
25 any contributor which is an organization, any information, in  
26 addition to that otherwise required, which the Election Law  
27 Enforcement Commission may, under such regulations as it shall  
28 adopt pursuant to the provisions of the "Administrative Procedure  
29 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being  
30 material to the fullest possible disclosure of the economic, political  
31 and other particular interests and objectives which the contributing  
32 organization has been organized to or does advance.

33 d. Any political committee, continuing political committee,  
34 independent expenditure committee, or legislative leadership  
35 committee may at any time apply to the commission for approval of  
36 an abbreviation or acronym of its complete, official name or title for  
37 its exclusive use on documents which it shall submit to the  
38 commission. Upon verification that the abbreviation or acronym  
39 has not been approved for such use by any other political  
40 committee, continuing political committee, independent expenditure  
41 committee, or legislative leadership committee, the commission  
42 shall approve the abbreviation or acronym for such use by the  
43 applicant committee, and the committee, and any individual,  
44 corporation, partnership, membership organization or incorporated  
45 or unincorporated association which, under the provisions of  
46 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the  
47 commission containing a reference to that committee, shall  
48 thereafter use that approved abbreviation or acronym in documents

1 submitted to the commission. The commission shall, during its  
2 regular office hours, maintain for public inspection in its offices a  
3 current alphabetically arranged list of all such approved  
4 abbreviations and acronyms, indicating for each the name of the  
5 committee for which it stands, and shall make copies of the list  
6 available upon request.

7 e. No foreign national, government, instrumentality, or agent  
8 may register as an independent expenditure committee for the purpose  
9 of making independent expenditures in any State or local election.  
10 (cf: P.L.1993, c.65, s.21)

11

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

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

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

36 Every independent expenditure committee may designate a  
37 chairman of the committee, but no person serving as the chairman  
38 of a political party committee or a legislative leadership committee  
39 shall be eligible to be appointed or to serve as the chairman of an  
40 independent expenditure committee. No candidate or holder of  
41 public office, directly or indirectly, shall establish, authorize the  
42 establishment of, maintain, or participate in the management or  
43 control of any independent expenditure committee. Every  
44 independent expenditure committee, not later than the date on  
45 which it first receives any contribution or makes or incurs any  
46 expenditure for the purpose of influencing or attempting to  
47 influence the outcome of any election or the nomination, election,  
48 or defeat of any person to State or local elective public office or the

1 passage or defeat of any public question, legislation, or regulation,  
2 or providing political information on any candidate or public  
3 question, legislation, or regulation, shall appoint a single  
4 organizational treasurer and designate an organizational depository,  
5 but no person serving as the chairman of a political party committee  
6 or a legislative leadership committee shall be eligible to be  
7 appointed or to serve as the organizational treasurer of an  
8 independent expenditure committee. Not later than the 10th day  
9 after the initial designation of the organizational depository, the  
10 committee shall file the name and address of the depository, and of  
11 the organizational treasurer, with the Election Law Enforcement  
12 Commission.

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

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

36 Each organizational treasurer of a State political party committee  
37 or a legislative leadership committee shall be a trained treasurer,  
38 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-  
39 6), or shall acquire such training within 90 days of appointment as  
40 an organizational treasurer. An organizational treasurer of any  
41 other political party committee or a continuing political committee  
42 or an independent expenditure committee and a campaign treasurer  
43 of a political committee may be a trained treasurer.

44 An organizational treasurer of a political party committee, a  
45 continuing political committee, an independent expenditure  
46 committee, or a legislative leadership committee and a campaign  
47 treasurer of a political committee may appoint deputy  
48 organizational or campaign treasurers as may be required and may

1 designate additional organizational or campaign depositories. Such  
2 committees shall file the names and addresses of such deputy  
3 treasurers and additional depositories with the Election Law  
4 Enforcement Commission not later than the fifth day after their  
5 appointment or designation, respectively.

6 Any political party committee, any political committee, any  
7 independent expenditure committee, any continuing political  
8 committee, and any legislative leadership committee may remove  
9 its organizational or campaign treasurer or deputy treasurer. In the  
10 case of the death, resignation or removal of its organizational or  
11 campaign treasurer, the committee shall appoint a successor as soon  
12 as practicable and shall file his name and address with the Election  
13 Law Enforcement Commission within three days.

14 (cf: P.L.2004, c.22, s.3)

15

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

18 11. No contribution of money or other thing of value, nor  
19 obligation therefor, including but not limited to contributions, loans  
20 or obligations of a candidate himself or of his family, shall be made  
21 or received, and no expenditure of money or other thing of value,  
22 nor obligation therefor, including expenditures, loans or obligations  
23 of a candidate himself or of his family, shall be made or incurred,  
24 directly or indirectly, to support or defeat a candidate in any  
25 election, or to aid the passage or defeat of any public question, or to  
26 aid the passage or defeat of legislation or regulation in the case of an  
27 independent expenditure committee, except through:

28 a. The duly appointed campaign treasurer or deputy campaign  
29 treasurers of the candidate committee or joint candidates  
30 committee;

31 b. The duly appointed organizational treasurer or deputy  
32 organizational treasurers of a political party committee or a  
33 continuing political committee;

34 c. The duly appointed campaign treasurer or deputy campaign  
35 treasurers of a political committee; **[or]**

36 d. The duly appointed organizational treasurer or deputy  
37 organizational treasurer of a legislative leadership committee; or

38 e. The duly appointed organizational treasurer or deputy  
39 organizational treasurer of an independent expenditure committee.

40 It shall be lawful, however, for any person, not acting in concert  
41 with any other person or group, to expend personally from his own  
42 funds a sum which is not to be repaid to him for any purpose not  
43 prohibited by law, or to contribute his own personal services and  
44 personal traveling expenses, to support or defeat a candidate or to  
45 aid the passage or defeat of a public question; provided, however,  
46 that any person making such expenditure shall be required to report  
47 his or her name and mailing address and the amount of all such  
48 expenditures and expenses, except personal traveling expenses, if

1 the total of the money so expended, exclusive of such traveling  
2 expenses, exceeds \$500, and also, where the person is an individual,  
3 to report the individual's occupation and the name and mailing  
4 address of the individual's employer, to the Election Law  
5 Enforcement Commission at the same time and in the same manner  
6 as a political committee subject to the provisions of section 8 of  
7 **【this act】** P.L.1973, c.83 (C.19:44A-8). Such expenditure made  
8 during the period between the 13th day prior to the election and the  
9 date of the election shall be filed in writing or by telegram within  
10 48 hours of the making, incurring or authorization of the  
11 expenditure and shall set forth the name and mailing address of the  
12 person, firm or organization to whom or which the expenditure was  
13 paid and the amount and purpose of the expenditure.

14 No contribution of money shall be made in currency, except  
15 contributions in response to a public solicitation, provided that  
16 cumulative currency contributions of up to \$200 may be made to a  
17 candidate committee or joint candidates committee, a political  
18 committee, a continuing political committee, an independent  
19 expenditure committee, a legislative leadership committee or a  
20 political party committee if the contributor submits with the  
21 currency contribution a written statement of a form as prescribed by  
22 the commission, indicating the contributor's name, mailing address  
23 and occupation and the amount of the contribution, including the  
24 contributor's signature and the name and mailing address of the  
25 contributor's employer. Adjustments to the \$200 limit established in  
26 this paragraph which have been made by the Election Law  
27 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
28 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
29 rescinded. The \$200 limit established in this paragraph shall remain  
30 as stated in this paragraph without further adjustment by the  
31 commission in the manner prescribed by section 22 of P.L.1993,  
32 c.65 (C.19:44A-7.2).

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

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

48 (cf: P.L.2004, c.33, s.2)

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

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

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

46

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

1 18. If any former candidate or any political committee or any  
2 person or association of persons in behalf of such political  
3 committee or former candidate shall receive any contributions or  
4 make any expenditures with relation to any election after the date  
5 set in section 16 of **[this act]** P.L.1973, c.83 (C.19:44A-16) for the  
6 final report subsequent to such election, or shall conduct any  
7 testimonial affair or public solicitation for the purpose of raising  
8 funds to cover any part of the expenses of a candidate **[or]**,  
9 political committee, independent expenditure committee, or other  
10 organization in such election, all such contributions, expenditures,  
11 testimonial affairs or public solicitations shall be reported to the  
12 Election Law Enforcement Commission by the person or persons  
13 receiving such contributions or making such expenditures or  
14 conducting such testimonial affairs or public solicitations. Such  
15 report shall be made by any person receiving any such contribution  
16 or contributions, or making any such expenditure or expenditures,  
17 which in the aggregate total more than \$100.00, or conducting any  
18 testimonial affair or public solicitation of which the net proceeds  
19 exceed \$100.00; and shall be made within 20 days from the date  
20 upon which the aggregate of such contributions, expenditures or  
21 proceeds exceed \$100.00 for the period commencing with the 19th  
22 day following such election or with the date upon which any  
23 previous report was made pursuant to this section, whichever is  
24 sooner. Such report shall be made in the same form and shall  
25 contain the same detail prescribed for any other report made  
26 pursuant to section 8 or 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8  
27 or C.19:44A-16).

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

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

32 19. a. No person shall conduct any public solicitation as defined  
33 in this act except (1) upon written authorization of the campaign or  
34 organizational treasurer of the candidate committee or joint  
35 candidates committee, political committee, continuing political  
36 committee, political party committee, independent expenditure  
37 committee, or legislative leadership committee on whose behalf  
38 such solicitation is conducted, or (2) in accordance with the  
39 provisions of subsection c. of this section. A person with such  
40 written authorization may employ and accept the services of others  
41 as solicitors, and shall be responsible for reporting to the treasurer  
42 the information required under subsection b. of this section and for  
43 delivery to the treasurer the net proceeds of such solicitation in  
44 compliance with section 11 of **[this act]** P.L.1973, c.83 (C.19:44A-  
45 11). A contribution made through donation or purchase in response  
46 to a public solicitation conducted pursuant to written authorization  
47 of a treasurer shall be deemed to have been made through such  
48 treasurer.

1       b. Whenever a public solicitation has been authorized by a  
2 treasurer during a period covered by a report required to be filed  
3 under sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8  
4 and C.19:44A-16), there shall be filed with such report and as a part  
5 thereof an itemized report on any such solicitation of which the net  
6 proceeds exceed \$200, in such form and detail as required by the  
7 rules of the Election Law Enforcement Commission, which report  
8 shall include:

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

13       (2) The gross receipts and expenses involved in the solicitation  
14 including the actual amount paid for any items purchased for resale  
15 in connection with the solicitation, or, if such items or any portion  
16 of the cost thereof was donated, the estimated actual value thereof  
17 and the actual amount paid therefor, and the names and addresses of  
18 any such donors. If it is not practicable for such itemized report to  
19 be completed in time to be included with the report due under  
20 sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8 and  
21 C.19:44A-16) for the period during which such solicitation was  
22 held, then such itemized report may be omitted from said report and  
23 if so omitted shall be included in the report for the next succeeding  
24 period.

25       Adjustments to the \$200 limit established in this subsection  
26 which have been made by the Election Law Enforcement  
27 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-  
28 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The  
29 \$200 limit established in this subsection shall remain as stated in  
30 this subsection without further adjustment by the commission in the  
31 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

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

1 individual's employer. Adjustments to the \$200 limit established in  
2 this subsection which have been made by the Election Law  
3 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
4 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
5 rescinded. The \$200 limit established in this subsection shall  
6 remain as stated in this subsection without further adjustment by the  
7 commission in the manner prescribed by section 22 of P.L.1993,  
8 c.65 (C.19:44A-7.2).

9 Such report shall be made to the Election Law Enforcement  
10 Commission at the same time and in the same manner as a political  
11 committee, continuing political committee, political party  
12 committee, independent expenditure committee, or a legislative  
13 leadership committee subject to the provisions of section 8 of **[this**  
14 **act]** P.L.1973, c.83 (C.19:44A-8).

15 d. Contributions or purchases made in response to a public  
16 solicitation conducted in conformity with the requirements and  
17 conditions of **[this act]** P.L.1973, c.83 (C.19:44A-1 et seq.) shall  
18 not be deemed anonymous within the meaning of sections 11 and 20  
19 of **[this]** the act.

20 e. No person contributing in good faith to a public solicitation  
21 not duly authorized in compliance with the provisions of **[this act]**  
22 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be liable to any penalty  
23 under **[this]** the act by reason of having made such contribution.  
24 (cf: P.L.2004, c.28, s.6)

25

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

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

37 No individual, either alone or jointly with one or more other  
38 individuals, and no corporation, partnership, membership  
39 organization or other incorporated or unincorporated association  
40 shall loan or advance to any individual, group of individuals,  
41 corporation, partnership, membership organization or other  
42 incorporated or unincorporated association any money or other  
43 thing of value expressly for the purpose of inducing the recipient  
44 thereof, or any other individual, group, corporation, partnership,  
45 organization or association, to make a contribution, either directly  
46 or indirectly, of money or other thing of value to a candidate or the  
47 candidate committee or joint candidates committee of a candidate.

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

13 No treasurer, candidate or member of a candidate committee,  
14 joint candidates committee, political committee, continuing political  
15 committee, independent expenditure committee, political party  
16 committee or legislative leadership committee shall solicit or  
17 knowingly accept, agree to accept or concur in or abet the  
18 solicitation or acceptance of any contribution contrary to the  
19 provisions of this section.

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

21

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

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

38 b. Whenever a candidate committee, joint candidates committee,  
39 political committee, continuing political committee, independent  
40 expenditure committee, political party committee or legislative  
41 leadership committee, or any group other than such a committee, or  
42 any person makes, incurs or authorizes an expenditure for the purpose  
43 of financing a communication aiding the passage or defeat of any  
44 public question or providing political information on any public  
45 question, or aiding the passage or defeat of legislation or regulation in  
46 the case of an independent expenditure committee, which is an  
47 expenditure that the committee, group or person is required to report to  
48 the Election Law Enforcement Commission pursuant to P.L.1973, c.83

1 (C.19:44A-1 et seq.), the communication shall clearly state the name  
2 and business or residence address of the committee, group or person,  
3 as that information appears on reports filed with the commission, and  
4 that the communication has been financed by that committee, group or  
5 person.

6 c. A communication that is financed by an independent  
7 expenditure committee or by any person, not acting in concert with a  
8 candidate or any person or committee acting on behalf of a candidate,  
9 shall contain a clear and conspicuous statement that the expenditure  
10 was not made with the cooperation or prior consent of, or in  
11 consultation with or at the request or suggestion of, any such  
12 candidate, person or committee.

13 d. Any person who accepts compensation from a committee,  
14 group or individual described in subsection a. or b. of this section for  
15 the purpose of printing, broadcasting, or otherwise disseminating to  
16 the electorate a communication shall require the committee, group, or  
17 individual to file a copy of the statement of registration required to be  
18 filed with the Election Law Enforcement Commission pursuant to  
19 section 21 of P.L.1993, c.65 (C.19:44A-8.1) and shall maintain a  
20 record of the transaction which shall include an exact copy of the  
21 communication and a statement of the number of copies made or the  
22 dates and times that the communication was broadcast or otherwise  
23 transmitted, and the name and address of the committee, group or  
24 individual paying for the communication. The record shall be  
25 maintained on file at the principal office of the person accepting the  
26 communication for at least two years and shall be available for public  
27 inspection during normal business hours.

28 e. As used in this section, "communication" means a press  
29 release, pamphlet, flyer, form letter, sign, billboard, paid advertisement  
30 printed in any newspaper or other publication or broadcast on radio or  
31 television, or telephone call featuring a recorded message, or any other  
32 form of advertising , including Internet and digital advertising,  
33 directed to the electorate.

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

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

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

44 h. The Election Law Enforcement Commission shall promulgate  
45 rules and regulations pursuant to the "Administrative Procedure Act,"  
46 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purpose of this  
47 section. The commission may, by regulation, exempt from the  
48 provisions of this section small, tangible items of de minimis value

1 which are commonly used in campaigns to convey a political message,  
2 including, but not limited to, buttons, combs, and nail files. The  
3 commission may also, by regulation, exempt from the provisions of  
4 this section advertising space purchased by a candidate committee,  
5 joint candidates committee, political committee, continuing political  
6 committee, political party committee, legislative leadership committee  
7 or other person, in a political program book distributed at a fund-  
8 raising event if the financial transaction is otherwise subject to  
9 disclosure. An exemption granted by the commission with respect to  
10 any item shall not relieve the committee, group or individual making  
11 an expenditure therefor from any applicable campaign finance  
12 reporting requirements.

13 In addition, the commission shall have the authority to provide, by  
14 regulation, that a communication need not include the address of the  
15 committee, group or person financing the communication in  
16 circumstances where the name of a committee, group or person would  
17 be sufficient to identify it from the commission's records.

18 (cf: P.L.2004, c.30, s.1)

19

20 11. (New section) To determine whether a person, candidate  
21 committee, joint candidates committee, continuing political  
22 committee, or independent expenditure committee has made a  
23 coordinated expenditure with any candidate or political party, the  
24 Election Law Enforcement Commission shall consider whether the  
25 candidate or political party, the candidate committee, or any staff  
26 member or agent thereof:

27 a. cooperated with, consented to, authorized, or exercised  
28 control over the production or circulation of the communication  
29 expenditure;

30 b. requested or suggested that the communication expenditure  
31 be made;

32 c. provided information to the person or entity making the  
33 communication expenditure with regard to the content, timing,  
34 location, mode, intended audience, distribution, or placement of the  
35 television, radio, direct mail, or other form of communication;

36 d. discussed or negotiated with the purchaser, creator,  
37 producer, or distributor of the communication concerning the  
38 content, timing, location, mode, intended audience, distribution, or  
39 placement of the communication;

40 e. shared information or held discussions on campaign or  
41 media strategy with the person or entity making the communication  
42 expenditure or with the purchaser, creator, producer, or distributor  
43 of the communication;

44 f. shared its polling or other research with the person or entity  
45 making the communication expenditure or whether or not the  
46 person or entity making the communication expenditure shared its  
47 polling or other research with the candidate, candidate committee,  
48 or with any agent of the candidate or candidate committee; or

1 g. engaged in any other activity the Election Law Enforcement  
2 Commission determines, by regulation, constitutes a coordinated  
3 expenditure.

4  
5 12. (New section) If any provision of this act, P.L. , c. (pending  
6 before the Legislature as this bill), or the application thereof to any  
7 person or circumstance is held invalid, such invalidity shall not affect  
8 other provisions or applications which can be given effect without the  
9 invalid provisions or applications, and to this end the provisions of this  
10 act are declared to be severable.

11  
12 13. This act shall take effect on the first date, following  
13 enactment, that occurs after July 16, 2019 by which a quarterly  
14 report would be required to be filed pursuant to paragraph (1) of  
15 subsection d. of section 8 of P.L.1973, c.83 (C.19:44A-8), but the  
16 first such report shall not be required to be filed until the next  
17 quarterly report filing deadline thereafter as specified in that  
18 paragraph and shall include only those reportable items which occur  
19 after the effective date of this act.

20  
21  
22 STATEMENT

23  
24 This bill revises “The New Jersey Campaign Contributions and  
25 Expenditures Reporting Act” to institute new reporting  
26 requirements on certain organizations.

27 The bill requires disclosure by any “independent expenditure  
28 committee,” defined as any person organized under section 527 or  
29 paragraph (4) of subsection (c) of section 501 of the federal Internal  
30 Revenue Code that engages in influencing or attempting to  
31 influence the outcome of any election or the nomination, election,  
32 or defeat of any person to any State or local elective public office or  
33 the passage or defeat of any public question, legislation, or  
34 regulation, or in providing political information on any candidate or  
35 public question, legislation, or regulation, and raises or expends  
36 \$3,000 or more for any such purpose. The bill requires these  
37 committees to report contributions in excess of \$10,000 and  
38 expenditures in excess of \$3,000 to the Election Law Enforcement  
39 Commission (ELEC), and prohibits a candidate or holder of public  
40 office from establishing, authorizing the establishment of,  
41 maintaining, or participating directly or indirectly, in the  
42 management or control of any independent expenditure committee.  
43 Under R.S.1:1-2, the term “person” includes corporations,  
44 companies, associations, societies, firms, partnerships and joint  
45 stock companies as well as individuals.

46 The bill defines “electioneering communication” as any  
47 communication made from January 1 of an election year and the  
48 date of the election and refers to: 1) a clearly identified candidate

1 for office and promotes or supports a candidate for that office or  
2 opposes a candidate for that office, regardless of whether the  
3 communication expressly advocates a vote for or against a  
4 candidate; or 2) a public question, and promotes or supports the  
5 passage or defeat of that question, regardless of whether the  
6 communication expressly advocates a vote for or against the  
7 passage of the question. The term includes communications  
8 published in any newspaper or periodical; or broadcast on radio,  
9 television, the Internet or digital media, or any public address  
10 system; placed on any billboard, outdoor facility, button, motor  
11 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or  
12 other circular; or contained in any direct mailing, robotic phone  
13 calls, or mass e-mails.

14 The bill defines “independent expenditure” as an expenditure by  
15 a person expressly advocating, or the functional equivalent thereof,  
16 the election or defeat of: 1) a clearly identified candidate that is not  
17 made in concert or cooperation with or at the request or suggestion  
18 of the candidate, the candidate’s committee, a political party  
19 committee, or an agent thereof; or 2) a public question, legislation,  
20 or regulation, that is not made in concert or cooperation with or at  
21 the request or suggestion of the sponsors, organizers, or committee  
22 supporting or opposing the question, legislation, or regulation, a  
23 political party, or agents thereof. The “functional equivalent” of  
24 expressly advocating means specific advocacy that can be  
25 interpreted by a reasonable person as advocating the election or  
26 defeat of a candidate, or the passage or defeat of a public question,  
27 legislation, or regulation, taking into account whether the  
28 communication involved mentions a candidate, a political party, or  
29 a challenger to a candidate, or takes a position on a candidate’s  
30 character, qualifications, or fitness for office, or that can be  
31 interpreted by a reasonable person as taking a position on the merits  
32 of a public question, legislation, or regulation, or taking a position  
33 in favor or against the passage or defeat of the public question,  
34 legislation, or regulation.

35 The bill codifies the criteria used by ELEC to determine when  
36 coordination with a candidate or political party has occurred, and  
37 allows ELEC to issue additional criteria by regulation. Under the  
38 bill, foreign entities would be prohibited from registering as  
39 independent expenditure committees for the purpose of making  
40 independent expenditures in any State or local election. The bill  
41 explicitly includes Internet and digital advertisement in the  
42 definitions of “political information,” “electioneering  
43 communication,” and “communication.” It further requires persons  
44 who accept compensation from any committee, group, or individual  
45 for the placement of communication to be disseminated to the  
46 electorate to require such committee, group, or individual to file a  
47 copy of their statement of registration they filed with ELEC.

1 Under the bill, independent expenditure committees would file  
2 quarterly reports of contributions received in excess of \$10,000 and  
3 expenditures made in excess of \$3,000. The bill requires  
4 independent expenditure committees to also report within 48 hours  
5 any contribution received or expenditure made in excess of \$500  
6 and \$800, respectively, when such is received or made after the  
7 final day of a quarterly reporting period and on or before an election  
8 which occurs after that final day but before the final day of the next  
9 reporting period.

10 The provisions of the bill are severable. The bill would take  
11 effect on the first date, following enactment, that occurs after July  
12 16, 2019 by which a quarterly report would be required to be filed  
13 pursuant to N.J.S.A.19:44A-8(d)(1). The bill specifies that the first  
14 of those reports will not be required to be filed until the next  
15 quarterly report filing deadline as specified in that paragraph and  
16 specifies that the report need only include those reportable items  
17 which occur after the effective date of the bill.

# SENATE, No. 1500

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

**Sponsored by:**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Senators Gopal, Weinberg and Thompson**

**SYNOPSIS**

Requires disclosure by independent expenditure committees; raises certain campaign contribution limits; repeals ban on certain intraparty fund transfers.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/18/2019)**

S1500 SINGLETON, GREENSTEIN

2

1 AN ACT concerning campaign finance disclosures and limits,  
2 amending various parts of the statutory law and repealing section  
3 13 of P.L.2004, c.19.

4

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

7

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

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

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

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

14 c. The term "candidate" means: (1) an individual seeking  
15 election to a public office of the State or of a county, municipality  
16 or school district at an election; except that the term shall not  
17 include an individual seeking party office; (2) an individual who  
18 shall have been elected or failed of election to an office, other than  
19 a party office, for which he sought election and who receives  
20 contributions and makes expenditures for any of the purposes  
21 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during  
22 the period of his service in that office; and (3) an individual who  
23 has received funds or other benefits or has made payments solely  
24 for the purpose of determining whether the individual should  
25 become a candidate as defined in paragraphs (1) and (2) of this  
26 subsection.

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, candidate committee, joint candidates committee,  
30 political committee, continuing political committee, independent  
31 expenditure committee, political party committee or legislative  
32 leadership committee, and all pledges or other commitments or  
33 assumptions of liability to make any such transfer; and for purposes  
34 of reports required under the provisions of this act shall be deemed  
35 to have been made upon the date when such commitment is made or  
36 liability assumed.

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

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

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

**Matter underlined thus is new matter.**

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

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

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

37 i. The term "political committee" means any two or more  
38 persons acting jointly, or any corporation, partnership, or any other  
39 incorporated or unincorporated association which is organized to, or  
40 does, aid or promote the nomination, election or defeat of any  
41 candidate or candidates for public office, or which is organized to,  
42 or does, aid or promote the passage or defeat of a public question in  
43 any election, if the persons, corporation, partnership or incorporated  
44 or unincorporated association raises or expends ~~【\$1,000.00】~~ \$2,400  
45 or more to so aid or promote the nomination, election or defeat of a  
46 candidate or candidates or the passage or defeat of a public  
47 question; provided that for the purposes of this act, the term  
48 "political committee" shall not include a "continuing political

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

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

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

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

39 m. The term "qualified candidate" means:

40 (1) Joint candidates for election to the offices of Governor and  
41 Lieutenant Governor whose names appear on the general election  
42 ballot; who have deposited and expended \$150,000.00 pursuant to  
43 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than  
44 September 1 preceding a general election in which the offices of  
45 Governor and Lieutenant Governor are to be filled, (a) notify the  
46 Election Law Enforcement Commission in writing that the  
47 candidates intend that application will be made on the candidates'  
48 behalf for monies for general election campaign expenses under

1 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)  
2 sign a statement of agreement, in a form to be prescribed by the  
3 commission, to participate in interactive gubernatorial election  
4 debates under the provisions of sections 9 through 11 of P.L.1989,  
5 c.4 (C.19:44A-45 through C.19:44A-47); or

6 (2) Joint candidates for election to the offices of Governor and  
7 Lieutenant Governor whose names do not appear on the general  
8 election ballot; who have deposited and expended \$150,000.00  
9 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,  
10 not later than September 1 preceding a general election in which the  
11 offices of Governor and Lieutenant Governor are to be filled, (a)  
12 notify the Election Law Enforcement Commission in writing that  
13 the candidates intend that application will be made on the  
14 candidates' behalf for monies for general election campaign  
15 expenses under subsection b. of section 8 of P.L.1974, c.26  
16 (C.19:44A-33), and (b) sign a statement of agreement, in a form to  
17 be prescribed by the commission, to participate in interactive  
18 gubernatorial election debates under the provisions of sections 9  
19 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);  
20 or

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

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

1 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-  
2 45 through C.19:44A-47).

3 n. The term "continuing political committee" means any group  
4 of two or more persons acting jointly, or any corporation,  
5 partnership, or any other incorporated or unincorporated  
6 association, including a political club, political action committee,  
7 civic association or other organization, which in any calendar year  
8 contributes or expects to contribute at least ~~【\$2,500.00】~~ \$5,500 to  
9 the aid or promotion of the candidacy of an individual, or of the  
10 candidacies of individuals, for elective public office, or the passage  
11 or defeat of a public question or public questions, and which may be  
12 expected to make contributions toward such aid or promotion or  
13 passage or defeat during a subsequent election, provided that the  
14 group, corporation, partnership, association or other organization  
15 has been determined to be a continuing political committee under  
16 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided  
17 that for the purposes of this act, the term "continuing political  
18 committee" shall not include a "political party committee," as  
19 defined by subsection p. of this section, **【or】** a "legislative  
20 leadership committee," as defined by subsection s. of this section,  
21 or an "independent expenditure committee," as defined by  
22 subsection t. of this section.

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

44 p. The term "political party committee" means the State  
45 committee of a political party, as organized pursuant to R.S.19:5-4,  
46 any county committee of a political party, as organized pursuant to  
47 R.S.19:5-3, or any municipal committee of a political party, as  
48 organized pursuant to R.S.19:5-2.

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

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

20 s. The term "legislative leadership committee" means a  
21 committee established, authorized to be established, or designated  
22 by the President of the Senate, the Minority Leader of the Senate,  
23 the Speaker of the General Assembly or the Minority Leader of the  
24 General Assembly pursuant to section 16 of P.L.1993, c.65  
25 (C.19:44A-10.1) for the purpose of receiving contributions and  
26 making expenditures.

27 t. The term "independent expenditure committee" means a  
28 person, a group of two or more persons, or an organization  
29 organized under section 527 of the federal Internal Revenue Code  
30 (26 U.S.C. s.527) or under paragraph (4) of subsection c. of section  
31 501 of the federal Internal Revenue Code (26 U.S.C. s.501) that  
32 does not fall within the definition of any other organization subject  
33 to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.), that  
34 engages in influencing or attempting to influence the outcome of  
35 any election or the nomination, election, or defeat of any person to  
36 any State or local elective public office, or the passage or defeat of  
37 any public question, or in providing political information on any  
38 candidate or public question, and raises or expends \$3,000 or more  
39 in the aggregate for any such purpose annually, but does not  
40 coordinate its activities with any candidate or political party.

41 u. The term "electioneering communication" means any  
42 communication that has a value of at least \$10,000 and refers to: (1)  
43 a clearly identified candidate for office and promotes or supports a  
44 candidate for that office or opposes a candidate for that office,  
45 regardless of whether the communication expressly advocates a  
46 vote for or against a candidate; or (2) a public question and  
47 promotes or supports the passage or defeat of that question,  
48 regardless of whether the communication expressly advocates a

1 vote for or against the passage of the question. The term includes  
2 communications published in any newspaper or periodical;  
3 broadcast on radio, television, or the Internet, or any public address  
4 system; placed on any billboard, outdoor facility, button, motor  
5 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or  
6 other circular; or contained in any direct mailing, robotic phone  
7 calls, or mass e-mails.

8 v. The term “independent expenditure” means an expenditure  
9 by a person expressly advocating, or the functional equivalent  
10 thereof, the election or defeat of: (1) a clearly identified candidate  
11 that is not made in concert or cooperation with or at the request or  
12 suggestion of the candidate, the candidate’s committee, a political  
13 party committee, or an agent thereof; or (2) a public question that is  
14 not made in concert or cooperation with or at the request or  
15 suggestion of the sponsors, organizers, or committee supporting or  
16 opposing the question, a political party, or agents thereof. The  
17 “functional equivalent” of expressly advocating means specific  
18 advocacy that can be interpreted by a reasonable person as  
19 advocating the election or defeat of a candidate, or the passage or  
20 defeat of a public question, taking into account whether the  
21 communication involved mentions a candidate, a political party, or  
22 a challenger to a candidate, or takes a position on a candidate’s  
23 character, qualifications, or fitness for office, or that can be  
24 interpreted by a reasonable person as taking a position on the merits  
25 of a public question or taking a position in favor or against the  
26 passage or defeat of a public question.

27 (cf: P.L.2009, c.66, s.5)

28

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

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

1 and mailing address of the individual's employer. In the case of any  
2 loan reported pursuant to this subsection, the report shall contain  
3 the name and mailing address of each person who has cosigned such  
4 loan since 48 hours preceding the date on which the previous such  
5 report was made, and where an individual has cosigned such loans,  
6 the report shall indicate the occupation of the individual and the  
7 name and mailing address of the individual's employer. The  
8 cumulative report shall also contain the name and address of each  
9 person, firm or organization to whom expenditures have been paid  
10 since 48 hours preceding the date on which the previous such report  
11 was made and the amount and purpose of each such expenditure.  
12 The cumulative report shall be filed with the Election Law  
13 Enforcement Commission on the dates designated in section 16  
14 hereof.

15 The campaign treasurer of the political committee reporting shall  
16 certify to the correctness of each report.

17 Each campaign treasurer of a political committee shall file  
18 written notice with the commission of a contribution in excess of  
19 ~~[\$500]~~ \$1,400 received during the period between the 13th day  
20 prior to the election and the date of the election, and of an  
21 expenditure of money or other thing of value in excess of ~~[\$500]~~  
22 \$1,400 made, incurred or authorized by the political committee to  
23 support or defeat a candidate in an election, or to aid the passage or  
24 defeat of any public question, during the period between the 13th  
25 day prior to the election and the date of the election. The notice of  
26 a contribution shall be filed in writing or by ~~[telegram]~~ electronic  
27 transmission within 48 hours of the receipt of the contribution and  
28 shall set forth the amount and date of the contribution, the name and  
29 mailing address of the contributor, and where the contributor is an  
30 individual, the individual's occupation and the name and mailing  
31 address of the individual's employer. The notice of an expenditure  
32 shall be filed in writing or by ~~[telegram]~~ electronic transmission  
33 within 48 hours of the making, incurring or authorization of the  
34 expenditure and shall set forth the name and mailing address of the  
35 person, firm or organization to whom or which the expenditure was  
36 paid and the amount and purpose of the expenditure.

37 (2) When a political committee or an individual seeking party  
38 office makes or authorizes an expenditure on behalf of a candidate,  
39 it shall provide immediate written notification to the candidate of  
40 the expenditure.

41 b. (1) A group of two or more persons acting jointly, or any  
42 corporation, partnership, or any other incorporated or  
43 unincorporated association including a political club, political  
44 action committee, civic association or other organization, which in  
45 any calendar year contributes or expects to contribute at least  
46 ~~[\$2,500.00]~~ \$5,500 to the aid or promotion of the candidacy of an  
47 individual, or of the candidacies of individuals, for elective public

1 office or the passage or defeat of a public question or public  
2 questions and which expects to make contributions toward such aid  
3 or promotion, or toward such passage or defeat, during a subsequent  
4 election shall certify that fact to the commission, and the  
5 commission, upon receiving that certification and on the basis of  
6 any information as it may require of the group, corporation,  
7 partnership, association or other organization, shall determine  
8 whether the group, corporation, partnership, association or other  
9 organization is a continuing political committee for the purposes of  
10 this act. If the commission determines that the group, corporation,  
11 partnership, association or other organization is a continuing  
12 political committee, it shall so notify that continuing political  
13 committee.

14 No person serving as the chairman of a political party committee  
15 or a legislative leadership committee shall be eligible to be  
16 appointed or to serve as the chairman of a continuing political  
17 committee.

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

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

1 Each continuing political committee shall provide immediate  
2 written notification to each candidate of all expenditures made or  
3 authorized on behalf of the candidate.

4 If any continuing political committee submitting cumulative  
5 quarterly reports as provided under this subsection receives a  
6 contribution from a single source of more than ~~[\$500]~~ \$1,400 after  
7 the final day of a quarterly reporting period and on or before a  
8 primary, general, municipal, school or special election which occurs  
9 after that final day but prior to the final day of the next reporting  
10 period it shall, in writing or by ~~[telegram]~~ electronic transmission,  
11 report that contribution to the commission within 48 hours of the  
12 receipt thereof, including in that report the amount and date of the  
13 contribution; the name and mailing address of the contributor; and  
14 where the contributor is an individual, the individual's occupation  
15 and the name and mailing address of the individual's employer. If  
16 any continuing political committee makes or authorizes an  
17 expenditure of money or other thing of value in excess of ~~[\$500]~~  
18 \$1,400, or incurs any obligation therefor, to support or defeat a  
19 candidate in an election, or to aid the passage or defeat of any  
20 public question, after March 31 and on or before the day of the  
21 primary election, or after September 30 and on or before the day of  
22 the general election, it shall, in writing or by ~~[telegram]~~ electronic  
23 transmission, report that expenditure to the commission within 48  
24 hours of the making, authorizing or incurring thereof.

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

36 c. Each political party committee ~~[and each]~~, legislative  
37 leadership committee, and independent expenditure committee shall  
38 file with the Election Law Enforcement Commission, not later than  
39 April 15, July 15, October 15 and January 15 of each calendar year,  
40 a cumulative quarterly report of all moneys, loans, paid personal  
41 services or other things of value contributed to it during the period  
42 ending on the 15th day preceding that date and commencing on  
43 January 1 of that calendar year or, in the case of the cumulative  
44 quarterly report to be filed not later than January 15, of the previous  
45 calendar year, and all expenditures made, incurred, or authorized by  
46 it during the period, whether or not such expenditures were made,  
47 incurred or authorized in furtherance of the election or defeat of any

1 candidate, or in aid of the passage or defeat of any public question  
2 or to provide information on any candidate or public question.

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

20 **【If】** d. (1) Each independent expenditure committee shall make  
21 a full cumulative report, upon a form prescribed by the Election  
22 Law Enforcement Commission, of all contributions received in  
23 excess of \$300 in the form of moneys, loans, paid personal services,  
24 or other things of value made to it, and of all expenditures in excess  
25 of \$300 made, incurred, or authorized by it in influencing or  
26 attempting to influence the outcome of any election or the  
27 nomination, election, or defeat of any person to State or local  
28 elective public office or the passage or defeat of any public  
29 question, or in providing political information on any candidate or  
30 public question, during the period ending 48 hours preceding the  
31 date of the report and beginning on the date on which the first of  
32 those contributions was received or the first of those expenditures  
33 was made, whichever occurred first. The cumulative report, except  
34 as hereinafter provided, shall contain the name and mailing address  
35 of each person or group from whom moneys, loans, paid personal  
36 services or other things of value have been contributed since 48  
37 hours preceding the date on which such previous report was made  
38 and the amount contributed by each person or group in excess of  
39 \$300, and when the contributor is an individual, the report shall  
40 indicate the occupation of the individual and the name and mailing  
41 address of the individual's employer. In the case of any loan  
42 reported pursuant to this subsection, the report shall contain the  
43 name and mailing address of each person who has cosigned such  
44 loan since 48 hours preceding the date on which the previous such  
45 report was made, and when an individual has cosigned such loans,  
46 the report shall indicate the occupation of the individual and the  
47 name and mailing address of the individual's employer. The  
48 cumulative report shall also contain the name and address of each

1 person, firm, or organization to whom expenditures have been paid  
2 since 48 hours preceding the date on which the previous such report  
3 was made and the amount and purpose of each such expenditure.  
4 The cumulative report shall be filed with the Election Law  
5 Enforcement Commission on the dates designated in section 16 of  
6 P.L.1973, c.83 (C.19:44A-16).

7 (2) An independent expenditure committee shall disclose all  
8 expenditures made by it in excess of \$300, including, but not  
9 limited to, for electioneering communications, voter registration,  
10 get-out-the-vote efforts, polling, and research. The disclosures  
11 required by this paragraph shall be reported to the Election Law  
12 Enforcement Commission on the same schedule as required for  
13 political committees and continuing political committees pursuant  
14 to this section.

15 The treasurer of the reporting independent expenditure  
16 committee shall certify the correctness of each report and shall  
17 maintain all records of contributions and expenditures for a period  
18 of not less than four years.

19 e. When a political party committee [or a], legislative  
20 leadership committee [submitting cumulative quarterly reports as  
21 provided under this subsection] or independent expenditure  
22 committee receives a contribution from a single source of more than  
23 [\$500] \$1,400 after the final day of a quarterly reporting period  
24 and on or before a primary, general, municipal, school, or special  
25 election which occurs after that final day but prior to the final day  
26 of the next reporting period it shall, in writing or by [telegram]  
27 electronic transmission, report that contribution to the commission  
28 within 48 hours of the receipt thereof, including in that report the  
29 amount and date of the contribution; the name and mailing address  
30 of the contributor; and where the contributor is an individual, the  
31 individual's occupation and the name and mailing address of the  
32 individual's employer. [If] When a political party committee [or  
33 a], legislative leadership committee [submitting cumulative  
34 quarterly reports as provided under this subsection] , or an  
35 independent expenditure committee makes or authorizes an  
36 expenditure of money or other thing of value in excess of [\$800]  
37 \$1,400, or incurs any obligation therefor, to support or defeat a  
38 candidate in an election, or to aid the passage or defeat of any  
39 public question, after March 31 and on or before the day of the  
40 primary election, or after September 30 and on or before the day of  
41 the general election, it shall, in writing or by [telegram] electronic  
42 transmission, report that expenditure to the commission within 48  
43 hours of the making, authorizing or incurring thereof.

44 [d.] f. In any report filed pursuant to the provisions of this  
45 section the organization or committee reporting may exclude from  
46 the report the name of and other information relating to any  
47 contributor whose contributions during the period covered by the

1 report did not exceed \$300, provided, however, that (1) such  
2 exclusion is unlawful if any person responsible for the preparation  
3 or filing of the report knew that it was made with respect to any  
4 person whose contributions relating to the same election or issue  
5 and made to the reporting organization or committee aggregate, in  
6 combination with the contribution in respect of which such  
7 exclusion is made, more than \$300 and (2) any person who  
8 knowingly prepares, assists in preparing, files or acquiesces in the  
9 filing of any report from which the identification of a contributor  
10 has been excluded contrary to the provisions of this section is  
11 subject to the provisions of section 21 of **[this act]** P.L.1973, c.83  
12 (C.19:44A-21), but (3) nothing in this proviso shall be construed as  
13 requiring any committee or organization reporting pursuant to this  
14 act to report the amounts, dates or other circumstantial data  
15 regarding contributions made to any other organization or political  
16 committee, political party committee or campaign organization of a  
17 candidate.

18 g. Any report filed pursuant to the provisions of this section  
19 shall include an itemized accounting of all receipts and  
20 expenditures relative to any testimonial affairs held since the date  
21 of the most recent report filed, which accounting shall include the  
22 name and mailing address of each contributor in excess of \$300 to  
23 such testimonial affair and the amount contributed by each; in the  
24 case of an individual contributor, the occupation of the individual  
25 and the name and mailing address of the individual's employer; the  
26 expenses incurred; and the disposition of the proceeds of such  
27 testimonial affair.

28 The \$300 limit established in this subsection shall remain as  
29 stated in this subsection without further adjustment by the  
30 commission in the manner prescribed by section 22 of P.L.1993,  
31 c.65 (C.19:44A-7.2).

32 (cf: P.L.2004, c.33, s.1)

33

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

36 21. a. Each political committee, as defined in subsection i. of  
37 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes  
38 the nomination for election or the election of a candidate or the  
39 passage or defeat of a public question, each independent  
40 expenditure committee, as defined in subsection t. of section 3 of  
41 P.L.1973, c.83 (C.19:44A-3), each continuing political committee  
42 as defined in subsection n. of section 3 of P.L.1973, c.83, and each  
43 legislative leadership committee as defined in subsection s. of  
44 section 3 of P.L.1973, c.83, shall submit to the commission a  
45 statement of registration which includes:

46 (1) the complete name or identifying title of the committee and  
47 the general category of entity or entities, including but not limited  
48 to business organizations, labor organizations, professional or trade

1 associations, candidate for or holder of public office, political party,  
2 ideological grouping or civic association, the interests of which are  
3 shared by the leadership, members, or financial supporters of the  
4 committee;

5 (2) the mailing address of the committee and the name and  
6 resident address of a resident of this State who shall have been  
7 designated by the committee as its agent to accept service of  
8 process; and

9 (3) a descriptive statement prepared by the organizers or officers  
10 of the committee that identifies (a) the names and mailing addresses  
11 of the persons having control over the affairs of the committee,  
12 including but not limited to persons in whose name or at whose  
13 direction or suggestion the committee solicits funds, and persons  
14 participating in any decision to make a contribution of such funds to  
15 any candidate, political committee or continuing political  
16 committee and, in the case of an independent expenditure  
17 committee, any decision to expend funds for the purpose of  
18 influencing or attempting to influence the outcome of any election  
19 or the nomination, election, or defeat of any person to State or local  
20 elective public office or the passage or defeat of any public  
21 question, or in providing political information on any candidate or  
22 public question; (b) the name and mailing address of any person not  
23 included among the persons identified under subparagraph (a) of  
24 this paragraph who, directly or through an agent, participated in the  
25 initial organization of the committee; (c) in the case of any person  
26 identified under subparagraph (a) or subparagraph (b) who is an  
27 individual, the occupation of that individual, the individual's home  
28 address, and the name and mailing address of the individual's  
29 employer, or, in the case of any such person which is a corporation,  
30 partnership, unincorporated association, or other organization, the  
31 name and mailing address of the organization; and (d) any other  
32 information which the Election Law Enforcement Commission may,  
33 under such regulations as it shall adopt pursuant to the provisions of  
34 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
35 seq.), require as being material to the fullest possible disclosure of  
36 the economic, political and other particular interests and objectives  
37 which the committee has been organized to or does advance. The  
38 commission shall be informed, in writing, of any change in the  
39 information required by this paragraph within three days of the  
40 occurrence of the change. Legislative leadership committees shall  
41 be exempt from the requirements of subparagraphs (a), (b) and (c)  
42 of this paragraph.

43 b. After submission of a statement of registration to the  
44 commission pursuant to this section, the committee shall use the  
45 complete name or identifying title on all documents submitted to  
46 the commission, in all solicitations for contributions, in all paid  
47 media advertisements purchased or paid for by the committee in  
48 support of or in opposition to any candidate or public question, and

1 in all contributions made by the committee to candidates or other  
2 committees and, in the case of an independent expenditure  
3 committee, any decision to expend funds for the purpose of  
4 influencing or attempting to influence the outcome of any election  
5 or the selection, nomination, election, or defeat of any person to  
6 State or local elective public office or the passage or defeat of any  
7 public question, or in providing political information on any  
8 candidate or public question.

9 c. Each report of contributions under section 8 of P.L.1973,  
10 c.83 (C.19:44A-8) by a political committee, continuing political  
11 committee, independent expenditure committee, or legislative  
12 leadership committee required under subsection a. of this section to  
13 submit a statement of registration shall include, in the case of each  
14 contributor who is an individual, the home address of the individual  
15 if different from the individual's mailing address, or, in the case of  
16 any contributor which is an organization, any information, in  
17 addition to that otherwise required, which the Election Law  
18 Enforcement Commission may, under such regulations as it shall  
19 adopt pursuant to the provisions of the "Administrative Procedure  
20 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being  
21 material to the fullest possible disclosure of the economic, political  
22 and other particular interests and objectives which the contributing  
23 organization has been organized to or does advance.

24 d. Any political committee, continuing political committee,  
25 independent expenditure committee, or legislative leadership  
26 committee may at any time apply to the commission for approval of  
27 an abbreviation or acronym of its complete, official name or title for  
28 its exclusive use on documents which it shall submit to the  
29 commission. Upon verification that the abbreviation or acronym  
30 has not been approved for such use by any other political  
31 committee, continuing political committee, independent expenditure  
32 committee, or legislative leadership committee, the commission  
33 shall approve the abbreviation or acronym for such use by the  
34 applicant committee, and the committee, and any individual,  
35 corporation, partnership, membership organization or incorporated  
36 or unincorporated association which, under the provisions of  
37 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the  
38 commission containing a reference to that committee, shall  
39 thereafter use that approved abbreviation or acronym in documents  
40 submitted to the commission. The commission shall, during its  
41 regular office hours, maintain for public inspection in its offices a  
42 current alphabetically arranged list of all such approved  
43 abbreviations and acronyms, indicating for each the name of the  
44 committee for which it stands, and shall make copies of the list  
45 available upon request.

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

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

3       10. Each political party committee shall, on or before July 1 in  
4 each year, designate a single organizational treasurer and an  
5 organizational depository and shall, not later than the tenth day after  
6 the designation of the organizational depository file the name and  
7 address of that depository, and of the organizational treasurer, with  
8 the Election Law Enforcement Commission.

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

25       Every independent expenditure committee may designate a  
26 chairman of the committee, but no person serving as the chairman  
27 of a political party committee or a legislative leadership committee  
28 shall be eligible to be appointed or to serve as the chairman of an  
29 independent expenditure committee. No candidate, directly or  
30 indirectly, shall establish, authorize the establishment of, maintain,  
31 or participate in the management or control of any independent  
32 expenditure committee. Every independent expenditure committee,  
33 not later than the date on which it first receives any contribution or  
34 makes or incurs any expenditure for the purpose of influencing or  
35 attempting to influence the outcome of any election or the  
36 nomination, election, or defeat of any person to State or local  
37 elective public office or the passage or defeat of any public question  
38 or providing political information on any candidate or public  
39 question, shall appoint a single organizational treasurer and  
40 designate an organizational depository, but no person serving as the  
41 chairman of a political party committee or a legislative leadership  
42 committee shall be eligible to be appointed or to serve as the  
43 organizational treasurer of an independent expenditure committee.  
44 Not later than the 10th day after the initial designation of the  
45 organizational depository, the committee shall file the name and  
46 address of the depository, and of the organizational treasurer, with  
47 the Election Law Enforcement Commission.

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

14 Every legislative leadership committee shall, not later than the  
15 date on which it first receives any contribution or makes or incurs  
16 any expenditure in the furtherance or aid of the election or defeat of  
17 any candidate or the passage or defeat of any public question,  
18 appoint a single organizational treasurer and designate an  
19 organizational depository. Not later than the tenth day after the  
20 initial designation of the organizational depository, the committee  
21 shall file the name and address of the depository, and of the  
22 organizational treasurer, with the Election Law Enforcement  
23 Commission.

24 Each organizational treasurer of a State political party committee  
25 or a legislative leadership committee shall be a trained treasurer,  
26 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-  
27 6), or shall acquire such training within 90 days of appointment as  
28 an organizational treasurer. An organizational treasurer of any  
29 other political party committee or a continuing political committee  
30 or an independent expenditure committee and a campaign treasurer  
31 of a political committee may be a trained treasurer.

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

42 Any political party committee, any political committee, any  
43 independent expenditure committee, any continuing political  
44 committee, and any legislative leadership committee may remove  
45 its organizational or campaign treasurer or deputy treasurer. In the  
46 case of the death, resignation or removal of its organizational or  
47 campaign treasurer, the committee shall appoint a successor as soon

1 as practicable and shall file his name and address with the Election  
2 Law Enforcement Commission within three days.

3 (cf: P.L.2004, c.22, s.3)

4

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

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

16 a. The duly appointed campaign treasurer or deputy campaign  
17 treasurers of the candidate committee or joint candidates  
18 committee;

19 b. The duly appointed organizational treasurer or deputy  
20 organizational treasurers of a political party committee or a  
21 continuing political committee;

22 c. The duly appointed campaign treasurer or deputy campaign  
23 treasurers of a political committee; **[or]**

24 d. The duly appointed organizational treasurer or deputy  
25 organizational treasurer of a legislative leadership committee; or

26 e. The duly appointed organizational treasurer or deputy  
27 organizational treasurer of an independent expenditure committee.

28 It shall be lawful, however, for any person, not acting in concert  
29 with any other person or group, to expend personally from his own  
30 funds a sum which is not to be repaid to him for any purpose not  
31 prohibited by law, or to contribute his own personal services and  
32 personal traveling expenses, to support or defeat a candidate or to  
33 aid the passage or defeat of a public question; provided, however,  
34 that any person making such expenditure shall be required to report  
35 his or her name and mailing address and the amount of all such  
36 expenditures and expenses, except personal traveling expenses, if  
37 the total of the money so expended, exclusive of such traveling  
38 expenses, exceeds \$500, and also, where the person is an individual,  
39 to report the individual's occupation and the name and mailing  
40 address of the individual's employer, to the Election Law  
41 Enforcement Commission at the same time and in the same manner  
42 as a political committee subject to the provisions of section 8 of  
43 **[this act]** P.L.1973, c.83 (C.19:44A-8). Such expenditure made  
44 during the period between the 13th day prior to the election and the  
45 date of the election shall be filed in writing or by telegram within  
46 48 hours of the making, incurring or authorization of the  
47 expenditure and shall set forth the name and mailing address of the

1 person, firm or organization to whom or which the expenditure was  
2 paid and the amount and purpose of the expenditure.

3 No contribution of money shall be made in currency, except  
4 contributions in response to a public solicitation, provided that  
5 cumulative currency contributions of up to \$200 may be made to a  
6 candidate committee or joint candidates committee, a political  
7 committee, a continuing political committee, an independent  
8 expenditure committee, a legislative leadership committee or a  
9 political party committee if the contributor submits with the  
10 currency contribution a written statement of a form as prescribed by  
11 the commission, indicating the contributor's name, mailing address  
12 and occupation and the amount of the contribution, including the  
13 contributor's signature and the name and mailing address of the  
14 contributor's employer. Adjustments to the \$200 limit established  
15 in this paragraph which have been made by the Election Law  
16 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
17 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
18 rescinded. The \$200 limit established in this paragraph shall  
19 remain as stated in this paragraph without further adjustment by the  
20 commission in the manner prescribed by section 22 of P.L.1993,  
21 c.65 (C.19:44A-7.2).

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

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

37 (cf: P.L.2004, c.33, s.2)

38

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

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

1 shall: (1) pay or make any contribution of money or other thing of  
2 value to a candidate who has established only a candidate  
3 committee, his campaign treasurer, deputy campaign treasurer or  
4 candidate committee which in the aggregate exceeds **【\$2,600】**  
5 \$3,000 per election, or (2) pay or make any contribution of money  
6 or other thing of value to candidates who have established only a  
7 joint candidates committee, their campaign treasurer, deputy  
8 campaign treasurer, or joint candidates committee, which in the  
9 aggregate exceeds **【\$2,600】** \$3,000 per election per candidate, or  
10 (3) pay or make any contribution of money or other thing of value  
11 to a candidate who has established both a candidate committee and  
12 a joint candidates committee, the campaign treasurers, deputy  
13 campaign treasurers, or candidate committee or joint candidates  
14 committee, which in the aggregate exceeds **【\$2,600】** \$3,000 per  
15 election. No candidate who has established only a candidate  
16 committee, his campaign treasurer, deputy campaign treasurer or  
17 candidate committee shall knowingly accept from an individual,  
18 other than an individual who is a candidate, a corporation of any  
19 kind organized and incorporated under the laws of this State or any  
20 other state or any country other than the United States, a labor  
21 organization of any kind which exists or is constituted for the  
22 purpose, in whole or in part, of collective bargaining, or of dealing  
23 with employers concerning the grievances, terms or conditions of  
24 employment, or of other mutual aid or protection in connection with  
25 employment, or any group any contribution of money or other thing  
26 of value which in the aggregate exceeds **【\$2,600】** \$3,000 per  
27 election, and no candidates who have established only a joint  
28 candidates committee, or their campaign treasurer, deputy campaign  
29 treasurer, or joint candidates committee, shall knowingly accept  
30 from any such source any contribution of money or other thing of  
31 value which in the aggregate exceeds **【\$2,600】** \$3,000 per election  
32 per candidate, and no candidate who has established both a  
33 candidate committee and a joint candidates committee, the  
34 campaign treasurers, deputy campaign treasurers, or candidate  
35 committee or joint candidates committee shall knowingly accept  
36 from any such source any contribution of money or other thing of  
37 value which in the aggregate exceeds **【\$2,600】** \$3,000 per election.

38 b. (1) No political committee or continuing political  
39 committee shall: (a) pay or make any contribution of money or  
40 other thing of value to a candidate who has established only a  
41 candidate committee, his campaign treasurer, deputy campaign  
42 treasurer or candidate committee, other than a candidate for  
43 nomination for election for the office of Governor or candidates for  
44 election for the offices of Governor and Lieutenant Governor,  
45 which in the aggregate exceeds **【\$8,200】** \$9,300 per election, or (b)  
46 pay or make any contribution of money or other thing of value to  
47 candidates who have established only a joint candidates committee,

1 their campaign treasurer or deputy campaign treasurer, or the joint  
2 candidates committee, which in the aggregate exceeds ~~【\$8,200】~~  
3 \$9,300 per election per candidate, or (c) pay or make any  
4 contribution of money or other thing of value to a candidate who  
5 has established both a candidate committee and a joint candidates  
6 committee, the campaign treasurers, deputy campaign treasurers, or  
7 candidate committee or joint candidates committee, which in the  
8 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election. No candidate who  
9 has established only a candidate committee, his campaign treasurer,  
10 deputy campaign treasurer or candidate committee, other than a  
11 candidate for nomination for election for the office of Governor or  
12 candidates for election for the offices of Governor and Lieutenant  
13 Governor, shall knowingly accept from any political committee or  
14 continuing political committee any contribution of money or other  
15 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per  
16 election, and no candidates who have established only a joint  
17 candidates committee, their campaign treasurer, deputy campaign  
18 treasurer, or joint candidates committee, shall knowingly accept  
19 from any such source any contribution of money or other thing of  
20 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election  
21 per candidate, and no candidate who has established both a  
22 candidate committee and a joint candidates committee, the  
23 campaign treasurers, deputy campaign treasurers, or candidate  
24 committee or joint candidates committee shall knowingly accept  
25 from any such source any contribution of money or other thing of  
26 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election.

27 (2) The limitation upon the knowing acceptance by a candidate,  
28 campaign treasurer, deputy campaign treasurer, candidate  
29 committee or joint candidates committee of any contribution of  
30 money or other thing of value from a political committee or  
31 continuing political committee under the provisions of paragraph  
32 (1) of this subsection shall also be applicable to the knowing  
33 acceptance of any such contribution from the county committee of a  
34 political party by a candidate or the campaign treasurer, deputy  
35 campaign treasurer, candidate committee or joint candidates  
36 committee of a candidate for any elective public office in another  
37 county or, in the case of a candidate for nomination for election or  
38 for election to the office of member of the Legislature, in a  
39 legislative district in which, according to the federal decennial  
40 census upon the basis of which legislative districts shall have been  
41 established, less than 20% of the population resides within the  
42 county of that county committee. In addition, all contributor  
43 reporting requirements and other restrictions and regulations  
44 applicable to a contribution of money or other thing of value by a  
45 political committee or continuing political committee under the  
46 provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be

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

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

26 With respect to the limitations in this paragraph, the Legislature  
27 finds and declares that:

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

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

37 (c) Furthermore, the risk of actual or perceived corruption is  
38 raised by the potential for contributors to circumvent limits on  
39 contributions to candidates by funneling money to candidates  
40 through county committees;

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

46 (e) It is, therefore, reasonable for the State to promote this  
47 compelling interest by limiting the amount a county committee may  
48 give to a legislative candidate based upon the degree to which the

1 population of the legislative district overlaps with the population of  
2 that county.

3 c. (1) No candidate who has established only a candidate  
4 committee, his campaign treasurer, deputy treasurer or candidate  
5 committee shall (a) pay or make any contribution of money or other  
6 thing of value to another candidate who has established only a  
7 candidate committee, his campaign treasurer, deputy campaign  
8 treasurer or candidate committee, other than a candidate for  
9 nomination for election for the office of Governor or candidates for  
10 election for the offices of Governor and Lieutenant Governor,  
11 which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election, or (b)  
12 pay or make any contribution of money or other thing of value to  
13 candidates who have established only a joint candidates committee,  
14 their campaign treasurer, deputy campaign treasurer, or joint  
15 candidates committee, which in the aggregate exceeds ~~【\$8,200】~~  
16 \$9,300 per election per candidate in the recipient committee, or (c)  
17 pay or make any contribution of money or other thing of value to a  
18 candidate who has established both a candidate committee and a  
19 joint candidates committee, the campaign treasurers, deputy  
20 campaign treasurers, or candidate committee or joint candidates  
21 committee, which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per  
22 election. No candidate who has established only a candidate  
23 committee, his campaign treasurer, deputy campaign treasurer or  
24 candidate committee, other than a candidate for nomination for  
25 election for the office of Governor or candidates for election to the  
26 offices of the Governor and Lieutenant Governor, shall knowingly  
27 accept from another candidate who has established only a candidate  
28 committee, his campaign treasurer, deputy campaign treasurer or  
29 candidate committee, any contribution of money or other thing of  
30 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election,  
31 and no candidates who have established only a joint candidates  
32 committee, their campaign treasurer, deputy campaign treasurer, or  
33 joint candidates committee, shall knowingly accept from any such  
34 source any contribution of money or other thing of value which in  
35 the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election per candidate in  
36 the recipient committee, and no candidate who has established both  
37 a candidate committee and a joint candidates committee, the  
38 campaign treasurers, deputy campaign treasurers, or candidate  
39 committee or joint candidates committee, shall knowingly accept  
40 from any such source any contribution of money or other thing of  
41 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election.

42 (2) No candidates who have established only a joint candidates  
43 committee, their campaign treasurer, deputy campaign treasurer, or  
44 joint candidates committee shall (a) pay or make any contribution  
45 of money or other thing of value to another candidate who has  
46 established only a candidate committee, his campaign treasurer,  
47 deputy campaign treasurer or candidate committee, other than a

1 candidate for nomination for election for the office of Governor or  
2 candidates for election for the offices of Governor and Lieutenant  
3 Governor, which in the aggregate exceeds, on the basis of each  
4 candidate in the contributing joint candidates committee, **【\$8,200】**  
5 \$9,300 per election, or (b) pay or make any contribution of money  
6 or other thing of value to candidates who have established only a  
7 joint candidates committee, their campaign treasurer, deputy  
8 campaign treasurer or joint candidates committee, which in the  
9 aggregate exceeds, on the basis of each candidate in the  
10 contributing joint candidates committee, **【\$8,200】** \$9,300 per  
11 election per candidate in the recipient joint candidates committee,  
12 or (c) pay or make any contribution of money or other thing of  
13 value to a candidate who has established both a candidate  
14 committee and a joint candidates committee, the campaign  
15 treasurers, deputy campaign treasurers or candidate committee or  
16 joint candidates committee, which in the aggregate exceeds, on the  
17 basis of each candidate in the contributing joint candidates  
18 committee, **【\$8,200】** \$9,300 per election. No candidate who has  
19 established only a candidate committee, his campaign treasurer,  
20 deputy campaign treasurer, or candidate committee, other than a  
21 candidate for nomination for election for the office of Governor or  
22 candidates for election for the offices of Governor and Lieutenant  
23 Governor, shall knowingly accept from other candidates who have  
24 established only a joint candidates committee, their campaign  
25 treasurer, deputy campaign treasurer or joint candidates committee,  
26 any contribution of money or other thing of value which in the  
27 aggregate exceeds, on the basis of each candidate in the  
28 contributing committee, **【\$8,200】** \$9,300 per election, and no  
29 candidates who have established only a joint candidates committee,  
30 their campaign treasurer, deputy campaign treasurer, or joint  
31 candidates committee, shall knowingly accept from any such source  
32 any contribution of money or other thing of value which in the  
33 aggregate exceeds, on the basis of each candidate in the  
34 contributing joint candidates committee, **【\$8,200】** \$9,300 per  
35 election per candidate in the recipient joint candidates committee,  
36 and no candidate who has established both a candidate committee  
37 and a joint candidates committee, the campaign treasurers, deputy  
38 campaign treasurers, or candidate committee or joint candidates  
39 committee, shall knowingly accept from any such source any  
40 contribution of money or other thing of value which in the  
41 aggregate exceeds, on the basis of each candidate in the  
42 contributing joint candidates committee, **【\$8,200】** \$9,300 per  
43 election.

44 (3) No candidate who has established both a candidate  
45 committee and a joint candidates committee, the campaign  
46 treasurers, deputy campaign treasurers, or candidate committee or  
47 joint candidates committee shall (a) pay or make any contribution

1 of money or other thing of value to another candidate who has  
2 established only a candidate committee, his campaign treasurer,  
3 deputy campaign treasurer or candidate committee, other than a  
4 candidate for nomination for election for the office of Governor or  
5 candidates for election for the offices of Governor and Lieutenant  
6 Governor, which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per  
7 election, or (b) pay or make any contribution of money or other  
8 thing of value to candidates who have established only a joint  
9 candidates committee, their campaign treasurer, deputy campaign  
10 treasurer or joint candidates committee, which in the aggregate  
11 exceeds ~~【\$8,200】~~ \$9,300 per election per candidate in the recipient  
12 joint candidates committee, or (c) pay or make any contribution of  
13 money or other thing of value to a candidate who has established  
14 both a candidate committee and a joint candidates committee, the  
15 campaign treasurers, deputy campaign treasurers, or candidate  
16 committee or joint candidates committee, which in the aggregate  
17 exceeds ~~【\$8,200】~~ \$9,300 per election. No candidate who has  
18 established only a candidate committee, his campaign treasurer,  
19 deputy campaign treasurer, or candidate committee, other than a  
20 candidate for nomination for election for the office of Governor or  
21 candidates for election for the offices of Governor and Lieutenant  
22 Governor, shall knowingly accept from a candidate who has  
23 established both a candidate committee and a joint candidates  
24 committee, the campaign treasurers, deputy campaign treasurers, or  
25 candidate committee or joint candidates committee, any  
26 contribution of money or other thing of value which in the  
27 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election, and no candidates  
28 who have established only a joint candidates committee, their  
29 campaign treasurer, deputy campaign treasurer, or joint candidates  
30 committee, shall knowingly accept from any such source any  
31 contribution of money or other thing of value which in the  
32 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election per candidate in the  
33 recipient joint candidates committee, and no candidate who has  
34 established both a candidate committee and a joint candidates  
35 committee, the campaign treasurers, deputy campaign treasurers, or  
36 candidate committee or joint candidates committee shall knowingly  
37 accept from any such source any contribution of money or other  
38 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per  
39 election.

40 (4) Expenditures by a candidate for nomination for election or  
41 for election to the office of member of the Legislature or to an  
42 office of a political subdivision of the State, or by the campaign  
43 treasurer, deputy treasurer, candidate committee or joint candidates  
44 committee of such a candidate, which are made in furtherance of the  
45 nomination or election, respectively, of another candidate for the  
46 same office in the same legislative district or the same political  
47 subdivision shall not be construed to be subject to any limitation

1 under this subsection; for the purposes of this sentence, the offices  
2 of member of the State Senate and member of the General  
3 Assembly shall be deemed to be the same office.

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

9 e. For the purpose of determining the amount of a contribution  
10 to be attributed as given to or by each candidate in a joint  
11 candidates committee, the amount of the contribution to or by such  
12 a committee shall be divided equally among all the candidates in the  
13 committee.

14 (cf: P.L.2009, c.66, s.12)

15

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

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

1 protection in connection with employment, a political committee, a  
2 continuing political committee, a candidate committee or a joint  
3 candidates committee or any other group, any contribution of  
4 money or other thing of value which in the aggregate exceeds  
5 **【\$25,000】** \$28,000 per year, or in the case of a joint candidates  
6 committee when that is the only committee established by the  
7 candidates, **【\$25,000】** \$28,000 per year per candidate in the joint  
8 candidates committee, or in the case of a candidate committee and a  
9 joint candidates committee when both are established by a  
10 candidate, **【\$25,000】** \$28,000 per year from that candidate.

11 (2) No national committee of a political party shall pay or make  
12 any contribution of money or other thing of value to the campaign  
13 treasurer, deputy treasurer or other representative of the State  
14 committee of a political party which in the aggregate exceeds  
15 **【\$72,000】** \$82,000 per year, and no campaign treasurer, deputy  
16 campaign treasurer or other representative of the State committee of  
17 a political party shall knowingly accept from the national committee  
18 of a political party any contribution of money or other thing of  
19 value which in the aggregate exceeds **【\$72,000】** \$82,000 per year.

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

1 or any other group, any contribution of money or other thing of  
2 value which in the aggregate exceeds **[\$37,000]** \$42,000 per year,  
3 or in the case of a joint candidates committee when that is the only  
4 committee established by the candidates, **[\$37,000]** \$42,000 per  
5 year per candidate in the joint candidates committee, or in the case  
6 of a candidate committee and a joint candidates committee when  
7 both are established by a candidate, **[\$37,000]** \$42,000 per year  
8 from that candidate.

9 c. No individual, no corporation of any kind organized and  
10 incorporated under the laws of this State or any other state or any  
11 country other than the United States, no labor organization of any  
12 kind which exists or is constituted for the purpose, in whole or in  
13 part, of collective bargaining, or of dealing with employers  
14 concerning the grievances, terms or conditions of employment, or  
15 of other mutual aid or protection in connection with employment,  
16 no political committee, continuing political committee, candidate  
17 committee or joint candidates committee or any other group shall  
18 pay or make any contribution of money or other thing of value to  
19 any municipal committee of a political party, which in the aggregate  
20 exceeds **[\$7,200]** \$8,200 per year, or in the case of a joint  
21 candidates committee when that is the only committee established  
22 by the candidates, **[\$7,200]** \$8,200 per year per candidate in the  
23 joint candidates committee, or in the case of a candidate committee  
24 and a joint candidates committee when both are established by a  
25 candidate, **[\$7,200]** \$8,200 per year from that candidate. No  
26 campaign treasurer, deputy campaign treasurer or other  
27 representative of a municipal committee of a political party shall  
28 knowingly accept from an individual, a corporation of any kind  
29 organized and incorporated under the laws of this State or any other  
30 state or any country other than the United States, a labor  
31 organization of any kind which exists or is constituted for the  
32 purpose, in whole or in part, of collective bargaining, or of dealing  
33 with employers concerning the grievances, terms or conditions of  
34 employment, or of other mutual aid or protection in connection with  
35 employment, a political committee, a continuing political  
36 committee, a candidate committee or a joint candidates committee  
37 or any other group, any contribution of money or other thing of  
38 value which in the aggregate exceeds **[\$7,200]** \$8,200 per year, or  
39 in the case of a joint candidates committee when that is the only  
40 committee established by the candidates, **[\$7,200]** \$8,200 per year  
41 per candidate in the joint candidates committee, or in the case of a  
42 candidate committee and a joint candidates committee when both  
43 are established by a candidate, **[\$7,200]** \$8,200 per year from that  
44 candidate.

45 No county committee of a political party in any county shall pay  
46 or make any contribution of money or other thing of value to a  
47 municipal committee of a political party in a municipality not

1 located in that county which in the aggregate exceeds the amount of  
2 aggregate contributions which, under this subsection, a continuing  
3 political committee is permitted to pay or make to a municipal  
4 committee of a political party. No campaign treasurer, deputy  
5 campaign treasurer or other representative of a municipal committee  
6 of a political party in any municipality shall knowingly accept from  
7 any county committee of a political party in any county other than  
8 the county in which the municipality is located any contribution of  
9 money or other thing of value which in the aggregate exceeds the  
10 amount of contributions permitted to be so paid or made under that  
11 subsection.

12 d. For the purpose of determining the amount of a contribution  
13 to be attributed as given by each candidate in a joint candidates  
14 committee, the amount of the contribution by such a committee  
15 shall be divided equally among all the candidates in the committee.  
16 (cf: P.L.2004, c.174, s.4)

17

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

20 20. a. No candidate who has established only a candidate  
21 committee, his campaign treasurer, deputy treasurer or candidate  
22 committee shall pay or make any contribution of money or other  
23 thing of value to a political committee, other than a political  
24 committee which is organized to, or does, aid or promote the  
25 passage or defeat of a public question in any election, or a  
26 continuing political committee, which in the aggregate exceeds, in  
27 the case of such a political committee, **[\$7,200]** \$8,200 per  
28 election, or in the case of a continuing political committee,  
29 **[\$7,200]** \$8,200 per year, and no candidates who have established  
30 only a joint candidates committee, their campaign treasurer, deputy  
31 campaign treasurer or joint candidates committee shall pay or make  
32 any contribution of money or other thing of value to such a political  
33 committee or continuing political committee which in the aggregate  
34 exceeds, in the case of such a political committee, **[\$7,200]** \$8,200  
35 per election per candidate in the joint candidates committee, or in  
36 the case of a continuing political committee, **[\$7,200]** \$8,200 per  
37 year per candidate in the joint candidates committee, and no  
38 candidate who has established both a candidate committee and a  
39 joint candidates committee shall pay or make any contribution of  
40 money or other thing of value which in the aggregate exceeds, in  
41 the case of such a political committee, **[\$7,200]** \$8,200 per election  
42 from that candidate, or in the case of a continuing political  
43 committee, **[\$7,200]** \$8,200 per year from that candidate. No  
44 political committee, other than a political committee which is  
45 organized to, or does, aid or promote the passage or defeat of a  
46 public question in any election, or a continuing political committee,  
47 shall knowingly accept from a candidate who has established only a

1 candidate committee, his campaign treasurer, deputy treasurer or  
2 candidate committee, any contribution of money or other thing of  
3 value which in the aggregate exceeds, in the case of such a political  
4 committee, **[\$7,200]** \$8,200 per election, or in the case of a  
5 continuing political committee, **[\$7,200]** \$8,200 per year, and no  
6 such political committee or continuing political committee shall  
7 knowingly accept from candidates who have established only a joint  
8 candidates committee, their campaign treasurer, deputy campaign  
9 treasurer, or joint candidates committee, any contribution of money  
10 or other thing of value which in the aggregate exceeds, in the case  
11 of such a political committee, **[\$7,200]** \$8,200 per election per  
12 candidate in the joint candidates committee, or in the case of a  
13 continuing political committee, **[\$7,200]** \$8,200 per year per  
14 candidate in the joint candidates committee, and no such political  
15 committee or continuing political committee shall knowingly accept  
16 from a candidate who has established both a candidate committee  
17 and a joint candidates committee any contribution of money or  
18 other thing of value which in the aggregate exceeds, in the case of  
19 such a political committee, **[\$7,200]** \$8,200 per election from that  
20 candidate, or in the case of a continuing political committee,  
21 **[\$7,200]** \$8,200 per year from that candidate. For the purpose of  
22 determining the amount of a contribution to be attributed as given  
23 by each candidate in a joint candidates committee, the amount of  
24 the contribution by such a committee shall be divided equally  
25 among all the candidates in the committee.

26 b. No political committee, other than a political committee  
27 which is organized to, or does, aid or promote the passage or defeat  
28 of a public question in any election, and no continuing political  
29 committee shall pay or make any contribution of money or other  
30 thing of value to another political committee, other than a political  
31 committee which is organized to, or does, aid or promote the  
32 passage or defeat of a public question in any election, or another  
33 continuing political committee which in the aggregate exceeds, in  
34 the case of a recipient continuing political committee, **[\$7,200]**  
35 \$8,200 per year, or in the case of a recipient political committee,  
36 **[\$7,200]** \$8,200 per election. No political committee, other than a  
37 political committee which is organized to, or does, aid or promote  
38 the passage or defeat of a public question in any election, and no  
39 continuing political committee shall knowingly accept from another  
40 political committee, other than a political committee which is  
41 organized to, or does, aid or promote the passage or defeat of a  
42 public question in any election, or another continuing political  
43 committee any contribution of money or other thing of value which  
44 in the aggregate exceeds, in the case of a recipient continuing  
45 political committee, **[\$7,200]** \$8,200 per year, or in the case of a  
46 recipient political committee, **[\$7,200]** \$8,200 per election.

1 c. No individual, no corporation of any kind organized and  
2 incorporated under the laws of this State or any other state or any  
3 country other than the United States, no labor organization of any  
4 kind which exists or is constituted for the purpose, in whole or in  
5 part, of collective bargaining, or of dealing with employees  
6 concerning the grievances, terms or conditions of employment, or  
7 of other mutual aid or protection in connection with employment,  
8 nor any other group, shall pay or make any contribution of money  
9 or other thing of value to a political committee, other than a  
10 political committee which is organized to, or does, aid or promote  
11 the passage or defeat of a public question in any election, or a  
12 continuing political committee, which in the aggregate exceeds, in  
13 the case of such a political committee, **[\$7,200]** \$8,200 per  
14 election, or in the case of a continuing political committee,  
15 **[\$7,200]** \$8,200 per year, and no such political committee or  
16 continuing political committee shall knowingly accept any  
17 contribution in excess of those amounts from an individual or from  
18 such corporation, labor organization, or other group.  
19 (cf: P.L.2001, c.384, s.3)

20

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

23 12. An organizational or campaign treasurer or deputy  
24 organizational or campaign treasurer of a candidate committee or  
25 joint candidates committee, a political committee, a continuing  
26 political committee, an independent expenditure committee, a  
27 political party committee or a legislative leadership committee shall  
28 make a written record of all funds which he receives as  
29 contributions to the candidate committee, joint candidates  
30 committee, political committee, continuing political committee,  
31 independent expenditure committee, political party committee or  
32 legislative leadership committee, including in that record the name  
33 and mailing address of the contributor, the amount and date of the  
34 contribution, and where the contributor is an individual, the  
35 occupation of the individual and the name and mailing address of  
36 the individual's employer. The organizational or campaign treasurer  
37 shall retain that record for a period of not less than four years. All  
38 funds so received shall be deposited by the campaign or  
39 organizational treasurer or deputy campaign or organizational  
40 treasurer in a campaign depository of the candidate committee or  
41 joint candidates committee, the continuing political committee,  
42 political committee, independent expenditure committee, political  
43 party committee or legislative leadership committee no later than  
44 the tenth calendar day following receipt of such funds; except that  
45 any such treasurer or deputy treasurer may, when authorized by the  
46 candidate, candidates or committee of which he is the campaign or  
47 organizational treasurer or deputy campaign or organizational  
48 treasurer, transfer any such funds to the duly designated campaign

1 or organizational treasurer or deputy campaign or organizational  
2 treasurer of another candidate or committee, for inclusion in the  
3 campaign depository thereof, without first so depositing them;  
4 provided, however, that the amount so transferred shall not be in  
5 excess of the amount that may be contributed by one candidate to  
6 another candidate in an election pursuant to section 18 of P.L.1993,  
7 c.65 (C.19:44A-11.3), but this proviso shall not be construed to  
8 prohibit a county or municipal committee of a political party from  
9 making a contribution or contributions, or from transferring funds  
10 as hereinabove authorized, to any candidate, candidate committee,  
11 joint candidates committee, political committee, continuing political  
12 committee, independent expenditure committee, political party  
13 committee, or legislative leadership committee. A record of all  
14 nondeposited funds so transferred shall be attached to the statement  
15 required under this section, identifying them as to source and  
16 amount in the same manner as deposited funds.

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

18

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

21 16. a. The campaign treasurer of each candidate committee and  
22 joint candidates committee shall make a full cumulative report,  
23 upon a form prescribed by the Election Law Enforcement  
24 Commission, of all contributions in the form of moneys, loans, paid  
25 personal services or other things of value, made to him or to the  
26 deputy campaign treasurers of the candidate committee or joint  
27 candidates committee, and all expenditures paid out of the election  
28 fund of the candidate or candidates, during the period ending with  
29 the second day preceding the date of the cumulative report and  
30 beginning on the date of the first of those contributions, the date of  
31 the first of those expenditures, or the date of the appointment of the  
32 campaign treasurer, whichever occurred first. The report shall also  
33 contain the name and mailing address of each person or group from  
34 whom moneys, loans, paid personal services or other things of value  
35 were contributed after the second day preceding the date of the  
36 previous cumulative report and the amount contributed by each  
37 person or group, and where an individual has made such  
38 contributions, the report shall indicate the occupation of the  
39 individual and the name and mailing address of the individual's  
40 employer. In the case of any loan reported pursuant to this section,  
41 the report shall further contain the name and mailing address of  
42 each person who cosigns such loan, the occupation of the person  
43 and the name and mailing address of the person's employer. If no  
44 moneys, loans, paid personal services or other things of value were  
45 contributed, the report shall so indicate, and if no expenditures were  
46 paid or incurred, the report shall likewise so indicate. The  
47 campaign treasurer and the candidate or several candidates shall  
48 certify the correctness of the report.

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

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

37       A candidate committee or joint candidates committee shall file  
38 with the Election Law Enforcement Commission, not later than  
39 April 15, July 15, October 15 of each calendar year in which the  
40 candidate or candidates in control of the committee does or do not  
41 run for election or reelection and January 15 of each calendar year  
42 in which the candidate or candidates does or do run for election or  
43 reelection, a cumulative quarterly report of all moneys, loans, paid  
44 personal services or other things of value contributed to it or to the  
45 candidate or candidates during the period ending on the 15th day  
46 preceding that date and commencing on January 1 of that calendar  
47 year or, in the case of the cumulative quarterly report to be filed not  
48 later than January 15, of the previous calendar year, and all

1 expenditures made, incurred, or authorized by it or the candidate or  
2 candidates during the period, whether or not such expenditures were  
3 made, incurred or authorized in furtherance of the election or defeat  
4 of any candidate, or in aid of the passage or defeat of any public  
5 question or to provide information on any candidate or public  
6 question. The commission may by regulation require any such  
7 candidate committee or joint candidates committee to file during  
8 any calendar year one or more additional cumulative reports of such  
9 contributions received and expenditures made as may be necessary  
10 to ensure that no more than five months shall elapse between the  
11 last day of a period covered by one such report and the last day of  
12 the period covered by the next such report.

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

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

43 c. No candidate for elective public office shall be required to  
44 file a duplicate copy of the campaign treasurer's report with the  
45 county clerk of the county in which the candidate resides.

46 d. There shall be no obligation to file the reports required by  
47 this section on behalf of a candidate if such candidate files with the  
48 Election Law Enforcement Commission a sworn statement to the

1 effect that the total amount to be expended in behalf of his  
2 candidacy by the candidate committee, by any political party  
3 committee, by any political committee, or by any person shall not in  
4 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates  
5 committee containing two candidates or \$6,000 for any joint  
6 candidates committee containing three or more candidates. The  
7 sworn statement may be submitted at the time when the name and  
8 address of the campaign treasurer and depository is filed with the  
9 Election Law Enforcement Commission, provided that in any case  
10 the sworn statement is filed no later than the 29th day before an  
11 election. If a candidate who has filed such a sworn statement  
12 receives contributions from any one source aggregating more than  
13 \$300 he shall forthwith make report of the same, including the name  
14 and mailing address of the source and the aggregate total of  
15 contributions therefrom, and where the source is an individual, the  
16 occupation of the individual and the name and mailing address of  
17 the individual's employer, to the Election Law Enforcement  
18 Commission. The \$300 limit established in this subsection shall  
19 remain as stated in this subsection without further adjustment by the  
20 commission in the manner prescribed by section 22 of P.L.1993,  
21 c.65 (C.19:44A-7.2).

22 e. There shall be no obligation imposed upon a candidate  
23 seeking election to a public office of a school district to file either  
24 the reports required under subsection b. of this section or the sworn  
25 statement referred to in subsection d. of this section, if the total  
26 amount expended and to be expended in behalf of his candidacy by  
27 the candidate committee, any political committee, any continuing  
28 political committee, or a political party committee or by any person,  
29 does not in the aggregate exceed \$2,000.00 per election or \$4,000  
30 for any joint candidates committee containing two candidates or  
31 \$6,000 for any joint candidates committee containing three or more  
32 candidates; provided, that if such candidate receives contributions  
33 from any one source aggregating more than \$300, he shall forthwith  
34 make a report of the same, including the name and mailing address  
35 of the source, the aggregate total of contributions therefrom, and  
36 where the source is an individual, the occupation of the individual  
37 and the name and mailing address of the individual's employer, to  
38 the commission.

39 The \$300 limit established in this subsection shall remain as  
40 stated in this subsection without further adjustment by the  
41 commission in the manner prescribed by section 22 of P.L.1993,  
42 c.65 (C.19:44A-7.2).

43 f. In any report filed pursuant to the provisions of this section,  
44 the names and addresses of contributors whose contributions during  
45 the period covered by the report did not exceed \$300 may be  
46 excluded; provided, however, that (1) such exclusion is unlawful if  
47 any person responsible for the preparation or filing of the report  
48 knew that such exclusion was made with respect to any person

1 whose total contributions relating to the same election and made to  
2 the reporting candidate or to an allied campaign organization or  
3 organizations aggregate, in combination with the total contributions  
4 in respect of which such exclusion is made, more than \$300, and (2)  
5 any person who knowingly prepares, assists in preparing, files or  
6 acquiesces in the filing of any report from which the identity of any  
7 contributor has been excluded contrary to the provisions of this  
8 section is subject to the provisions of section 21 of this act, but (3)  
9 nothing in this proviso shall be construed as requiring any candidate  
10 committee or joint candidates committee reporting pursuant to this  
11 act to report the amounts, dates or other circumstantial data  
12 regarding contributions made to any other candidate committee,  
13 joint candidates committee, political committee, continuing political  
14 committee, political party committee or legislative leadership  
15 committee.

16 The \$300 limit established in this subsection shall remain as  
17 stated in this subsection without further adjustment by the  
18 commission in the manner prescribed by section 22 of P.L.1993,  
19 c.65 (C.19:44A-7.2).

20 g. Any report filed pursuant to the provisions of this section  
21 shall include an itemized accounting of all receipts and  
22 expenditures relative to any testimonial affair held since the date of  
23 the most recent report filed, which accounting shall include the  
24 name and mailing address of each contributor in excess of \$300 to  
25 such testimonial affair and the amount contributed by each; in the  
26 case of any individual contributor, the occupation of the individual  
27 and the name and mailing address of the individual's employer; the  
28 expenses incurred; and the disposition of the proceeds of such  
29 testimonial affair.

30 The \$300 limit established in this subsection shall remain as  
31 stated in this subsection without further adjustment by the  
32 commission in the manner prescribed by section 22 of P.L.1993,  
33 c.65 (C.19:44A-7.2).

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

35 i. Each campaign treasurer of a candidate committee or joint  
36 candidates committee shall file written notice with the commission  
37 of a contribution in excess of ~~【\$500】~~ \$1,400 received during the  
38 period between the 13th day prior to the election and the date of the  
39 election and of an expenditure of money or other thing of value in  
40 excess of ~~【\$800】~~ \$1,400 made, incurred or authorized by the  
41 candidate committee or joint candidates committee to support or  
42 defeat a candidate in an election, or to aid the passage or defeat of  
43 any public question, during the period between the 13th day prior to  
44 the election and the date of the election, provided that a candidate  
45 shall not be required to file written notice pursuant to this  
46 subsection of an expenditure made to support his or her own  
47 candidacy, or to support or defeat a candidate for the same office in  
48 an election. For the purposes of this subsection, the offices of

1 member of the Senate and member of the General Assembly shall  
2 be deemed to be the same office in a legislative district; the offices  
3 of member of the board of chosen freeholders and county executive  
4 shall be deemed to be the same office in a county; and the offices of  
5 mayor and member of the municipal governing body shall be  
6 deemed to be the same office in a municipality.

7 The notice of a contribution shall be filed in writing or by  
8 telegram within 48 hours of the receipt of the contribution and shall  
9 set forth the amount and date of the contribution, the name and  
10 mailing address of the contributor, and where the contributor is an  
11 individual, the occupation of the individual and the name and  
12 mailing address of the individual's employer. The notice of an  
13 expenditure shall be filed in writing or by telegram within 48 hours  
14 of the making, incurring or authorization of the expenditure and  
15 shall set forth the name and mailing address of the person, firm or  
16 organization to whom or which the expenditure was paid and the  
17 amount and purpose of the expenditure.

18 j. Each county shall provide on its Internet site a link to the  
19 Internet site for the Election Law Enforcement Commission for the  
20 purpose of providing public access to the reports that are required to  
21 be submitted to the commission pursuant to this section.

22 (cf: P.L.2014, c.58, s.1)

23

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

26 18. If any former candidate or any political committee or any  
27 person or association of persons in behalf of such political  
28 committee, or any independent expenditure committee, or former  
29 candidate shall receive any contributions or make any expenditures  
30 with relation to any election after the date set in section 16 of **[this**  
31 **act]** P.L.1973, c.83 (C.19:44A-16) for the final report subsequent to  
32 such election, or shall conduct any testimonial affair or public  
33 solicitation for the purpose of raising funds to cover any part of the  
34 expenses of a candidate **[or]**, political committee, independent  
35 expenditure committee, or other organization in such election, all  
36 such contributions, expenditures, testimonial affairs or public  
37 solicitations shall be reported to the Election Law Enforcement  
38 Commission by the person or persons receiving such contributions  
39 or making such expenditures or conducting such testimonial affairs  
40 or public solicitations. Such report shall be made by any person  
41 receiving any such contribution or contributions, or making any  
42 such expenditure or expenditures, which in the aggregate total  
43 more than \$100.00, or conducting any testimonial affair or public  
44 solicitation of which the net proceeds exceed \$100.00; and shall be  
45 made within 20 days from the date upon which the aggregate of  
46 such contributions, expenditures or proceeds exceed \$100.00 for  
47 the period commencing with the 19th day following such election  
48 or with the date upon which any previous report was made pursuant

1 to this section, whichever is sooner. Such report shall be made in  
2 the same form and shall contain the same detail prescribed for any  
3 other report made pursuant to section 8 or 16 of **[this act]**  
4 P.L.1973, c.83 (C.19:44A-8 or C.19:44A-16).  
5 (cf: P.L.1983, c.579, s.17)

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

9 19. a. No person shall conduct any public solicitation as defined  
10 in this act except (1) upon written authorization of the campaign or  
11 organizational treasurer of the candidate committee or joint  
12 candidates committee, political committee, continuing political  
13 committee, political party committee, independent expenditure  
14 committee, or legislative leadership committee on whose behalf  
15 such solicitation is conducted, or (2) in accordance with the  
16 provisions of subsection c. of this section. A person with such  
17 written authorization may employ and accept the services of others  
18 as solicitors, and shall be responsible for reporting to the treasurer  
19 the information required under subsection b. of this section and for  
20 delivery to the treasurer the net proceeds of such solicitation in  
21 compliance with section 11 of **[this act]** P.L.1973, c.83 (C.19:44A-  
22 11). A contribution made through donation or purchase in response  
23 to a public solicitation conducted pursuant to written authorization  
24 of a treasurer shall be deemed to have been made through such  
25 treasurer.

26 b. Whenever a public solicitation has been authorized by a  
27 treasurer during a period covered by a report required to be filed  
28 under sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8  
29 and C.19:44A-16), there shall be filed with such report and as a part  
30 thereof an itemized report on any such solicitation of which the net  
31 proceeds exceed \$200, in such form and detail as required by the  
32 rules of the Election Law Enforcement Commission, which report  
33 shall include:

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

38 (2) The gross receipts and expenses involved in the solicitation  
39 including the actual amount paid for any items purchased for resale  
40 in connection with the solicitation, or, if such items or any portion  
41 of the cost thereof was donated, the estimated actual value thereof  
42 and the actual amount paid therefor, and the names and addresses of  
43 any such donors. If it is not practicable for such itemized report to  
44 be completed in time to be included with the report due under  
45 sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8 and  
46 C.19:44A-16) for the period during which such solicitation was  
47 held, then such itemized report may be omitted from said report and

1 if so omitted shall be included in the report for the next succeeding  
2 period.

3 Adjustments to the \$200 limit established in this subsection  
4 which have been made by the Election Law Enforcement  
5 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-  
6 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The  
7 \$200 limit established in this subsection shall remain as stated in  
8 this subsection without further adjustment by the commission in the  
9 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

10 c. Notwithstanding the provisions of subsection b. of this  
11 section, it shall be lawful for any natural person, not acting in  
12 concert with any other person or group, to make personally a public  
13 solicitation the entire proceeds of which, without deduction for the  
14 expenses of solicitation, are to be expended by him personally or  
15 under his personal direction to finance any lawful activity in  
16 support of or opposition to any candidate or public question or to  
17 provide political information on any candidate or public question or  
18 to seek to influence the content, introduction, passage or defeat of  
19 legislation; provided, however, that any individual making such  
20 solicitation who receives gross contributions exceeding \$200 in  
21 respect to activities relating to any one election shall be required to  
22 make a report stating (1) the amount so collected, (2) the method of  
23 solicitation, (3) the purpose or purposes for which the funds so  
24 collected were expended and the amount expended for each such  
25 purpose and (4) the individual's name and mailing address, the  
26 individual's occupation and the name and mailing address of the  
27 individual's employer. Adjustments to the \$200 limit established in  
28 this subsection which have been made by the Election Law  
29 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
30 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
31 rescinded. The \$200 limit established in this subsection shall  
32 remain as stated in this subsection without further adjustment by the  
33 commission in the manner prescribed by section 22 of P.L.1993,  
34 c.65 (C.19:44A-7.2).

35 Such report shall be made to the Election Law Enforcement  
36 Commission at the same time and in the same manner as a political  
37 committee, continuing political committee, political party  
38 committee, independent expenditure committee, or a legislative  
39 leadership committee subject to the provisions of section 8 of **[this**  
40 **act]** P.L.1973, c.83 (C.19:44A-8).

41 d. Contributions or purchases made in response to a public  
42 solicitation conducted in conformity with the requirements and  
43 conditions of **[this act]** P.L.1973, c.83 (C.19:44A-1 et seq.) shall  
44 not be deemed anonymous within the meaning of sections 11 and 20  
45 of **[this]** the act.

46 e. No person contributing in good faith to a public solicitation  
47 not duly authorized in compliance with the provisions of **[this act]**

1 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be liable to any penalty  
2 under **[this]** the act by reason of having made such contribution.  
3 (cf: P.L.2004, c.28, s.6)

4

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

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

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

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

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

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

47

48 14. Section 13 of P.L.2004, c.19 (C.19:44A-11.3a) is repealed

1       15. This act shall take effect on the January 1 next following the  
2 date of enactment.

3

4

5

STATEMENT

6

7       This bill revises "The New Jersey Campaign Contributions and  
8 Expenditures Reporting Act" to institute new reporting  
9 requirements on certain organizations, and increase the limits on the  
10 amount of money that may be contributed by individuals,  
11 candidates, and committees to other candidates and committees.

12       Specifically, the bill would require disclosure by any  
13 independent expenditure committee. Such a committee is defined  
14 as any organization organized under section 527, or under  
15 paragraph (4) of subsection c. of section 501, of the federal Internal  
16 Revenue Code that engages in influencing or attempting to  
17 influence the outcome of any election or the nomination, election,  
18 or defeat of any person to any State or local elective public office or  
19 the passage or defeat of any public question, or in providing  
20 political information on any candidate or public question, and raises  
21 or expends \$3,000 or more for any such purpose. It would require  
22 these committees to report contribution and expenditure information  
23 in excess of \$300 to the Election Law Enforcement Commission  
24 (ELEC). The bill would prohibit a candidate from establishing,  
25 authorizing the establishment of, maintaining, or participating  
26 directly or indirectly, in the management or control of any  
27 independent expenditure committee.

28       The bill defines the term "electioneering communication" to  
29 mean any communication that has a value of at least \$10,000 and  
30 refers to: 1) a clearly identified candidate for office and promotes or  
31 supports a candidate for that office or opposes a candidate for that  
32 office, regardless of whether the communication expressly  
33 advocates a vote for or against a candidate; or 2) a public question  
34 and promotes or supports the passage or defeat of that question,  
35 regardless of whether the communication expressly advocates a  
36 vote for or against the passage of the question. The term includes  
37 communications published in any newspaper or periodical; or  
38 broadcast on radio, television, the Internet, or any public address  
39 system; placed on any billboard, outdoor facility, button, motor  
40 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or  
41 other circular; or contained in any direct mailing, robotic phone  
42 calls, or mass e-mails.

43       The term "independent expenditure" is defined in the bill to  
44 mean an expenditure by a person expressly advocating, or the  
45 functional equivalent thereof, the election or defeat of: 1) a clearly  
46 identified candidate that is not made in concert or cooperation with  
47 or at the request or suggestion of the candidate, the candidate's  
48 committee, a political party committee, or an agent thereof; or 2) a

1 public question that is not made in concert or cooperation with or at  
2 the request or suggestion of the sponsors, organizers, or committee  
3 supporting or opposing the question, a political party, or agents  
4 thereof. The “functional equivalent” of expressly advocating means  
5 specific advocacy that can be interpreted by a reasonable person as  
6 advocating the election or defeat of a candidate, or the passage or  
7 defeat of a public question, taking into account whether the  
8 communication involved mentions a candidate, a political party, or  
9 a challenger to a candidate, or takes a position on a candidate’s  
10 character, qualifications, or fitness for office, or that can be  
11 interpreted by a reasonable person as taking a position on the merits  
12 of a public question or taking a position in favor or against the  
13 passage or defeat of the public question.

14 In addition the bill would:

15 1) increase the amount of money that can be contributed by an  
16 individual, a corporation or union, or a group to a candidate  
17 committee from \$2,600 to \$3,000 per election;

18 2) increase the amount of money that can be contributed by a  
19 political committee or a continuing political committee to a  
20 candidate committee from \$8,200 to \$9,300 per election;

21 3) increase the amount of money that can be contributed by an  
22 individual, a corporation or union, political committee, continuing  
23 political committee, candidate committee or joint candidates  
24 committee or any other group to: a) the State committee of a  
25 political party from \$25,000 to \$28,000 per year; b) a county  
26 committee of a political party from \$37,000 to \$42,000 per year;  
27 and c) a municipal committee of a political party from \$7,200 to  
28 \$8,200 per year;

29 4) increase the amount of money that the national committee of  
30 a political party can contribute to the State committee of a political  
31 party from \$72,000 to \$82,000 per year;

32 5) increase the amount of money that can be contributed by the  
33 candidate committee of one candidate to the candidate committee of  
34 another candidate from \$8,200 to \$9,300 per election; and

35 6) increase the amount of money that can be contributed to a  
36 political committee, or that one political committee or continuing  
37 political committee can contribute to another political committee or  
38 continuing political committee, from \$7,200 to \$8,200 per election  
39 or per year, as the case may be.

40 The bill also repeals the current prohibition on the transfer of  
41 funds between county political party committees between January  
42 1st and June 30th of each year.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[Third Reprint]

## SENATE, No. 1500

with committee amendments

# STATE OF NEW JERSEY

DATED: MARCH 18, 2019

The Assembly Appropriations Committee reports favorably and with committee amendments Senate Bill No. 1500 (3R).

As amended, this bill revises “The New Jersey Campaign Contributions and Expenditures Reporting Act” to institute new reporting requirements on certain organizations.

The bill, as amended, requires disclosure by any “independent expenditure committee,” defined as any person organized under section 527 or paragraphs (4) or (6) of subsection (c) of section 501 of the federal Internal Revenue Code that engages in influencing or attempting to influence the outcome of any election or the nomination, election, or defeat of any person to any State or local elective public office or the passage or defeat of any public question, legislation, or regulation, or in providing political information on any candidate or public question, legislation, or regulation, and raises or expends \$3,000 or more for any such purpose. The bill requires these committees to report contributions in excess of \$10,000 and expenditures in excess of \$3,000 to the Election Law Enforcement Commission (ELEC), and prohibits a candidate or holder of public office from establishing, authorizing the establishment of, maintaining, or participating directly or indirectly, in the management or control of any independent expenditure committee. Under R.S.1:1-2, the term “person” includes corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals.

The bill defines “electioneering communication” as any communication made from January 1 of an election year and the date of the election and refers to: 1) a clearly identified candidate for office and promotes or supports a candidate for that office or opposes a candidate for that office, regardless of whether the communication expressly advocates a vote for or against a candidate; or 2) a public question, and promotes or supports the passage or defeat of that question, regardless of whether the communication expressly advocates a vote for or against the passage of the question. The term includes communications published in any newspaper or periodical; or broadcast on radio, television, the Internet or digital media, or any

public address system; placed on any billboard, outdoor facility, button, motor vehicle, window display, poster, card, pamphlet, leaflet, flyer, or other circular; or contained in any direct mailing, robotic phone calls, or mass e-mails.

The bill defines “independent expenditure” as an expenditure by a person expressly advocating, or the functional equivalent thereof, the election or defeat of: 1) a clearly identified candidate that is not made in concert or cooperation with or at the request or suggestion of the candidate, the candidate’s committee, a political party committee, or an agent thereof; or 2) a public question, legislation, or regulation, that is not made in concert or cooperation with or at the request or suggestion of the sponsors, organizers, or committee supporting or opposing the question, legislation, or regulation, a political party, or agents thereof. The “functional equivalent” of expressly advocating means specific advocacy that can be interpreted by a reasonable person as advocating the election or defeat of a candidate, or the passage or defeat of a public question, legislation, or regulation, taking into account whether the communication involved mentions a candidate, a political party, or a challenger to a candidate, or takes a position on a candidate’s character, qualifications, or fitness for office, or that can be interpreted by a reasonable person as taking a position on the merits of a public question, legislation, or regulation, or taking a position in favor or against the passage or defeat of the public question, legislation, or regulation.

The bill codifies the criteria used by ELEC to determine when coordination with a candidate or political party has occurred, and allows ELEC to issue additional criteria by regulation. Under the bill, foreign entities would be prohibited from registering as independent expenditure committees for the purpose of making independent expenditures in any State or local election. The bill explicitly includes Internet and digital advertisement in the definitions of “political information,” “electioneering communication,” and “communication.” It further requires persons who accept compensation from any committee, group, or individual for the placement of communication to be disseminated to the electorate to require such committee, group, or individual to file a copy of their statement of registration they filed with ELEC.

Under the bill, independent expenditure committees would file quarterly reports of contributions received in excess of \$10,000 and expenditures made in excess of \$3,000. The bill requires independent expenditure committees to also report within 48 hours any contribution received or expenditure made in excess of \$500 and \$800, respectively, when such is received or made after the final day of a quarterly reporting period and on or before an election which occurs after that final day but before the final day of the next reporting period.

The provisions of the bill are severable. The bill would take effect on the first date, following enactment, that occurs after July 16, 2019

by which a quarterly report would be required to be filed pursuant to N.J.S.A.19:44A-8(d)(1). The bill specifies that the first of those reports will not be required to be filed until the next quarterly report filing deadline as specified in that paragraph and specifies that the report need only include those reportable items which occur after the effective date of the bill.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) eliminate, thereby leaving those amounts unchanged from current law, the increase in the amount of money that may be contributed:

- by individuals, corporations, unions, candidate committees, political committees, and continuing political committees to candidate committees;
- by the national committee of a political party to the State committee of a political party;
- by an individual, a corporation, union, political committee, continuing political committee, candidate committee or joint candidates committee or any other group to the State committee, a county committee of a political party, or a municipal committee of a political party;
- by one political committee or continuing political committee to another political committee or continuing political committee; and
- to a political committee;

(2) remove the phrase “a group of two or more persons, or an organization” from the definition of “independent expenditure committee”;

(3) include 501(c)(6) organizations within the purview of the bill; and

(4) provide that the bill would take effect on the first date, following enactment, that occurs after July 16, 2019 by which a quarterly report would be required to be filed pursuant to N.J.S.A.19:44A-8(d)(1). The bill specifies that the first of those reports will not be required to be filed until the next quarterly report filing deadline as specified in that paragraph and specifies that the report need include only those reportable items which occur after the effective date of the bill.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **SENATE, No. 1500**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JANUARY 17, 2019

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1500, with committee amendments.

This bill, as amended, revises “The New Jersey Campaign Contributions and Expenditures Reporting Act” to institute new reporting requirements on certain organizations, and increase the limits on the amount of money that may be contributed by individuals, candidates, and committees to other candidates and committees.

The bill requires disclosure by any “independent expenditure committee,” defined as any organization organized under section 527 or paragraph (4) of subsection (c) of section 501 of the federal Internal Revenue Code that engages in influencing or attempting to influence the outcome of any election or the nomination, election, or defeat of any person to any State or local elective public office or the passage or defeat of any public question, legislation, or regulation, or in providing political information on any candidate or public question, legislation, or regulation, and raises or expends \$3,000 or more for any such purpose. The bill requires these committees to report contributions in excess of \$10,000 and expenditures in excess of \$3,000 to the Election Law Enforcement Commission (ELEC), and prohibits a candidate from establishing, authorizing the establishment of, maintaining, or participating directly or indirectly, in the management or control of any independent expenditure committee.

The bill, as amended, defines “electioneering communication” as any communication made from January 1 of an election year and the date of the election and refers to: 1) a clearly identified candidate for office and promotes or supports a candidate for that office or opposes a candidate for that office, regardless of whether the communication expressly advocates a vote for or against a candidate; or 2) a public question, and promotes or supports the passage or defeat of that question, regardless of whether the communication expressly advocates a vote for or against the passage of the question. The term includes communications published in any newspaper or periodical; or broadcast on radio, television, the Internet or digital media, or any public address system; placed on any billboard, outdoor facility, button, motor vehicle, window display, poster, card, pamphlet, leaflet,

flyer, or other circular; or contained in any direct mailing, robotic phone calls, or mass e-mails.

The bill, as amended, defines “independent expenditure” as an expenditure by a person expressly advocating, or the functional equivalent thereof, the election or defeat of: 1) a clearly identified candidate that is not made in concert or cooperation with or at the request or suggestion of the candidate, the candidate’s committee, a political party committee, or an agent thereof; or 2) a public question, legislation, or regulation, that is not made in concert or cooperation with or at the request or suggestion of the sponsors, organizers, or committee supporting or opposing the question, legislation, or regulation, a political party, or agents thereof. The “functional equivalent” of expressly advocating means specific advocacy that can be interpreted by a reasonable person as advocating the election or defeat of a candidate, or the passage or defeat of a public question, legislation, or regulation, taking into account whether the communication involved mentions a candidate, a political party, or a challenger to a candidate, or takes a position on a candidate’s character, qualifications, or fitness for office, or that can be interpreted by a reasonable person as taking a position on the merits of a public question, legislation, or regulation, or taking a position in favor or against the passage or defeat of the public question, legislation, or regulation.

As amended, the bill codifies the criteria used by ELEC to determine when coordination with a candidate or political party has occurred, and allows ELEC to issue additional criteria by regulation.

Under the bill, as amended, independent expenditure committees would file quarterly reports of contributions received in excess of \$10,000 and expenditures made in excess of \$3,000. The bill requires independent expenditure committees to also report within 48 hours any contribution received or expenditure made in excess of \$1,400 when such is received or made after the final day of a quarterly reporting period and on or before an election which occurs after that final day but before the final day of the next reporting period.

In addition, the bill increases the amount of money:

1) that can be contributed by an individual, a corporation or union, or a group to a candidate committee from \$2,600 to \$3,000 per election;

2) that can be contributed by a political committee or a continuing political committee to a candidate committee from \$8,200 to \$9,300 per election;

3) that can be contributed by an individual, a corporation or union, political committee, continuing political committee, candidate committee or joint candidates committee or any other group to: a) the State committee of a political party from \$25,000 to \$28,000 per year; b) a county committee of a political party from \$37,000 to \$42,000 per year; and c) a municipal committee of a political party from \$7,200 to \$8,200 per year;

4) that the national committee of a political party can contribute to the State committee of a political party from \$72,000 to \$82,000 per year;

5) that can be contributed by the candidate committee of one candidate to the candidate committee of another candidate from \$8,200 to \$9,300 per election; and

6) that can be contributed to a political committee, or that one political committee or continuing political committee can contribute to another political committee or continuing political committee, from \$7,200 to \$8,200 per election or per year, as the case may be.

The bill also repeals the current prohibition on the transfer of funds between county political party committees between January 1st and June 30th of each year.

As amended by the committee, the bill would take effect immediately and be retroactive to January 1, 2018.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) require independent expenditure committees to also disclose their activities concerning the passage or defeat of legislation or regulation;

(2) codify ELEC regulations concerning the criteria to determine whether coordination with a candidate or political party has occurred, and allows ELEC to specify further criteria by regulation;

(3) remove the \$10,000 value threshold from the definition of “electioneering communication,” and define such communication as made within the temporal window beginning on January 1 of an election year and the date of the election;

(4) require an independent expenditure committee to file quarterly reports of all contributions received in excess of \$10,000 and all expenditures made in excess of \$3,000, instead of \$300;

(5) prohibit foreign entities from registering as independent expenditure committees for the purpose of making independent expenditures in any State or local election;

(6) explicitly include Internet and digital advertisement in the definitions of “political information,” “electioneering communication,” and “communication;”

(7) require persons who accept compensation from any committee, group, or individual for the placement of communication to be disseminated to the electorate to require such committee, group, or individual to file a copy of their statement of registration they filed with ELEC;

(8) include a severability clause; and

(9) provide that the bill would take effect immediately, and be retroactive to January 1, 2018.

#### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## **SENATE, No. 1500**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JANUARY 28, 2019

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1500 (1R), with committee amendments.

The Senate Budget and Appropriations Committee reports favorably, with committee amendments, Senate Bill No. 1500 (1R).

This bill revises “The New Jersey Campaign Contributions and Expenditures Reporting Act” to institute new reporting requirements on certain organizations, and increase the limits on the amount of money that may be contributed by individuals, candidates, and committees to other candidates and committees.

The bill, as amended, requires disclosure by any “independent expenditure committee,” defined as any organization organized under section 527 or paragraph (4) of subsection (c) of section 501 of the federal Internal Revenue Code that engages in influencing or attempting to influence the outcome of any election or the nomination, election, or defeat of any person to any State or local elective public office or the passage or defeat of any public question, legislation, or regulation, or in providing political information on any candidate or public question, legislation, or regulation, and raises or expends \$3,000 or more for any such purpose. The bill requires these committees to report contributions in excess of \$10,000 and expenditures in excess of \$3,000 to the Election Law Enforcement Commission (ELEC), and prohibits a candidate from establishing, authorizing the establishment of, maintaining, or participating directly or indirectly, in the management or control of any independent expenditure committee.

The bill defines “electioneering communication” as any communication made from January 1 of an election year and the date of the election and refers to: 1) a clearly identified candidate for office and promotes or supports a candidate for that office or opposes a candidate for that office, regardless of whether the communication expressly advocates a vote for or against a candidate; or 2) a public question, and promotes or supports the passage or defeat of that question, regardless of whether the communication expressly advocates a vote for or against the passage of the question. The term

includes communications published in any newspaper or periodical; or broadcast on radio, television, the Internet or digital media, or any public address system; placed on any billboard, outdoor facility, button, motor vehicle, window display, poster, card, pamphlet, leaflet, flyer, or other circular; or contained in any direct mailing, robotic phone calls, or mass e-mails.

The bill defines “independent expenditure” as an expenditure by a person expressly advocating, or the functional equivalent thereof, the election or defeat of: 1) a clearly identified candidate that is not made in concert or cooperation with or at the request or suggestion of the candidate, the candidate’s committee, a political party committee, or an agent thereof; or 2) a public question, legislation, or regulation, that is not made in concert or cooperation with or at the request or suggestion of the sponsors, organizers, or committee supporting or opposing the question, legislation, or regulation, a political party, or agents thereof. The “functional equivalent” of expressly advocating means specific advocacy that can be interpreted by a reasonable person as advocating the election or defeat of a candidate, or the passage or defeat of a public question, legislation, or regulation, taking into account whether the communication involved mentions a candidate, a political party, or a challenger to a candidate, or takes a position on a candidate’s character, qualifications, or fitness for office, or that can be interpreted by a reasonable person as taking a position on the merits of a public question, legislation, or regulation, or taking a position in favor or against the passage or defeat of the public question, legislation, or regulation.

The bill codifies the criteria used by ELEC to determine when coordination with a candidate or political party has occurred, and allows ELEC to issue additional criteria by regulation. Under the bill, foreign entities would be prohibited from registering as independent expenditure committees for the purpose of making independent expenditures in any State or local election. The bill explicitly includes Internet and digital advertisement in the definitions of “political information,” “electioneering communication,” and “communication.” It further requires persons who accept compensation from any committee, group, or individual for the placement of communication to be disseminated to the electorate to require such committee, group, or individual to file a copy of their statement of registration they filed with ELEC.

Under the bill, independent expenditure committees would file quarterly reports of contributions received in excess of \$10,000 and expenditures made in excess of \$3,000. The bill requires independent expenditure committees to also report within 48 hours any contribution received or expenditure made in excess of \$1,400 when such is received or made after the final day of a quarterly reporting period and on or before an election which occurs after that final day but before the final day of the next reporting period.

In addition, the bill increases the amount of money:

1) that can be contributed by an individual, a corporation or union, or a group to a candidate committee from \$2,600 to \$3,000 per election;

2) that can be contributed by a political committee or a continuing political committee to a candidate committee from \$8,200 to \$9,300 per election;

3) that can be contributed by an individual, a corporation or union, political committee, continuing political committee, candidate committee or joint candidates committee or any other group to: a) the State committee of a political party from \$25,000 to \$28,000 per year; b) a county committee of a political party from \$37,000 to \$42,000 per year; and c) a municipal committee of a political party from \$7,200 to \$8,200 per year;

4) that the national committee of a political party can contribute to the State committee of a political party from \$72,000 to \$82,000 per year;

5) that can be contributed by the candidate committee of one candidate to the candidate committee of another candidate from \$8,200 to \$9,300 per election; and

6) that can be contributed to a political committee, or that one political committee or continuing political committee can contribute to another political committee or continuing political committee, from \$7,200 to \$8,200 per election or per year, as the case may be.

The provisions of the bill are severable. The bill would take effect immediately and be retroactive to January 1, 2018.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) delete the provision that would have repealed the current ban on the transfer of funds between county political party committees between January 1st and June 30th of each year, thereby keeping that ban in the current law;

(2) delete an inconsistent reference to independent expenditure committee reports required to be filed after an election, as the reports are filed on a quarterly basis; and

(3) delete from the list of coordination criteria the use of the same consultants, employees, staff, or agents as the person or entity making the communication expenditure to create, target, or place the communication.

#### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

STATEMENT TO  
[Second Reprint]  
**SENATE, No. 1500**

with Senate Floor Amendments  
(Proposed by Senator SINGLETON)

ADOPTED: JANUARY 31, 2019

These Senate Amendments prohibit a holder of public office, directly or indirectly, from establishing, authorizing the establishment of, maintaining, or participating in the management or control of any independent expenditure committee. This restriction already applies to candidates under the bill.

STATEMENT TO  
[Fourth Reprint]  
**SENATE, No. 1500**

with Senate Floor Amendments  
(Proposed by Senator SINGLETON)

ADOPTED: MARCH 25, 2019

These Senate amendments remove from the bill persons organized under paragraph (6) of subsection (c) of section 501 of the federal Internal Revenue Code (26 U.S.C. s.501), which had been added by amendments in the General Assembly.

# ASSEMBLY, No. 1524

## STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Assemblyman ANDREW ZWICKER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman SHAVONDA E. SUMTER**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblymen DeAngelo, Mukherji, Chiaravalloti, Assemblywoman Schepisi and Assemblyman Johnson**

**SYNOPSIS**

Requires disclosure by independent expenditure committees; raises certain campaign contribution limits; repeals ban on certain intraparty fund transfers.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 3/19/2019)**

A1524 ZWICKER, BENSON

2

1 AN ACT concerning campaign finance disclosures and limits,  
2 amending various parts of the statutory law and repealing section  
3 13 of P.L.2004, c.19.

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

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

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

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

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

14 c. The term "candidate" means: (1) an individual seeking  
15 election to a public office of the State or of a county, municipality  
16 or school district at an election; except that the term shall not  
17 include an individual seeking party office; (2) an individual who  
18 shall have been elected or failed of election to an office, other than  
19 a party office, for which he sought election and who receives  
20 contributions and makes expenditures for any of the purposes  
21 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during  
22 the period of his service in that office; and (3) an individual who  
23 has received funds or other benefits or has made payments solely  
24 for the purpose of determining whether the individual should  
25 become a candidate as defined in paragraphs (1) and (2) of this  
26 subsection.

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, candidate committee, joint candidates committee,  
30 political committee, continuing political committee, independent  
31 expenditure committee, political party committee or legislative  
32 leadership committee, and all pledges or other commitments or  
33 assumptions of liability to make any such transfer; and for purposes  
34 of reports required under the provisions of this act shall be deemed  
35 to have been made upon the date when such commitment is made or  
36 liability assumed.

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

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

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

Matter underlined thus is new matter.

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

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

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

37 i. The term "political committee" means any two or more  
38 persons acting jointly, or any corporation, partnership, or any other  
39 incorporated or unincorporated association which is organized to, or  
40 does, aid or promote the nomination, election or defeat of any  
41 candidate or candidates for public office, or which is organized to,  
42 or does, aid or promote the passage or defeat of a public question in  
43 any election, if the persons, corporation, partnership or incorporated  
44 or unincorporated association raises or expends ~~【\$1,000.00】~~ \$2,400  
45 or more to so aid or promote the nomination, election or defeat of a  
46 candidate or candidates or the passage or defeat of a public  
47 question; provided that for the purposes of this act, the term  
48 "political committee" shall not include a "continuing political

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

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

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

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

38 m. The term "qualified candidate" means:

39 (1) Joint candidates for election to the offices of Governor and  
40 Lieutenant Governor whose names appear on the general election  
41 ballot; who have deposited and expended \$150,000.00 pursuant to  
42 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than  
43 September 1 preceding a general election in which the offices of  
44 Governor and Lieutenant Governor are to be filled, (a) notify the  
45 Election Law Enforcement Commission in writing that the  
46 candidates intend that application will be made on the candidates'  
47 behalf for monies for general election campaign expenses under  
48

1 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)  
2 sign a statement of agreement, in a form to be prescribed by the  
3 commission, to participate in interactive gubernatorial election  
4 debates under the provisions of sections 9 through 11 of P.L.1989,  
5 c.4 (C.19:44A-45 through C.19:44A-47); or

6 (2) Joint candidates for election to the offices of Governor and  
7 Lieutenant Governor whose names do not appear on the general  
8 election ballot; who have deposited and expended \$150,000.00  
9 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,  
10 not later than September 1 preceding a general election in which the  
11 offices of Governor and Lieutenant Governor are to be filled, (a)  
12 notify the Election Law Enforcement Commission in writing that  
13 the candidates intend that application will be made on the  
14 candidates' behalf for monies for general election campaign  
15 expenses under subsection b. of section 8 of P.L.1974, c.26  
16 (C.19:44A-33), and (b) sign a statement of agreement, in a form to  
17 be prescribed by the commission, to participate in interactive  
18 gubernatorial election debates under the provisions of sections 9  
19 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);  
20 or

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

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

1 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-  
2 45 through C.19:44A-47).

3 n. The term "continuing political committee" means any group  
4 of two or more persons acting jointly, or any corporation,  
5 partnership, or any other incorporated or unincorporated  
6 association, including a political club, political action committee,  
7 civic association or other organization, which in any calendar year  
8 contributes or expects to contribute at least ~~【\$2,500.00】~~ \$5,500 to  
9 the aid or promotion of the candidacy of an individual, or of the  
10 candidacies of individuals, for elective public office, or the passage  
11 or defeat of a public question or public questions, and which may be  
12 expected to make contributions toward such aid or promotion or  
13 passage or defeat during a subsequent election, provided that the  
14 group, corporation, partnership, association or other organization  
15 has been determined to be a continuing political committee under  
16 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided  
17 that for the purposes of this act, the term "continuing political  
18 committee" shall not include a "political party committee," as  
19 defined by subsection p. of this section, **【or】** a "legislative  
20 leadership committee," as defined by subsection s. of this section,  
21 or an "independent expenditure committee," as defined by  
22 subsection t. of this section.

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

44 p. The term "political party committee" means the State  
45 committee of a political party, as organized pursuant to R.S.19:5-4,  
46 any county committee of a political party, as organized pursuant to  
47 R.S.19:5-3, or any municipal committee of a political party, as  
48 organized pursuant to R.S.19:5-2.

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

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

20 s. The term "legislative leadership committee" means a  
21 committee established, authorized to be established, or designated  
22 by the President of the Senate, the Minority Leader of the Senate,  
23 the Speaker of the General Assembly or the Minority Leader of the  
24 General Assembly pursuant to section 16 of P.L.1993, c.65  
25 (C.19:44A-10.1) for the purpose of receiving contributions and  
26 making expenditures.

27 t. The term "independent expenditure committee" means a  
28 person, a group of two or more persons, or an organization  
29 organized under section 527 of the federal Internal Revenue Code  
30 (26 U.S.C. s.527) or under paragraph (4) of subsection c. of section  
31 501 of the federal Internal Revenue Code (26 U.S.C. s.501) that  
32 does not fall within the definition of any other organization subject  
33 to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.), that  
34 engages in influencing or attempting to influence the outcome of  
35 any election or the nomination, election, or defeat of any person to  
36 any State or local elective public office, or the passage or defeat of  
37 any public question, or in providing political information on any  
38 candidate or public question, and raises or expends \$3,000 or more  
39 in the aggregate for any such purpose annually, but does not  
40 coordinate its activities with any candidate or political party.

41 u. The term "electioneering communication" means any  
42 communication that has a value of at least \$10,000 and refers to: (1)  
43 a clearly identified candidate for office and promotes or supports a  
44 candidate for that office or opposes a candidate for that office,  
45 regardless of whether the communication expressly advocates a  
46 vote for or against a candidate; or (2) a public question and  
47 promotes or supports the passage or defeat of that question,  
48 regardless of whether the communication expressly advocates a

1 vote for or against the passage of the question. The term includes  
2 communications published in any newspaper or periodical;  
3 broadcast on radio, television, or the Internet, or any public address  
4 system; placed on any billboard, outdoor facility, button, motor  
5 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or  
6 other circular; or contained in any direct mailing, robotic phone  
7 calls, or mass e-mails.

8 v. The term “independent expenditure” means an expenditure  
9 by a person expressly advocating, or the functional equivalent  
10 thereof, the election or defeat of: (1) a clearly identified candidate  
11 that is not made in concert or cooperation with or at the request or  
12 suggestion of the candidate, the candidate’s committee, a political  
13 party committee, or an agent thereof; or (2) a public question that is  
14 not made in concert or cooperation with or at the request or  
15 suggestion of the sponsors, organizers, or committee supporting or  
16 opposing the question, a political party, or agents thereof. The  
17 “functional equivalent” of expressly advocating means specific  
18 advocacy that can be interpreted by a reasonable person as  
19 advocating the election or defeat of a candidate, or the passage or  
20 defeat of a public question, taking into account whether the  
21 communication involved mentions a candidate, a political party, or  
22 a challenger to a candidate, or takes a position on a candidate’s  
23 character, qualifications, or fitness for office, or that can be  
24 interpreted by a reasonable person as taking a position on the merits  
25 of a public question or taking a position in favor or against the  
26 passage or defeat of a public question.

27 (cf: P.L.2009, c.66, s.5)

28  
29 2. Section 8 of P.L.1973, c.83 (C.19:44A-8) is amended to read  
30 as follows:

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

1 and mailing address of the individual's employer. In the case of any  
2 loan reported pursuant to this subsection, the report shall contain  
3 the name and mailing address of each person who has cosigned such  
4 loan since 48 hours preceding the date on which the previous such  
5 report was made, and where an individual has cosigned such loans,  
6 the report shall indicate the occupation of the individual and the  
7 name and mailing address of the individual's employer. The  
8 cumulative report shall also contain the name and address of each  
9 person, firm or organization to whom expenditures have been paid  
10 since 48 hours preceding the date on which the previous such report  
11 was made and the amount and purpose of each such expenditure.  
12 The cumulative report shall be filed with the Election Law  
13 Enforcement Commission on the dates designated in section 16  
14 hereof.

15 The campaign treasurer of the political committee reporting shall  
16 certify to the correctness of each report.

17 Each campaign treasurer of a political committee shall file  
18 written notice with the commission of a contribution in excess of  
19 **[\$500]** \$1,400 received during the period between the 13th day  
20 prior to the election and the date of the election, and of an  
21 expenditure of money or other thing of value in excess of **[\$500]**  
22 \$1,400 made, incurred or authorized by the political committee to  
23 support or defeat a candidate in an election, or to aid the passage or  
24 defeat of any public question, during the period between the 13th  
25 day prior to the election and the date of the election. The notice of  
26 a contribution shall be filed in writing or by **[telegram]** electronic  
27 transmission within 48 hours of the receipt of the contribution and  
28 shall set forth the amount and date of the contribution, the name and  
29 mailing address of the contributor, and where the contributor is an  
30 individual, the individual's occupation and the name and mailing  
31 address of the individual's employer. The notice of an expenditure  
32 shall be filed in writing or by **[telegram]** electronic transmission  
33 within 48 hours of the making, incurring or authorization of the  
34 expenditure and shall set forth the name and mailing address of the  
35 person, firm or organization to whom or which the expenditure was  
36 paid and the amount and purpose of the expenditure.

37 (2) When a political committee or an individual seeking party  
38 office makes or authorizes an expenditure on behalf of a candidate,  
39 it shall provide immediate written notification to the candidate of  
40 the expenditure.

41 b. (1) A group of two or more persons acting jointly, or any  
42 corporation, partnership, or any other incorporated or  
43 unincorporated association including a political club, political  
44 action committee, civic association or other organization, which in  
45 any calendar year contributes or expects to contribute at least  
46 **[\$2,500.00]** \$5,500 to the aid or promotion of the candidacy of an  
47 individual, or of the candidacies of individuals, for elective public

1 office or the passage or defeat of a public question or public  
2 questions and which expects to make contributions toward such aid  
3 or promotion, or toward such passage or defeat, during a subsequent  
4 election shall certify that fact to the commission, and the  
5 commission, upon receiving that certification and on the basis of  
6 any information as it may require of the group, corporation,  
7 partnership, association or other organization, shall determine  
8 whether the group, corporation, partnership, association or other  
9 organization is a continuing political committee for the purposes of  
10 this act. If the commission determines that the group, corporation,  
11 partnership, association or other organization is a continuing  
12 political committee, it shall so notify that continuing political  
13 committee.

14 No person serving as the chairman of a political party committee  
15 or a legislative leadership committee shall be eligible to be  
16 appointed or to serve as the chairman of a continuing political  
17 committee.

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

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

1 Each continuing political committee shall provide immediate  
2 written notification to each candidate of all expenditures made or  
3 authorized on behalf of the candidate.

4 If any continuing political committee submitting cumulative  
5 quarterly reports as provided under this subsection receives a  
6 contribution from a single source of more than ~~【\$500】~~ \$1,400 after  
7 the final day of a quarterly reporting period and on or before a  
8 primary, general, municipal, school or special election which occurs  
9 after that final day but prior to the final day of the next reporting  
10 period it shall, in writing or by ~~【telegram】~~ electronic transmission,  
11 report that contribution to the commission within 48 hours of the  
12 receipt thereof, including in that report the amount and date of the  
13 contribution; the name and mailing address of the contributor; and  
14 where the contributor is an individual, the individual's occupation  
15 and the name and mailing address of the individual's employer. If  
16 any continuing political committee makes or authorizes an  
17 expenditure of money or other thing of value in excess of ~~【\$500】~~  
18 \$1,400, or incurs any obligation therefor, to support or defeat a  
19 candidate in an election, or to aid the passage or defeat of any  
20 public question, after March 31 and on or before the day of the  
21 primary election, or after September 30 and on or before the day of  
22 the general election, it shall, in writing or by ~~【telegram】~~ electronic  
23 transmission, report that expenditure to the commission within 48  
24 hours of the making, authorizing or incurring thereof.

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

36 c. Each political party committee ~~【and each】~~, legislative  
37 leadership committee, and independent expenditure committee shall  
38 file with the Election Law Enforcement Commission, not later than  
39 April 15, July 15, October 15 and January 15 of each calendar year,  
40 a cumulative quarterly report of all moneys, loans, paid personal  
41 services or other things of value contributed to it during the period  
42 ending on the 15th day preceding that date and commencing on  
43 January 1 of that calendar year or, in the case of the cumulative  
44 quarterly report to be filed not later than January 15, of the previous  
45 calendar year, and all expenditures made, incurred, or authorized by  
46 it during the period, whether or not such expenditures were made,  
47 incurred or authorized in furtherance of the election or defeat of any

1 candidate, or in aid of the passage or defeat of any public question  
2 or to provide information on any candidate or public question.

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

20 **[If]** d. (1) Each independent expenditure committee shall  
21 make a full cumulative report, upon a form prescribed by the  
22 Election Law Enforcement Commission, of all contributions  
23 received in excess of \$300 in the form of moneys, loans, paid  
24 personal services, or other things of value made to it, and of all  
25 expenditures in excess of \$300 made, incurred, or authorized by it  
26 in influencing or attempting to influence the outcome of any  
27 election or the nomination, election, or defeat of any person to State  
28 or local elective public office or the passage or defeat of any public  
29 question, or in providing political information on any candidate or  
30 public question, during the period ending 48 hours preceding the  
31 date of the report and beginning on the date on which the first of  
32 those contributions was received or the first of those expenditures  
33 was made, whichever occurred first. The cumulative report, except  
34 as hereinafter provided, shall contain the name and mailing address  
35 of each person or group from whom moneys, loans, paid personal  
36 services or other things of value have been contributed since 48  
37 hours preceding the date on which such previous report was made  
38 and the amount contributed by each person or group in excess of  
39 \$300, and when the contributor is an individual, the report shall  
40 indicate the occupation of the individual and the name and mailing  
41 address of the individual's employer. In the case of any loan  
42 reported pursuant to this subsection, the report shall contain the  
43 name and mailing address of each person who has cosigned such  
44 loan since 48 hours preceding the date on which the previous such  
45 report was made, and when an individual has cosigned such loans,  
46 the report shall indicate the occupation of the individual and the  
47 name and mailing address of the individual's employer. The  
48 cumulative report shall also contain the name and address of each

1 person, firm, or organization to whom expenditures have been paid  
2 since 48 hours preceding the date on which the previous such report  
3 was made and the amount and purpose of each such expenditure.  
4 The cumulative report shall be filed with the Election Law  
5 Enforcement Commission on the dates designated in section 16 of  
6 P.L.1973, c.83 (C.19:44A-16).

7 (2) An independent expenditure committee shall disclose all  
8 expenditures made by it in excess of \$300, including, but not  
9 limited to, for electioneering communications, voter registration,  
10 get-out-the-vote efforts, polling, and research. The disclosures  
11 required by this paragraph shall be reported to the Election Law  
12 Enforcement Commission on the same schedule as required for  
13 political committees and continuing political committees pursuant  
14 to this section.

15 The treasurer of the reporting independent expenditure  
16 committee shall certify the correctness of each report and shall  
17 maintain all records of contributions and expenditures for a period  
18 of not less than four years.

19 e. When a political party committee [or a], legislative  
20 leadership committee [submitting cumulative quarterly reports as  
21 provided under this subsection] or independent expenditure  
22 committee receives a contribution from a single source of more than  
23 [\$500] \$1,400 after the final day of a quarterly reporting period  
24 and on or before a primary, general, municipal, school, or special  
25 election which occurs after that final day but prior to the final day  
26 of the next reporting period it shall, in writing or by [telegram]  
27 electronic transmission, report that contribution to the commission  
28 within 48 hours of the receipt thereof, including in that report the  
29 amount and date of the contribution; the name and mailing address  
30 of the contributor; and where the contributor is an individual, the  
31 individual's occupation and the name and mailing address of the  
32 individual's employer. [If] When a political party committee [or  
33 a], legislative leadership committee [submitting cumulative  
34 quarterly reports as provided under this subsection] , or an  
35 independent expenditure committee makes or authorizes an  
36 expenditure of money or other thing of value in excess of [\$800]  
37 \$1,400, or incurs any obligation therefor, to support or defeat a  
38 candidate in an election, or to aid the passage or defeat of any  
39 public question, after March 31 and on or before the day of the  
40 primary election, or after September 30 and on or before the day of  
41 the general election, it shall, in writing or by [telegram] electronic  
42 transmission, report that expenditure to the commission within 48  
43 hours of the making, authorizing or incurring thereof.

44 [d.] f. In any report filed pursuant to the provisions of this  
45 section the organization or committee reporting may exclude from  
46 the report the name of and other information relating to any  
47 contributor whose contributions during the period covered by the

1 report did not exceed \$300, provided, however, that (1) such  
2 exclusion is unlawful if any person responsible for the preparation  
3 or filing of the report knew that it was made with respect to any  
4 person whose contributions relating to the same election or issue  
5 and made to the reporting organization or committee aggregate, in  
6 combination with the contribution in respect of which such  
7 exclusion is made, more than \$300 and (2) any person who  
8 knowingly prepares, assists in preparing, files or acquiesces in the  
9 filing of any report from which the identification of a contributor  
10 has been excluded contrary to the provisions of this section is  
11 subject to the provisions of section 21 of **[this act]** P.L.1973, c.83  
12 (C.19:44A-21), but (3) nothing in this proviso shall be construed as  
13 requiring any committee or organization reporting pursuant to this  
14 act to report the amounts, dates or other circumstantial data  
15 regarding contributions made to any other organization or political  
16 committee, political party committee or campaign organization of a  
17 candidate.

18 g. Any report filed pursuant to the provisions of this section  
19 shall include an itemized accounting of all receipts and  
20 expenditures relative to any testimonial affairs held since the date  
21 of the most recent report filed, which accounting shall include the  
22 name and mailing address of each contributor in excess of \$300 to  
23 such testimonial affair and the amount contributed by each; in the  
24 case of an individual contributor, the occupation of the individual  
25 and the name and mailing address of the individual's employer; the  
26 expenses incurred; and the disposition of the proceeds of such  
27 testimonial affair.

28 The \$300 limit established in this subsection shall remain as  
29 stated in this subsection without further adjustment by the  
30 commission in the manner prescribed by section 22 of P.L.1993,  
31 c.65 (C.19:44A-7.2).

32 (cf: P.L.2004, c.33, s.1)

33

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

36 21. a. Each political committee, as defined in subsection i. of  
37 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes  
38 the nomination for election or the election of a candidate or the  
39 passage or defeat of a public question, each independent  
40 expenditure committee, as defined in subsection t. of section 3 of  
41 P.L.1973, c.83 (C.19:44A-3), each continuing political committee  
42 as defined in subsection n. of section 3 of P.L.1973, c.83, and each  
43 legislative leadership committee as defined in subsection s. of  
44 section 3 of P.L.1973, c.83, shall submit to the commission a  
45 statement of registration which includes:

46 (1) the complete name or identifying title of the committee and  
47 the general category of entity or entities, including but not limited  
48 to business organizations, labor organizations, professional or trade

1 associations, candidate for or holder of public office, political party,  
2 ideological grouping or civic association, the interests of which are  
3 shared by the leadership, members, or financial supporters of the  
4 committee;

5 (2) the mailing address of the committee and the name and  
6 resident address of a resident of this State who shall have been  
7 designated by the committee as its agent to accept service of  
8 process; and

9 (3) a descriptive statement prepared by the organizers or officers  
10 of the committee that identifies (a) the names and mailing addresses  
11 of the persons having control over the affairs of the committee,  
12 including but not limited to persons in whose name or at whose  
13 direction or suggestion the committee solicits funds, and persons  
14 participating in any decision to make a contribution of such funds to  
15 any candidate, political committee or continuing political  
16 committee and, in the case of an independent expenditure  
17 committee, any decision to expend funds for the purpose of  
18 influencing or attempting to influence the outcome of any election  
19 or the nomination, election, or defeat of any person to State or local  
20 elective public office or the passage or defeat of any public  
21 question, or in providing political information on any candidate or  
22 public question; (b) the name and mailing address of any person not  
23 included among the persons identified under subparagraph (a) of  
24 this paragraph who, directly or through an agent, participated in the  
25 initial organization of the committee; (c) in the case of any person  
26 identified under subparagraph (a) or subparagraph (b) who is an  
27 individual, the occupation of that individual, the individual's home  
28 address, and the name and mailing address of the individual's  
29 employer, or, in the case of any such person which is a corporation,  
30 partnership, unincorporated association, or other organization, the  
31 name and mailing address of the organization; and (d) any other  
32 information which the Election Law Enforcement Commission may,  
33 under such regulations as it shall adopt pursuant to the provisions of  
34 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
35 seq.), require as being material to the fullest possible disclosure of  
36 the economic, political and other particular interests and objectives  
37 which the committee has been organized to or does advance. The  
38 commission shall be informed, in writing, of any change in the  
39 information required by this paragraph within three days of the  
40 occurrence of the change. Legislative leadership committees shall  
41 be exempt from the requirements of subparagraphs (a), (b) and (c)  
42 of this paragraph.

43 b. After submission of a statement of registration to the  
44 commission pursuant to this section, the committee shall use the  
45 complete name or identifying title on all documents submitted to  
46 the commission, in all solicitations for contributions, in all paid  
47 media advertisements purchased or paid for by the committee in  
48 support of or in opposition to any candidate or public question, and

1 in all contributions made by the committee to candidates or other  
2 committees and, in the case of an independent expenditure  
3 committee, any decision to expend funds for the purpose of  
4 influencing or attempting to influence the outcome of any election  
5 or the selection, nomination, election, or defeat of any person to  
6 State or local elective public office or the passage or defeat of any  
7 public question, or in providing political information on any  
8 candidate or public question.

9 c. Each report of contributions under section 8 of P.L.1973,  
10 c.83 (C.19:44A-8) by a political committee, continuing political  
11 committee, independent expenditure committee, or legislative  
12 leadership committee required under subsection a. of this section to  
13 submit a statement of registration shall include, in the case of each  
14 contributor who is an individual, the home address of the individual  
15 if different from the individual's mailing address, or, in the case of  
16 any contributor which is an organization, any information, in  
17 addition to that otherwise required, which the Election Law  
18 Enforcement Commission may, under such regulations as it shall  
19 adopt pursuant to the provisions of the "Administrative Procedure  
20 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being  
21 material to the fullest possible disclosure of the economic, political  
22 and other particular interests and objectives which the contributing  
23 organization has been organized to or does advance.

24 d. Any political committee, continuing political committee,  
25 independent expenditure committee, or legislative leadership  
26 committee may at any time apply to the commission for approval of  
27 an abbreviation or acronym of its complete, official name or title for  
28 its exclusive use on documents which it shall submit to the  
29 commission. Upon verification that the abbreviation or acronym  
30 has not been approved for such use by any other political  
31 committee, continuing political committee, independent expenditure  
32 committee, or legislative leadership committee, the commission  
33 shall approve the abbreviation or acronym for such use by the  
34 applicant committee, and the committee, and any individual,  
35 corporation, partnership, membership organization or incorporated  
36 or unincorporated association which, under the provisions of  
37 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the  
38 commission containing a reference to that committee, shall  
39 thereafter use that approved abbreviation or acronym in documents  
40 submitted to the commission. The commission shall, during its  
41 regular office hours, maintain for public inspection in its offices a  
42 current alphabetically arranged list of all such approved  
43 abbreviations and acronyms, indicating for each the name of the  
44 committee for which it stands, and shall make copies of the list  
45 available upon request.

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

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

3       10. Each political party committee shall, on or before July 1 in  
4 each year, designate a single organizational treasurer and an  
5 organizational depository and shall, not later than the tenth day after  
6 the designation of the organizational depository file the name and  
7 address of that depository, and of the organizational treasurer, with  
8 the Election Law Enforcement Commission.

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

25       Every independent expenditure committee may designate a  
26 chairman of the committee, but no person serving as the chairman  
27 of a political party committee or a legislative leadership committee  
28 shall be eligible to be appointed or to serve as the chairman of an  
29 independent expenditure committee. No candidate, directly or  
30 indirectly, shall establish, authorize the establishment of, maintain,  
31 or participate in the management or control of any independent  
32 expenditure committee. Every independent expenditure committee,  
33 not later than the date on which it first receives any contribution or  
34 makes or incurs any expenditure for the purpose of influencing or  
35 attempting to influence the outcome of any election or the  
36 nomination, election, or defeat of any person to State or local  
37 elective public office or the passage or defeat of any public question  
38 or providing political information on any candidate or public  
39 question, shall appoint a single organizational treasurer and  
40 designate an organizational depository, but no person serving as the  
41 chairman of a political party committee or a legislative leadership  
42 committee shall be eligible to be appointed or to serve as the  
43 organizational treasurer of an independent expenditure committee.  
44 Not later than the 10th day after the initial designation of the  
45 organizational depository, the committee shall file the name and  
46 address of the depository, and of the organizational treasurer, with  
47 the Election Law Enforcement Commission.

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

14 Every legislative leadership committee shall, not later than the  
15 date on which it first receives any contribution or makes or incurs  
16 any expenditure in the furtherance or aid of the election or defeat of  
17 any candidate or the passage or defeat of any public question,  
18 appoint a single organizational treasurer and designate an  
19 organizational depository. Not later than the tenth day after the  
20 initial designation of the organizational depository, the committee  
21 shall file the name and address of the depository, and of the  
22 organizational treasurer, with the Election Law Enforcement  
23 Commission.

24 Each organizational treasurer of a State political party committee  
25 or a legislative leadership committee shall be a trained treasurer,  
26 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-  
27 6), or shall acquire such training within 90 days of appointment as  
28 an organizational treasurer. An organizational treasurer of any  
29 other political party committee or a continuing political committee  
30 or an independent expenditure committee and a campaign treasurer  
31 of a political committee may be a trained treasurer.

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

42 Any political party committee, any political committee, any  
43 independent expenditure committee, any continuing political  
44 committee, and any legislative leadership committee may remove  
45 its organizational or campaign treasurer or deputy treasurer. In the  
46 case of the death, resignation or removal of its organizational or  
47 campaign treasurer, the committee shall appoint a successor as soon

1 as practicable and shall file his name and address with the Election  
2 Law Enforcement Commission within three days.  
3 (cf: P.L.2004, c.22, s.3)  
4

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

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

16 a. The duly appointed campaign treasurer or deputy campaign  
17 treasurers of the candidate committee or joint candidates  
18 committee;

19 b. The duly appointed organizational treasurer or deputy  
20 organizational treasurers of a political party committee or a  
21 continuing political committee;

22 c. The duly appointed campaign treasurer or deputy campaign  
23 treasurers of a political committee; **【or】**

24 d. The duly appointed organizational treasurer or deputy  
25 organizational treasurer of a legislative leadership committee; or

26 e. The duly appointed organizational treasurer or deputy  
27 organizational treasurer of an independent expenditure committee.

28 It shall be lawful, however, for any person, not acting in concert  
29 with any other person or group, to expend personally from his own  
30 funds a sum which is not to be repaid to him for any purpose not  
31 prohibited by law, or to contribute his own personal services and  
32 personal traveling expenses, to support or defeat a candidate or to  
33 aid the passage or defeat of a public question; provided, however,  
34 that any person making such expenditure shall be required to report  
35 his or her name and mailing address and the amount of all such  
36 expenditures and expenses, except personal traveling expenses, if  
37 the total of the money so expended, exclusive of such traveling  
38 expenses, exceeds \$500, and also, where the person is an individual,  
39 to report the individual's occupation and the name and mailing  
40 address of the individual's employer, to the Election Law  
41 Enforcement Commission at the same time and in the same manner  
42 as a political committee subject to the provisions of section 8 of  
43 **【this act】** P.L.1973, c.83 (C.19:44A-8). Such expenditure made  
44 during the period between the 13th day prior to the election and the  
45 date of the election shall be filed in writing or by telegram within  
46 48 hours of the making, incurring or authorization of the  
47 expenditure and shall set forth the name and mailing address of the

1 person, firm or organization to whom or which the expenditure was  
2 paid and the amount and purpose of the expenditure.

3 No contribution of money shall be made in currency, except  
4 contributions in response to a public solicitation, provided that  
5 cumulative currency contributions of up to \$200 may be made to a  
6 candidate committee or joint candidates committee, a political  
7 committee, a continuing political committee, an independent  
8 expenditure committee, a legislative leadership committee or a  
9 political party committee if the contributor submits with the  
10 currency contribution a written statement of a form as prescribed by  
11 the commission, indicating the contributor's name, mailing address  
12 and occupation and the amount of the contribution, including the  
13 contributor's signature and the name and mailing address of the  
14 contributor's employer. Adjustments to the \$200 limit established  
15 in this paragraph which have been made by the Election Law  
16 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
17 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
18 rescinded. The \$200 limit established in this paragraph shall  
19 remain as stated in this paragraph without further adjustment by the  
20 commission in the manner prescribed by section 22 of P.L.1993,  
21 c.65 (C.19:44A-7.2).

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

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

37 (cf: P.L.2004, c.33, s.2)

38

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

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

1 shall: (1) pay or make any contribution of money or other thing of  
2 value to a candidate who has established only a candidate  
3 committee, his campaign treasurer, deputy campaign treasurer or  
4 candidate committee which in the aggregate exceeds **[\$2,600]**  
5 \$3,000 per election, or (2) pay or make any contribution of money  
6 or other thing of value to candidates who have established only a  
7 joint candidates committee, their campaign treasurer, deputy  
8 campaign treasurer, or joint candidates committee, which in the  
9 aggregate exceeds **[\$2,600]** \$3,000 per election per candidate, or  
10 (3) pay or make any contribution of money or other thing of value  
11 to a candidate who has established both a candidate committee and  
12 a joint candidates committee, the campaign treasurers, deputy  
13 campaign treasurers, or candidate committee or joint candidates  
14 committee, which in the aggregate exceeds **[\$2,600]** \$3,000 per  
15 election. No candidate who has established only a candidate  
16 committee, his campaign treasurer, deputy campaign treasurer or  
17 candidate committee shall knowingly accept from an individual,  
18 other than an individual who is a candidate, a corporation of any  
19 kind organized and incorporated under the laws of this State or any  
20 other state or any country other than the United States, a labor  
21 organization of any kind which exists or is constituted for the  
22 purpose, in whole or in part, of collective bargaining, or of dealing  
23 with employers concerning the grievances, terms or conditions of  
24 employment, or of other mutual aid or protection in connection with  
25 employment, or any group any contribution of money or other thing  
26 of value which in the aggregate exceeds **[\$2,600]** \$3,000 per  
27 election, and no candidates who have established only a joint  
28 candidates committee, or their campaign treasurer, deputy campaign  
29 treasurer, or joint candidates committee, shall knowingly accept  
30 from any such source any contribution of money or other thing of  
31 value which in the aggregate exceeds **[\$2,600]** \$3,000 per election  
32 per candidate, and no candidate who has established both a  
33 candidate committee and a joint candidates committee, the  
34 campaign treasurers, deputy campaign treasurers, or candidate  
35 committee or joint candidates committee shall knowingly accept  
36 from any such source any contribution of money or other thing of  
37 value which in the aggregate exceeds **[\$2,600]** \$3,000 per election.

38 b. (1) No political committee or continuing political  
39 committee shall: (a) pay or make any contribution of money or  
40 other thing of value to a candidate who has established only a  
41 candidate committee, his campaign treasurer, deputy campaign  
42 treasurer or candidate committee, other than a candidate for  
43 nomination for election for the office of Governor or candidates for  
44 election for the offices of Governor and Lieutenant Governor,  
45 which in the aggregate exceeds **[\$8,200]** \$9,300 per election, or (b)  
46 pay or make any contribution of money or other thing of value to  
47 candidates who have established only a joint candidates committee,

1 their campaign treasurer or deputy campaign treasurer, or the joint  
2 candidates committee, which in the aggregate exceeds ~~【\$8,200】~~  
3 \$9,300 per election per candidate, or (c) pay or make any  
4 contribution of money or other thing of value to a candidate who  
5 has established both a candidate committee and a joint candidates  
6 committee, the campaign treasurers, deputy campaign treasurers, or  
7 candidate committee or joint candidates committee, which in the  
8 aggregate exceeds ~~【\$8,200】~~ \$9,300 per election. No candidate who  
9 has established only a candidate committee, his campaign treasurer,  
10 deputy campaign treasurer or candidate committee, other than a  
11 candidate for nomination for election for the office of Governor or  
12 candidates for election for the offices of Governor and Lieutenant  
13 Governor, shall knowingly accept from any political committee or  
14 continuing political committee any contribution of money or other  
15 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per  
16 election, and no candidates who have established only a joint  
17 candidates committee, their campaign treasurer, deputy campaign  
18 treasurer, or joint candidates committee, shall knowingly accept  
19 from any such source any contribution of money or other thing of  
20 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election  
21 per candidate, and no candidate who has established both a  
22 candidate committee and a joint candidates committee, the  
23 campaign treasurers, deputy campaign treasurers, or candidate  
24 committee or joint candidates committee shall knowingly accept  
25 from any such source any contribution of money or other thing of  
26 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election.

27 (2) The limitation upon the knowing acceptance by a candidate,  
28 campaign treasurer, deputy campaign treasurer, candidate  
29 committee or joint candidates committee of any contribution of  
30 money or other thing of value from a political committee or  
31 continuing political committee under the provisions of paragraph  
32 (1) of this subsection shall also be applicable to the knowing  
33 acceptance of any such contribution from the county committee of a  
34 political party by a candidate or the campaign treasurer, deputy  
35 campaign treasurer, candidate committee or joint candidates  
36 committee of a candidate for any elective public office in another  
37 county or, in the case of a candidate for nomination for election or  
38 for election to the office of member of the Legislature, in a  
39 legislative district in which, according to the federal decennial  
40 census upon the basis of which legislative districts shall have been  
41 established, less than 20% of the population resides within the  
42 county of that county committee. In addition, all contributor  
43 reporting requirements and other restrictions and regulations  
44 applicable to a contribution of money or other thing of value by a  
45 political committee or continuing political committee under the  
46 provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be

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

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

26 With respect to the limitations in this paragraph, the Legislature  
27 finds and declares that:

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

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

37 (c) Furthermore, the risk of actual or perceived corruption is  
38 raised by the potential for contributors to circumvent limits on  
39 contributions to candidates by funneling money to candidates  
40 through county committees;

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

46 (e) It is, therefore, reasonable for the State to promote this  
47 compelling interest by limiting the amount a county committee may  
48 give to a legislative candidate based upon the degree to which the

1 population of the legislative district overlaps with the population of  
2 that county.

3 c. (1) No candidate who has established only a candidate  
4 committee, his campaign treasurer, deputy treasurer or candidate  
5 committee shall (a) pay or make any contribution of money or other  
6 thing of value to another candidate who has established only a  
7 candidate committee, his campaign treasurer, deputy campaign  
8 treasurer or candidate committee, other than a candidate for  
9 nomination for election for the office of Governor or candidates for  
10 election for the offices of Governor and Lieutenant Governor,  
11 which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election, or (b)  
12 pay or make any contribution of money or other thing of value to  
13 candidates who have established only a joint candidates committee,  
14 their campaign treasurer, deputy campaign treasurer, or joint  
15 candidates committee, which in the aggregate exceeds ~~【\$8,200】~~  
16 \$9,300 per election per candidate in the recipient committee, or (c)  
17 pay or make any contribution of money or other thing of value to a  
18 candidate who has established both a candidate committee and a  
19 joint candidates committee, the campaign treasurers, deputy  
20 campaign treasurers, or candidate committee or joint candidates  
21 committee, which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per  
22 election. No candidate who has established only a candidate  
23 committee, his campaign treasurer, deputy campaign treasurer or  
24 candidate committee, other than a candidate for nomination for  
25 election for the office of Governor or candidates for election to the  
26 offices of the Governor and Lieutenant Governor, shall knowingly  
27 accept from another candidate who has established only a candidate  
28 committee, his campaign treasurer, deputy campaign treasurer or  
29 candidate committee, any contribution of money or other thing of  
30 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election,  
31 and no candidates who have established only a joint candidates  
32 committee, their campaign treasurer, deputy campaign treasurer, or  
33 joint candidates committee, shall knowingly accept from any such  
34 source any contribution of money or other thing of value which in  
35 the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election per candidate in  
36 the recipient committee, and no candidate who has established both  
37 a candidate committee and a joint candidates committee, the  
38 campaign treasurers, deputy campaign treasurers, or candidate  
39 committee or joint candidates committee, shall knowingly accept  
40 from any such source any contribution of money or other thing of  
41 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,300 per election.

42 (2) No candidates who have established only a joint candidates  
43 committee, their campaign treasurer, deputy campaign treasurer, or  
44 joint candidates committee shall (a) pay or make any contribution  
45 of money or other thing of value to another candidate who has  
46 established only a candidate committee, his campaign treasurer,  
47 deputy campaign treasurer or candidate committee, other than a

1 candidate for nomination for election for the office of Governor or  
2 candidates for election for the offices of Governor and Lieutenant  
3 Governor, which in the aggregate exceeds, on the basis of each  
4 candidate in the contributing joint candidates committee, **[\$8,200]**  
5 \$9,300 per election, or (b) pay or make any contribution of money  
6 or other thing of value to candidates who have established only a  
7 joint candidates committee, their campaign treasurer, deputy  
8 campaign treasurer or joint candidates committee, which in the  
9 aggregate exceeds, on the basis of each candidate in the  
10 contributing joint candidates committee, **[\$8,200]** \$9,300 per  
11 election per candidate in the recipient joint candidates committee,  
12 or (c) pay or make any contribution of money or other thing of  
13 value to a candidate who has established both a candidate  
14 committee and a joint candidates committee, the campaign  
15 treasurers, deputy campaign treasurers or candidate committee or  
16 joint candidates committee, which in the aggregate exceeds, on the  
17 basis of each candidate in the contributing joint candidates  
18 committee, **[\$8,200]** \$9,300 per election. No candidate who has  
19 established only a candidate committee, his campaign treasurer,  
20 deputy campaign treasurer, or candidate committee, other than a  
21 candidate for nomination for election for the office of Governor or  
22 candidates for election for the offices of Governor and Lieutenant  
23 Governor, shall knowingly accept from other candidates who have  
24 established only a joint candidates committee, their campaign  
25 treasurer, deputy campaign treasurer or joint candidates committee,  
26 any contribution of money or other thing of value which in the  
27 aggregate exceeds, on the basis of each candidate in the  
28 contributing committee, **[\$8,200]** \$9,300 per election, and no  
29 candidates who have established only a joint candidates committee,  
30 their campaign treasurer, deputy campaign treasurer, or joint  
31 candidates committee, shall knowingly accept from any such source  
32 any contribution of money or other thing of value which in the  
33 aggregate exceeds, on the basis of each candidate in the  
34 contributing joint candidates committee, **[\$8,200]** \$9,300 per  
35 election per candidate in the recipient joint candidates committee,  
36 and no candidate who has established both a candidate committee  
37 and a joint candidates committee, the campaign treasurers, deputy  
38 campaign treasurers, or candidate committee or joint candidates  
39 committee, shall knowingly accept from any such source any  
40 contribution of money or other thing of value which in the  
41 aggregate exceeds, on the basis of each candidate in the  
42 contributing joint candidates committee, **[\$8,200]** \$9,300 per  
43 election.

44 (3) No candidate who has established both a candidate  
45 committee and a joint candidates committee, the campaign  
46 treasurers, deputy campaign treasurers, or candidate committee or  
47 joint candidates committee shall (a) pay or make any contribution

1 of money or other thing of value to another candidate who has  
2 established only a candidate committee, his campaign treasurer,  
3 deputy campaign treasurer or candidate committee, other than a  
4 candidate for nomination for election for the office of Governor or  
5 candidates for election for the offices of Governor and Lieutenant  
6 Governor, which in the aggregate exceeds **[\$8,200]** \$9,300 per  
7 election, or (b) pay or make any contribution of money or other  
8 thing of value to candidates who have established only a joint  
9 candidates committee, their campaign treasurer, deputy campaign  
10 treasurer or joint candidates committee, which in the aggregate  
11 exceeds **[\$8,200]** \$9,300 per election per candidate in the recipient  
12 joint candidates committee, or (c) pay or make any contribution of  
13 money or other thing of value to a candidate who has established  
14 both a candidate committee and a joint candidates committee, the  
15 campaign treasurers, deputy campaign treasurers, or candidate  
16 committee or joint candidates committee, which in the aggregate  
17 exceeds **[\$8,200]** \$9,300 per election. No candidate who has  
18 established only a candidate committee, his campaign treasurer,  
19 deputy campaign treasurer, or candidate committee, other than a  
20 candidate for nomination for election for the office of Governor or  
21 candidates for election for the offices of Governor and Lieutenant  
22 Governor, shall knowingly accept from a candidate who has  
23 established both a candidate committee and a joint candidates  
24 committee, the campaign treasurers, deputy campaign treasurers, or  
25 candidate committee or joint candidates committee, any  
26 contribution of money or other thing of value which in the  
27 aggregate exceeds **[\$8,200]** \$9,300 per election, and no candidates  
28 who have established only a joint candidates committee, their  
29 campaign treasurer, deputy campaign treasurer, or joint candidates  
30 committee, shall knowingly accept from any such source any  
31 contribution of money or other thing of value which in the  
32 aggregate exceeds **[\$8,200]** \$9,300 per election per candidate in the  
33 recipient joint candidates committee, and no candidate who has  
34 established both a candidate committee and a joint candidates  
35 committee, the campaign treasurers, deputy campaign treasurers, or  
36 candidate committee or joint candidates committee shall knowingly  
37 accept from any such source any contribution of money or other  
38 thing of value which in the aggregate exceeds **[\$8,200]** \$9,300 per  
39 election.

40 (4) Expenditures by a candidate for nomination for election or  
41 for election to the office of member of the Legislature or to an  
42 office of a political subdivision of the State, or by the campaign  
43 treasurer, deputy treasurer, candidate committee or joint candidates  
44 committee of such a candidate, which are made in furtherance of the  
45 nomination or election, respectively, of another candidate for the  
46 same office in the same legislative district or the same political  
47 subdivision shall not be construed to be subject to any limitation

1 under this subsection; for the purposes of this sentence, the offices  
2 of member of the State Senate and member of the General  
3 Assembly shall be deemed to be the same office.

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

9 e. For the purpose of determining the amount of a contribution  
10 to be attributed as given to or by each candidate in a joint  
11 candidates committee, the amount of the contribution to or by such  
12 a committee shall be divided equally among all the candidates in the  
13 committee.

14 (cf: P.L.2009, c.66, s.12)

15

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

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

1 protection in connection with employment, a political committee, a  
2 continuing political committee, a candidate committee or a joint  
3 candidates committee or any other group, any contribution of  
4 money or other thing of value which in the aggregate exceeds  
5 **【\$25,000】** \$28,000 per year, or in the case of a joint candidates  
6 committee when that is the only committee established by the  
7 candidates, **【\$25,000】** \$28,000 per year per candidate in the joint  
8 candidates committee, or in the case of a candidate committee and a  
9 joint candidates committee when both are established by a  
10 candidate, **【\$25,000】** \$28,000 per year from that candidate.

11 (2) No national committee of a political party shall pay or make  
12 any contribution of money or other thing of value to the campaign  
13 treasurer, deputy treasurer or other representative of the State  
14 committee of a political party which in the aggregate exceeds  
15 **【\$72,000】** \$82,000 per year, and no campaign treasurer, deputy  
16 campaign treasurer or other representative of the State committee of  
17 a political party shall knowingly accept from the national committee  
18 of a political party any contribution of money or other thing of  
19 value which in the aggregate exceeds **【\$72,000】** \$82,000 per year.

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

1 or any other group, any contribution of money or other thing of  
2 value which in the aggregate exceeds **[\$37,000]** \$42,000 per year,  
3 or in the case of a joint candidates committee when that is the only  
4 committee established by the candidates, **[\$37,000]** \$42,000 per  
5 year per candidate in the joint candidates committee, or in the case  
6 of a candidate committee and a joint candidates committee when  
7 both are established by a candidate, **[\$37,000]** \$42,000 per year  
8 from that candidate.

9 c. No individual, no corporation of any kind organized and  
10 incorporated under the laws of this State or any other state or any  
11 country other than the United States, no labor organization of any  
12 kind which exists or is constituted for the purpose, in whole or in  
13 part, of collective bargaining, or of dealing with employers  
14 concerning the grievances, terms or conditions of employment, or  
15 of other mutual aid or protection in connection with employment,  
16 no political committee, continuing political committee, candidate  
17 committee or joint candidates committee or any other group shall  
18 pay or make any contribution of money or other thing of value to  
19 any municipal committee of a political party, which in the aggregate  
20 exceeds **[\$7,200]** \$8,200 per year, or in the case of a joint  
21 candidates committee when that is the only committee established  
22 by the candidates, **[\$7,200]** \$8,200 per year per candidate in the  
23 joint candidates committee, or in the case of a candidate committee  
24 and a joint candidates committee when both are established by a  
25 candidate, **[\$7,200]** \$8,200 per year from that candidate. No  
26 campaign treasurer, deputy campaign treasurer or other  
27 representative of a municipal committee of a political party shall  
28 knowingly accept from an individual, a corporation of any kind  
29 organized and incorporated under the laws of this State or any other  
30 state or any country other than the United States, a labor  
31 organization of any kind which exists or is constituted for the  
32 purpose, in whole or in part, of collective bargaining, or of dealing  
33 with employers concerning the grievances, terms or conditions of  
34 employment, or of other mutual aid or protection in connection with  
35 employment, a political committee, a continuing political  
36 committee, a candidate committee or a joint candidates committee  
37 or any other group, any contribution of money or other thing of  
38 value which in the aggregate exceeds **[\$7,200]** \$8,200 per year, or  
39 in the case of a joint candidates committee when that is the only  
40 committee established by the candidates, **[\$7,200]** \$8,200 per year  
41 per candidate in the joint candidates committee, or in the case of a  
42 candidate committee and a joint candidates committee when both  
43 are established by a candidate, **[\$7,200]** \$8,200 per year from that  
44 candidate.

45 No county committee of a political party in any county shall pay  
46 or make any contribution of money or other thing of value to a  
47 municipal committee of a political party in a municipality not

1 located in that county which in the aggregate exceeds the amount of  
2 aggregate contributions which, under this subsection, a continuing  
3 political committee is permitted to pay or make to a municipal  
4 committee of a political party. No campaign treasurer, deputy  
5 campaign treasurer or other representative of a municipal committee  
6 of a political party in any municipality shall knowingly accept from  
7 any county committee of a political party in any county other than  
8 the county in which the municipality is located any contribution of  
9 money or other thing of value which in the aggregate exceeds the  
10 amount of contributions permitted to be so paid or made under that  
11 subsection.

12 d. For the purpose of determining the amount of a contribution  
13 to be attributed as given by each candidate in a joint candidates  
14 committee, the amount of the contribution by such a committee  
15 shall be divided equally among all the candidates in the committee.  
16 (cf: P.L.2004, c.174, s.4)

17

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

20 20. a. No candidate who has established only a candidate  
21 committee, his campaign treasurer, deputy treasurer or candidate  
22 committee shall pay or make any contribution of money or other  
23 thing of value to a political committee, other than a political  
24 committee which is organized to, or does, aid or promote the  
25 passage or defeat of a public question in any election, or a  
26 continuing political committee, which in the aggregate exceeds, in  
27 the case of such a political committee, **[\$7,200]** \$8,200 per  
28 election, or in the case of a continuing political committee,  
29 **[\$7,200]** \$8,200 per year, and no candidates who have established  
30 only a joint candidates committee, their campaign treasurer, deputy  
31 campaign treasurer or joint candidates committee shall pay or make  
32 any contribution of money or other thing of value to such a political  
33 committee or continuing political committee which in the aggregate  
34 exceeds, in the case of such a political committee, **[\$7,200]** \$8,200  
35 per election per candidate in the joint candidates committee, or in  
36 the case of a continuing political committee, **[\$7,200]** \$8,200 per  
37 year per candidate in the joint candidates committee, and no  
38 candidate who has established both a candidate committee and a  
39 joint candidates committee shall pay or make any contribution of  
40 money or other thing of value which in the aggregate exceeds, in  
41 the case of such a political committee, **[\$7,200]** \$8,200 per election  
42 from that candidate, or in the case of a continuing political  
43 committee, **[\$7,200]** \$8,200 per year from that candidate. No  
44 political committee, other than a political committee which is  
45 organized to, or does, aid or promote the passage or defeat of a  
46 public question in any election, or a continuing political committee,  
47 shall knowingly accept from a candidate who has established only a

1 candidate committee, his campaign treasurer, deputy treasurer or  
2 candidate committee, any contribution of money or other thing of  
3 value which in the aggregate exceeds, in the case of such a political  
4 committee, **[\$7,200]** \$8,200 per election, or in the case of a  
5 continuing political committee, **[\$7,200]** \$8,200 per year, and no  
6 such political committee or continuing political committee shall  
7 knowingly accept from candidates who have established only a joint  
8 candidates committee, their campaign treasurer, deputy campaign  
9 treasurer, or joint candidates committee, any contribution of money  
10 or other thing of value which in the aggregate exceeds, in the case  
11 of such a political committee, **[\$7,200]** \$8,200 per election per  
12 candidate in the joint candidates committee, or in the case of a  
13 continuing political committee, **[\$7,200]** \$8,200 per year per  
14 candidate in the joint candidates committee, and no such political  
15 committee or continuing political committee shall knowingly accept  
16 from a candidate who has established both a candidate committee  
17 and a joint candidates committee any contribution of money or  
18 other thing of value which in the aggregate exceeds, in the case of  
19 such a political committee, **[\$7,200]** \$8,200 per election from that  
20 candidate, or in the case of a continuing political committee,  
21 **[\$7,200]** \$8,200 per year from that candidate. For the purpose of  
22 determining the amount of a contribution to be attributed as given  
23 by each candidate in a joint candidates committee, the amount of  
24 the contribution by such a committee shall be divided equally  
25 among all the candidates in the committee.

26 b. No political committee, other than a political committee  
27 which is organized to, or does, aid or promote the passage or defeat  
28 of a public question in any election, and no continuing political  
29 committee shall pay or make any contribution of money or other  
30 thing of value to another political committee, other than a political  
31 committee which is organized to, or does, aid or promote the  
32 passage or defeat of a public question in any election, or another  
33 continuing political committee which in the aggregate exceeds, in  
34 the case of a recipient continuing political committee, **[\$7,200]**  
35 \$8,200 per year, or in the case of a recipient political committee,  
36 **[\$7,200]** \$8,200 per election. No political committee, other than a  
37 political committee which is organized to, or does, aid or promote  
38 the passage or defeat of a public question in any election, and no  
39 continuing political committee shall knowingly accept from another  
40 political committee, other than a political committee which is  
41 organized to, or does, aid or promote the passage or defeat of a  
42 public question in any election, or another continuing political  
43 committee any contribution of money or other thing of value which  
44 in the aggregate exceeds, in the case of a recipient continuing  
45 political committee, **[\$7,200]** \$8,200 per year, or in the case of a  
46 recipient political committee, **[\$7,200]** \$8,200 per election.

1 c. No individual, no corporation of any kind organized and  
2 incorporated under the laws of this State or any other state or any  
3 country other than the United States, no labor organization of any  
4 kind which exists or is constituted for the purpose, in whole or in  
5 part, of collective bargaining, or of dealing with employees  
6 concerning the grievances, terms or conditions of employment, or  
7 of other mutual aid or protection in connection with employment,  
8 nor any other group, shall pay or make any contribution of money  
9 or other thing of value to a political committee, other than a  
10 political committee which is organized to, or does, aid or promote  
11 the passage or defeat of a public question in any election, or a  
12 continuing political committee, which in the aggregate exceeds, in  
13 the case of such a political committee, **[\$7,200]** \$8,200 per  
14 election, or in the case of a continuing political committee,  
15 **[\$7,200]** \$8,200 per year, and no such political committee or  
16 continuing political committee shall knowingly accept any  
17 contribution in excess of those amounts from an individual or from  
18 such corporation, labor organization, or other group.  
19 (cf: P.L.2001, c.384, s.3)

20

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

23 12. An organizational or campaign treasurer or deputy  
24 organizational or campaign treasurer of a candidate committee or  
25 joint candidates committee, a political committee, a continuing  
26 political committee, an independent expenditure committee, a  
27 political party committee or a legislative leadership committee shall  
28 make a written record of all funds which he receives as  
29 contributions to the candidate committee, joint candidates  
30 committee, political committee, continuing political committee,  
31 independent expenditure committee, political party committee or  
32 legislative leadership committee, including in that record the name  
33 and mailing address of the contributor, the amount and date of the  
34 contribution, and where the contributor is an individual, the  
35 occupation of the individual and the name and mailing address of  
36 the individual's employer. The organizational or campaign treasurer  
37 shall retain that record for a period of not less than four years. All  
38 funds so received shall be deposited by the campaign or  
39 organizational treasurer or deputy campaign or organizational  
40 treasurer in a campaign depository of the candidate committee or  
41 joint candidates committee, the continuing political committee,  
42 political committee, independent expenditure committee, political  
43 party committee or legislative leadership committee no later than  
44 the tenth calendar day following receipt of such funds; except that  
45 any such treasurer or deputy treasurer may, when authorized by the  
46 candidate, candidates or committee of which he is the campaign or  
47 organizational treasurer or deputy campaign or organizational  
48 treasurer, transfer any such funds to the duly designated campaign

1 or organizational treasurer or deputy campaign or organizational  
2 treasurer of another candidate or committee, for inclusion in the  
3 campaign depository thereof, without first so depositing them;  
4 provided, however, that the amount so transferred shall not be in  
5 excess of the amount that may be contributed by one candidate to  
6 another candidate in an election pursuant to section 18 of P.L.1993,  
7 c.65 (C.19:44A-11.3), but this proviso shall not be construed to  
8 prohibit a county or municipal committee of a political party from  
9 making a contribution or contributions, or from transferring funds  
10 as hereinabove authorized, to any candidate, candidate committee,  
11 joint candidates committee, political committee, continuing political  
12 committee, independent expenditure committee, political party  
13 committee, or legislative leadership committee. A record of all  
14 nondeposited funds so transferred shall be attached to the statement  
15 required under this section, identifying them as to source and  
16 amount in the same manner as deposited funds.

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

18

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

21 16. a. The campaign treasurer of each candidate committee and  
22 joint candidates committee shall make a full cumulative report,  
23 upon a form prescribed by the Election Law Enforcement  
24 Commission, of all contributions in the form of moneys, loans, paid  
25 personal services or other things of value, made to him or to the  
26 deputy campaign treasurers of the candidate committee or joint  
27 candidates committee, and all expenditures paid out of the election  
28 fund of the candidate or candidates, during the period ending with  
29 the second day preceding the date of the cumulative report and  
30 beginning on the date of the first of those contributions, the date of  
31 the first of those expenditures, or the date of the appointment of the  
32 campaign treasurer, whichever occurred first. The report shall also  
33 contain the name and mailing address of each person or group from  
34 whom moneys, loans, paid personal services or other things of value  
35 were contributed after the second day preceding the date of the  
36 previous cumulative report and the amount contributed by each  
37 person or group, and where an individual has made such  
38 contributions, the report shall indicate the occupation of the  
39 individual and the name and mailing address of the individual's  
40 employer. In the case of any loan reported pursuant to this section,  
41 the report shall further contain the name and mailing address of  
42 each person who cosigns such loan, the occupation of the person  
43 and the name and mailing address of the person's employer. If no  
44 moneys, loans, paid personal services or other things of value were  
45 contributed, the report shall so indicate, and if no expenditures were  
46 paid or incurred, the report shall likewise so indicate. The  
47 campaign treasurer and the candidate or several candidates shall  
48 certify the correctness of the report.

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

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

37       A candidate committee or joint candidates committee shall file  
38 with the Election Law Enforcement Commission, not later than  
39 April 15, July 15, October 15 of each calendar year in which the  
40 candidate or candidates in control of the committee does or do not  
41 run for election or reelection and January 15 of each calendar year  
42 in which the candidate or candidates does or do run for election or  
43 reelection, a cumulative quarterly report of all moneys, loans, paid  
44 personal services or other things of value contributed to it or to the  
45 candidate or candidates during the period ending on the 15th day  
46 preceding that date and commencing on January 1 of that calendar  
47 year or, in the case of the cumulative quarterly report to be filed not  
48 later than January 15, of the previous calendar year, and all

1 expenditures made, incurred, or authorized by it or the candidate or  
2 candidates during the period, whether or not such expenditures were  
3 made, incurred or authorized in furtherance of the election or defeat  
4 of any candidate, or in aid of the passage or defeat of any public  
5 question or to provide information on any candidate or public  
6 question. The commission may by regulation require any such  
7 candidate committee or joint candidates committee to file during  
8 any calendar year one or more additional cumulative reports of such  
9 contributions received and expenditures made as may be necessary  
10 to ensure that no more than five months shall elapse between the  
11 last day of a period covered by one such report and the last day of  
12 the period covered by the next such report.

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

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

43 c. No candidate for elective public office shall be required to  
44 file a duplicate copy of the campaign treasurer's report with the  
45 county clerk of the county in which the candidate resides.

46 d. There shall be no obligation to file the reports required by  
47 this section on behalf of a candidate if such candidate files with the  
48 Election Law Enforcement Commission a sworn statement to the

1 effect that the total amount to be expended in behalf of his  
2 candidacy by the candidate committee, by any political party  
3 committee, by any political committee, or by any person shall not in  
4 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates  
5 committee containing two candidates or \$6,000 for any joint  
6 candidates committee containing three or more candidates. The  
7 sworn statement may be submitted at the time when the name and  
8 address of the campaign treasurer and depository is filed with the  
9 Election Law Enforcement Commission, provided that in any case  
10 the sworn statement is filed no later than the 29th day before an  
11 election. If a candidate who has filed such a sworn statement  
12 receives contributions from any one source aggregating more than  
13 \$300 he shall forthwith make report of the same, including the name  
14 and mailing address of the source and the aggregate total of  
15 contributions therefrom, and where the source is an individual, the  
16 occupation of the individual and the name and mailing address of  
17 the individual's employer, to the Election Law Enforcement  
18 Commission. The \$300 limit established in this subsection shall  
19 remain as stated in this subsection without further adjustment by the  
20 commission in the manner prescribed by section 22 of P.L.1993,  
21 c.65 (C.19:44A-7.2).

22 e. There shall be no obligation imposed upon a candidate  
23 seeking election to a public office of a school district to file either  
24 the reports required under subsection b. of this section or the sworn  
25 statement referred to in subsection d. of this section, if the total  
26 amount expended and to be expended in behalf of his candidacy by  
27 the candidate committee, any political committee, any continuing  
28 political committee, or a political party committee or by any person,  
29 does not in the aggregate exceed \$2,000.00 per election or \$4,000  
30 for any joint candidates committee containing two candidates or  
31 \$6,000 for any joint candidates committee containing three or more  
32 candidates; provided, that if such candidate receives contributions  
33 from any one source aggregating more than \$300, he shall forthwith  
34 make a report of the same, including the name and mailing address  
35 of the source, the aggregate total of contributions therefrom, and  
36 where the source is an individual, the occupation of the individual  
37 and the name and mailing address of the individual's employer, to  
38 the commission.

39 The \$300 limit established in this subsection shall remain as  
40 stated in this subsection without further adjustment by the  
41 commission in the manner prescribed by section 22 of P.L.1993,  
42 c.65 (C.19:44A-7.2).

43 f. In any report filed pursuant to the provisions of this section,  
44 the names and addresses of contributors whose contributions during  
45 the period covered by the report did not exceed \$300 may be  
46 excluded; provided, however, that (1) such exclusion is unlawful if  
47 any person responsible for the preparation or filing of the report  
48 knew that such exclusion was made with respect to any person

1 whose total contributions relating to the same election and made to  
2 the reporting candidate or to an allied campaign organization or  
3 organizations aggregate, in combination with the total contributions  
4 in respect of which such exclusion is made, more than \$300, and (2)  
5 any person who knowingly prepares, assists in preparing, files or  
6 acquiesces in the filing of any report from which the identity of any  
7 contributor has been excluded contrary to the provisions of this  
8 section is subject to the provisions of section 21 of this act, but (3)  
9 nothing in this proviso shall be construed as requiring any candidate  
10 committee or joint candidates committee reporting pursuant to this  
11 act to report the amounts, dates or other circumstantial data  
12 regarding contributions made to any other candidate committee,  
13 joint candidates committee, political committee, continuing political  
14 committee, political party committee or legislative leadership  
15 committee.

16 The \$300 limit established in this subsection shall remain as  
17 stated in this subsection without further adjustment by the  
18 commission in the manner prescribed by section 22 of P.L.1993,  
19 c.65 (C.19:44A-7.2).

20 g. Any report filed pursuant to the provisions of this section  
21 shall include an itemized accounting of all receipts and  
22 expenditures relative to any testimonial affair held since the date of  
23 the most recent report filed, which accounting shall include the  
24 name and mailing address of each contributor in excess of \$300 to  
25 such testimonial affair and the amount contributed by each; in the  
26 case of any individual contributor, the occupation of the individual  
27 and the name and mailing address of the individual's employer; the  
28 expenses incurred; and the disposition of the proceeds of such  
29 testimonial affair.

30 The \$300 limit established in this subsection shall remain as  
31 stated in this subsection without further adjustment by the  
32 commission in the manner prescribed by section 22 of P.L.1993,  
33 c.65 (C.19:44A-7.2).

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

35 i. Each campaign treasurer of a candidate committee or joint  
36 candidates committee shall file written notice with the commission  
37 of a contribution in excess of ~~【\$500】~~ \$1,400 received during the  
38 period between the 13th day prior to the election and the date of the  
39 election and of an expenditure of money or other thing of value in  
40 excess of ~~【\$800】~~ \$1,400 made, incurred or authorized by the  
41 candidate committee or joint candidates committee to support or  
42 defeat a candidate in an election, or to aid the passage or defeat of  
43 any public question, during the period between the 13th day prior to  
44 the election and the date of the election, provided that a candidate  
45 shall not be required to file written notice pursuant to this  
46 subsection of an expenditure made to support his or her own  
47 candidacy, or to support or defeat a candidate for the same office in  
48 an election. For the purposes of this subsection, the offices of

1 member of the Senate and member of the General Assembly shall  
2 be deemed to be the same office in a legislative district; the offices  
3 of member of the board of chosen freeholders and county executive  
4 shall be deemed to be the same office in a county; and the offices of  
5 mayor and member of the municipal governing body shall be  
6 deemed to be the same office in a municipality.

7 The notice of a contribution shall be filed in writing or by  
8 telegram within 48 hours of the receipt of the contribution and shall  
9 set forth the amount and date of the contribution, the name and  
10 mailing address of the contributor, and where the contributor is an  
11 individual, the occupation of the individual and the name and  
12 mailing address of the individual's employer. The notice of an  
13 expenditure shall be filed in writing or by telegram within 48 hours  
14 of the making, incurring or authorization of the expenditure and  
15 shall set forth the name and mailing address of the person, firm or  
16 organization to whom or which the expenditure was paid and the  
17 amount and purpose of the expenditure.

18 j. Each county shall provide on its Internet site a link to the  
19 Internet site for the Election Law Enforcement Commission for the  
20 purpose of providing public access to the reports that are required to  
21 be submitted to the commission pursuant to this section.

22 (cf: P.L.2014, c.58, s.1)

23

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

26 18. If any former candidate or any political committee or any  
27 person or association of persons in behalf of such political  
28 committee, or any independent expenditure committee, or former  
29 candidate shall receive any contributions or make any expenditures  
30 with relation to any election after the date set in section 16 of **[this**  
31 **act]** P.L.1973, c.83 (C.19:44A-16) for the final report subsequent to  
32 such election, or shall conduct any testimonial affair or public  
33 solicitation for the purpose of raising funds to cover any part of the  
34 expenses of a candidate **[or]**, political committee, independent  
35 expenditure committee, or other organization in such election, all  
36 such contributions, expenditures, testimonial affairs or public  
37 solicitations shall be reported to the Election Law Enforcement  
38 Commission by the person or persons receiving such contributions  
39 or making such expenditures or conducting such testimonial affairs  
40 or public solicitations. Such report shall be made by any person  
41 receiving any such contribution or contributions, or making any  
42 such expenditure or expenditures, which in the aggregate total  
43 more than \$100.00, or conducting any testimonial affair or public  
44 solicitation of which the net proceeds exceed \$100.00; and shall be  
45 made within 20 days from the date upon which the aggregate of  
46 such contributions, expenditures or proceeds exceed \$100.00 for  
47 the period commencing with the 19th day following such election  
48 or with the date upon which any previous report was made pursuant

1 to this section, whichever is sooner. Such report shall be made in  
2 the same form and shall contain the same detail prescribed for any  
3 other report made pursuant to section 8 or 16 of **[this act]**  
4 P.L.1973, c.83 (C.19:44A-8 or C.19:44A-16).  
5 (cf: P.L.1983, c.579, s.17)  
6

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

9 19. a. No person shall conduct any public solicitation as defined  
10 in this act except (1) upon written authorization of the campaign or  
11 organizational treasurer of the candidate committee or joint  
12 candidates committee, political committee, continuing political  
13 committee, political party committee, independent expenditure  
14 committee, or legislative leadership committee on whose behalf  
15 such solicitation is conducted, or (2) in accordance with the  
16 provisions of subsection c. of this section. A person with such  
17 written authorization may employ and accept the services of others  
18 as solicitors, and shall be responsible for reporting to the treasurer  
19 the information required under subsection b. of this section and for  
20 delivery to the treasurer the net proceeds of such solicitation in  
21 compliance with section 11 of **[this act]** P.L.1973, c.83 (C.19:44A-  
22 11). A contribution made through donation or purchase in response  
23 to a public solicitation conducted pursuant to written authorization  
24 of a treasurer shall be deemed to have been made through such  
25 treasurer.

26 b. Whenever a public solicitation has been authorized by a  
27 treasurer during a period covered by a report required to be filed  
28 under sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8  
29 and C.19:44A-16), there shall be filed with such report and as a part  
30 thereof an itemized report on any such solicitation of which the net  
31 proceeds exceed \$200, in such form and detail as required by the  
32 rules of the Election Law Enforcement Commission, which report  
33 shall include:

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

38 (2) The gross receipts and expenses involved in the solicitation  
39 including the actual amount paid for any items purchased for resale  
40 in connection with the solicitation, or, if such items or any portion  
41 of the cost thereof was donated, the estimated actual value thereof  
42 and the actual amount paid therefor, and the names and addresses of  
43 any such donors. If it is not practicable for such itemized report to  
44 be completed in time to be included with the report due under  
45 sections 8 and 16 of **[this act]** P.L.1973, c.83 (C.19:44A-8 and  
46 C.19:44A-16) for the period during which such solicitation was  
47 held, then such itemized report may be omitted from said report and

1 if so omitted shall be included in the report for the next succeeding  
2 period.

3 Adjustments to the \$200 limit established in this subsection  
4 which have been made by the Election Law Enforcement  
5 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-  
6 7.2), prior to the effective date of P.L.2004, c.28 are rescinded. The  
7 \$200 limit established in this subsection shall remain as stated in  
8 this subsection without further adjustment by the commission in the  
9 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

10 c. Notwithstanding the provisions of subsection b. of this  
11 section, it shall be lawful for any natural person, not acting in  
12 concert with any other person or group, to make personally a public  
13 solicitation the entire proceeds of which, without deduction for the  
14 expenses of solicitation, are to be expended by him personally or  
15 under his personal direction to finance any lawful activity in  
16 support of or opposition to any candidate or public question or to  
17 provide political information on any candidate or public question or  
18 to seek to influence the content, introduction, passage or defeat of  
19 legislation; provided, however, that any individual making such  
20 solicitation who receives gross contributions exceeding \$200 in  
21 respect to activities relating to any one election shall be required to  
22 make a report stating (1) the amount so collected, (2) the method of  
23 solicitation, (3) the purpose or purposes for which the funds so  
24 collected were expended and the amount expended for each such  
25 purpose and (4) the individual's name and mailing address, the  
26 individual's occupation and the name and mailing address of the  
27 individual's employer. Adjustments to the \$200 limit established in  
28 this subsection which have been made by the Election Law  
29 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65  
30 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are  
31 rescinded. The \$200 limit established in this subsection shall  
32 remain as stated in this subsection without further adjustment by the  
33 commission in the manner prescribed by section 22 of P.L.1993,  
34 c.65 (C.19:44A-7.2).

35 Such report shall be made to the Election Law Enforcement  
36 Commission at the same time and in the same manner as a political  
37 committee, continuing political committee, political party  
38 committee, independent expenditure committee, or a legislative  
39 leadership committee subject to the provisions of section 8 of **[this**  
40 **act]** P.L.1973, c.83 (C.19:44A-8).

41 d. Contributions or purchases made in response to a public  
42 solicitation conducted in conformity with the requirements and  
43 conditions of **[this act]** P.L.1973, c.83 (C.19:44A-1 et seq.) shall  
44 not be deemed anonymous within the meaning of sections 11 and 20  
45 of **[this]** the act.

46 e. No person contributing in good faith to a public solicitation  
47 not duly authorized in compliance with the provisions of **[this act]**

1 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be liable to any penalty  
2 under **【this】** the act by reason of having made such contribution.  
3 (cf: P.L.2004, c.28, s.6)

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

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

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

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

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

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

1       14. Section 13 of P.L.2004, c.19 (C.19:44A-11.3a) is repealed

2

3       15. This act shall take effect on the January 1 next following the  
4 date of enactment.

5

6

7

STATEMENT

8

9       This bill revises "The New Jersey Campaign Contributions and  
10 Expenditures Reporting Act" to institute new reporting  
11 requirements on certain organizations, and increase the limits on the  
12 amount of money that may be contributed by individuals,  
13 candidates, and committees to other candidates and committees.

14       Specifically, the bill would require disclosure by any  
15 independent expenditure committee. Such a committee is defined  
16 as any organization organized under section 527, or under  
17 paragraph (4) of subsection c. of section 501, of the federal Internal  
18 Revenue Code that engages in influencing or attempting to  
19 influence the outcome of any election or the nomination, election,  
20 or defeat of any person to any State or local elective public office or  
21 the passage or defeat of any public question, or in providing  
22 political information on any candidate or public question, and raises  
23 or expends \$3,000 or more for any such purpose. It would require  
24 these committees to report contribution and expenditure information  
25 in excess of \$300 to the Election Law Enforcement Commission  
26 (ELEC). The bill would prohibit a candidate from establishing,  
27 authorizing the establishment of, maintaining, or participating  
28 directly or indirectly, in the management or control of any  
29 independent expenditure committee.

30       The bill defines the term "electioneering communication" to  
31 mean any communication that has a value of at least \$10,000 and  
32 refers to: 1) a clearly identified candidate for office and promotes or  
33 supports a candidate for that office or opposes a candidate for that  
34 office, regardless of whether the communication expressly  
35 advocates a vote for or against a candidate; or 2) a public question  
36 and promotes or supports the passage or defeat of that question,  
37 regardless of whether the communication expressly advocates a  
38 vote for or against the passage of the question. The term includes  
39 communications published in any newspaper or periodical; or  
40 broadcast on radio, television, the Internet, or any public address  
41 system; placed on any billboard, outdoor facility, button, motor  
42 vehicle, window display, poster, card, pamphlet, leaflet, flyer, or  
43 other circular; or contained in any direct mailing, robotic phone  
44 calls, or mass e-mails.

45       The term "independent expenditure" is defined in the bill to  
46 mean an expenditure by a person expressly advocating, or the  
47 functional equivalent thereof, the election or defeat of: 1) a clearly  
48 identified candidate that is not made in concert or cooperation with

1 or at the request or suggestion of the candidate, the candidate's  
2 committee, a political party committee, or an agent thereof; or 2) a  
3 public question that is not made in concert or cooperation with or at  
4 the request or suggestion of the sponsors, organizers, or committee  
5 supporting or opposing the question, a political party, or agents  
6 thereof. The "functional equivalent" of expressly advocating means  
7 specific advocacy that can be interpreted by a reasonable person as  
8 advocating the election or defeat of a candidate, or the passage or  
9 defeat of a public question, taking into account whether the  
10 communication involved mentions a candidate, a political party, or  
11 a challenger to a candidate, or takes a position on a candidate's  
12 character, qualifications, or fitness for office, or that can be  
13 interpreted by a reasonable person as taking a position on the merits  
14 of a public question or taking a position in favor or against the  
15 passage or defeat of the public question.

16 In addition the bill would:

17 1) increase the amount of money that can be contributed by an  
18 individual, a corporation or union, or a group to a candidate  
19 committee from \$2,600 to \$3,000 per election;

20 2) increase the amount of money that can be contributed by a  
21 political committee or a continuing political committee to a  
22 candidate committee from \$8,200 to \$9,300 per election;

23 3) increase the amount of money that can be contributed by an  
24 individual, a corporation or union, political committee, continuing  
25 political committee, candidate committee or joint candidates  
26 committee or any other group to: a) the State committee of a  
27 political party from \$25,000 to \$28,000 per year; b) a county  
28 committee of a political party from \$37,000 to \$42,000 per year;  
29 and c) a municipal committee of a political party from \$7,200 to  
30 \$8,200 per year;

31 4) increase the amount of money that the national committee of  
32 a political party can contribute to the State committee of a political  
33 party from \$72,000 to \$82,000 per year;

34 5) increase the amount of money that can be contributed by the  
35 candidate committee of one candidate to the candidate committee of  
36 another candidate from \$8,200 to \$9,300 per election; and

37 6) increase the amount of money that can be contributed to a  
38 political committee, or that one political committee or continuing  
39 political committee can contribute to another political committee or  
40 continuing political committee, from \$7,200 to \$8,200 per election  
41 or per year, as the case may be.

42 The bill also repeals the current prohibition on the transfer of  
43 funds between county political party committees between January  
44 1st and June 30th of each year.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 1524**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 18, 2019

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 1524.

As amended, this bill revises “The New Jersey Campaign Contributions and Expenditures Reporting Act” to institute new reporting requirements on certain organizations.

The bill, as amended, requires disclosure by any “independent expenditure committee,” defined as any person organized under section 527 or paragraphs (4) or (6) of subsection (c) of section 501 of the federal Internal Revenue Code that engages in influencing or attempting to influence the outcome of any election or the nomination, election, or defeat of any person to any State or local elective public office or the passage or defeat of any public question, legislation, or regulation, or in providing political information on any candidate or public question, legislation, or regulation, and raises or expends \$3,000 or more for any such purpose. The bill requires these committees to report contributions in excess of \$10,000 and expenditures in excess of \$3,000 to the Election Law Enforcement Commission (ELEC), and prohibits a candidate or holder of public office from establishing, authorizing the establishment of, maintaining, or participating directly or indirectly, in the management or control of any independent expenditure committee. Under R.S.1:1-2, the term “person” includes corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals.

The bill defines “electioneering communication” as any communication made from January 1 of an election year and the date of the election and refers to: 1) a clearly identified candidate for office and promotes or supports a candidate for that office or opposes a candidate for that office, regardless of whether the communication expressly advocates a vote for or against a candidate; or 2) a public question, and promotes or supports the passage or defeat of that question, regardless of whether the communication expressly advocates a vote for or against the passage of the question. The term includes communications published in any newspaper or periodical; or broadcast on radio, television, the Internet or digital media, or any public address system; placed on any billboard, outdoor facility, button, motor vehicle, window display, poster, card, pamphlet, leaflet,

flyer, or other circular; or contained in any direct mailing, robotic phone calls, or mass e-mails.

The bill defines “independent expenditure” as an expenditure by a person expressly advocating, or the functional equivalent thereof, the election or defeat of: 1) a clearly identified candidate that is not made in concert or cooperation with or at the request or suggestion of the candidate, the candidate’s committee, a political party committee, or an agent thereof; or 2) a public question, legislation, or regulation, that is not made in concert or cooperation with or at the request or suggestion of the sponsors, organizers, or committee supporting or opposing the question, legislation, or regulation, a political party, or agents thereof. The “functional equivalent” of expressly advocating means specific advocacy that can be interpreted by a reasonable person as advocating the election or defeat of a candidate, or the passage or defeat of a public question, legislation, or regulation, taking into account whether the communication involved mentions a candidate, a political party, or a challenger to a candidate, or takes a position on a candidate’s character, qualifications, or fitness for office, or that can be interpreted by a reasonable person as taking a position on the merits of a public question, legislation, or regulation, or taking a position in favor or against the passage or defeat of the public question, legislation, or regulation.

The bill codifies the criteria used by ELEC to determine when coordination with a candidate or political party has occurred, and allows ELEC to issue additional criteria by regulation. Under the bill, foreign entities would be prohibited from registering as independent expenditure committees for the purpose of making independent expenditures in any State or local election. The bill explicitly includes Internet and digital advertisement in the definitions of “political information,” “electioneering communication,” and “communication.” It further requires persons who accept compensation from any committee, group, or individual for the placement of communication to be disseminated to the electorate to require such committee, group, or individual to file a copy of their statement of registration they filed with ELEC.

Under the bill, independent expenditure committees would file quarterly reports of contributions received in excess of \$10,000 and expenditures made in excess of \$3,000. The bill requires independent expenditure committees to also report within 48 hours any contribution received or expenditure made in excess of \$500 and \$800, respectively, when such is received or made after the final day of a quarterly reporting period and on or before an election which occurs after that final day but before the final day of the next reporting period.

The provisions of the bill are severable. The bill would take effect on the first date, following enactment, that occurs after July 16, 2019 by which a quarterly report would be required to be filed pursuant to N.J.S.A.19:44A-8(d)(1). The bill specifies that the first of those reports

will not be required to be filed until the next quarterly report filing deadline as specified in that paragraph and specifies that the report need only include those reportable items which occur after the effective date of the bill.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) eliminate, thereby leaving those amounts unchanged from current law, the increase in the amount of money that may be contributed:

- by individuals, corporations, unions, candidate committees, political committees, and continuing political committees to candidate committees;
- by the national committee of a political party to the State committee of a political party;
- by an individual, a corporation, union, political committee, continuing political committee, candidate committee or joint candidates committee or any other group to the State committee, a county committee of a political party, or a municipal committee of a political party;
- by one political committee or continuing political committee to another political committee or continuing political committee; and
- to a political committee;

(2) remove the phrase “a group of two or more persons, or an organization” from the definition of “independent expenditure committee”;

(3) include 501(c)(6) organizations within the purview of the bill;

(4) delete the provision that would have repealed the current ban on the transfer of funds between county political party committees between January 1st and June 30th of each year, thereby keeping that ban in the current law;

(5) delete an inconsistent reference to independent expenditure committee reports required to be filed after an election, as the reports are filed on a quarterly basis;

(6) prohibit a holder of public office, directly or indirectly, from establishing, authorizing the establishment of, maintaining, or participating in the management or control of any independent expenditure committee. This restriction already applies to candidates under the bill;

(7) require independent expenditure committees to also disclose their activities concerning the passage or defeat of legislation or regulation;

(8) codify ELEC regulations concerning the criteria to determine whether coordination with a candidate or political party has occurred, and allows ELEC to specify further criteria by regulation;

(9) remove the \$10,000 value threshold from the definition of “electioneering communication,” and define such communication as made within the temporal window beginning on January 1 of an election year and the date of the election;

(10) require an independent expenditure committee to file quarterly reports of all contributions received in excess of \$10,000 and all expenditures made in excess of \$3,000, instead of \$300;

(11) prohibit foreign entities from registering as independent expenditure committees for the purpose of making independent expenditures in any State or local election;

(12) explicitly include Internet and digital advertisement in the definitions of “political information,” “electioneering communication,” and “communication;”

(13) require persons who accept compensation from any committee, group, or individual for the placement of communication to be disseminated to the electorate to require such committee, group, or individual to file a copy of their statement of registration they filed with ELEC;

(14) include a severability clause; and

(15) provide that the bill would take effect on the first date, following enactment, that occurs after July 16, 2019 by which a quarterly report would be required to be filed pursuant to N.J.S.A.19:44A-8(d)(1). The bill specifies that the first of those reports will not be required to be filed until the next quarterly report filing deadline as specified in that paragraph and specifies that the report need include only those reportable items which occur after the effective date of the bill.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

**SENATE BILL NO. 1500**  
**(Fifth Reprint)**

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 1500 (Fifth Reprint) with my recommendations for reconsideration.

Governmental efforts to control the influence of money in politics date back to the early part of the last century. In 1907, President Theodore Roosevelt called for and signed the Tillman Act, the nation's first major campaign finance reform legislation. That law, which prohibited corporate contributions to some political campaigns, was soon followed by the first major campaign disclosure law, the Federal Corrupt Practices Act of 1910. More recently, the Federal Election Campaign Act ("FECA") was enacted in the early 1970s, forming the basis for our modern-day campaign finance regime. In its initial iteration, FECA focused primarily on disclosure but was subsequently amended to impose substantive limits on contributions and expenditures. In 2002, the Bipartisan Campaign Reform Act ("BCRA"), commonly referred to as the McCain-Feingold Act, further amended FECA to cover so-called "soft money" and issue advocacy. At the state level, New Jersey, in 1973, enacted the Campaign Contributions and Expenditures Reporting Act, which, among other things, established the New Jersey Election Law Enforcement Commission ("ELEC"). At the time of its enactment, the law was considered by many to be a national model for campaign finance reform.

Yet, for nearly as long as lawmakers have been endeavoring to regulate money in politics, state and federal courts have been imposing restrictions on these efforts. Indeed, the United

States Supreme Court had already invalidated elements of the earliest campaign finance laws before 1930. Thereafter, the Supreme Court found that FECA's expenditure limits violated the First Amendment of the United States Constitution because they "place[d] substantial and direct restrictions on the ability of candidates, citizens, and associations to engage in protected political expression." Buckley v. Valeo, 424 U.S. 1 (1976). The Supreme Court continued to roll back reform efforts in the early part of this century (see McConnell v. FEC, 540 U.S. 93 (2003) and FEC v. Wisconsin Right to Life, 551 U.S. 449 (2007)). But the biggest blow to campaign finance reform efforts came in the 2010 decision Citizens United v. FEC, 558 U.S. 310 (2010). Upending decades of campaign finance law, the Supreme Court found that BCRA's restrictions on corporate independent expenditures and electioneering communications violated a corporation's First Amendment right to free speech. To support its decision, the Court ruled that "independent expenditures do not lead to, or create the appearance of, quid pro quo corruption." As a result of Citizens United, corporations presently are free to spend limitless amounts of money on political advertisements that explicitly call for the election or defeat of candidates or refer to clearly identified candidates during the run-up to an election.

I strongly believe that, in the aftermath of Citizens United, robust disclosure of campaign spending is more critical than ever. I commend my colleagues in the Legislature for seeking to ensure that so-called "dark money" is brought out into the open. However, I am mindful that such efforts must be carefully balanced against constitutionally protected speech and association rights. Because certain provisions of Senate Bill

No. 1500 (Fifth Reprint) may infringe on both, and because the bill does not go far enough in mandating disclosures of political activity that can be constitutionally required, I cannot support it in its current form.

Beginning with Buckley, courts have consistently subjected campaign finance disclosure requirements to exacting scrutiny. This heightened level of review requires a "substantial relation between the disclosure requirement and a sufficiently important governmental interest." Campaign finance jurisprudence makes clear that the government's interest in an informed electorate is a sufficiently important - in fact, vitally important - governmental interest such that the exacting standard of scrutiny is satisfied. As a result, laws mandating disclosure of communications that are intended to influence a voter's decision on which candidate to support or whether to approve or disapprove a ballot initiative, have routinely survived legal challenge. See Human Life of Wash., Inc. v. Brumsickle, 624 F.3d 990, 1006 (9th Cir. 2010).

Senate Bill No. 1500 (Fifth Reprint), however, goes beyond requiring disclosure of expenditures of election-related advocacy, extending its disclosure requirements to also apply to advocacy in connection with legislation and regulations. Significantly, the bill covers all issue advocacy conducted at any time, regardless of whether the advocacy is connected to an issue before the electorate. As noted, courts review disclosure requirements with exacting scrutiny and compulsory disclosure is permissible in narrow instances where there is a genuine and vital need for the disclosure because the information demanded is important and material to the electorate. It is unclear whether disclosure requirements for communications that are not

connected to an election would withstand such judicial scrutiny.

In a similar manner, the Supreme Court has recognized the harm that overly broad disclosure requirements can cause to an organization, its mission, and its members. In NAACP v. Patterson, the Supreme Court found that Alabama could not force the NAACP to disclose its membership because doing so would violate the group's freedom to associate under the First Amendment. 357 U.S. 449 (1958). The Supreme Court found that privacy of group association is necessary to preserve freedom of association and protect effective advocacy, particularly when a group supports controversial positions. Without this privacy protection, the Court reasoned that the NAACP could be harmed in the form of diminished financial support and decreased membership. Indeed, past release of membership lists resulted in members being subjected to threats, economic reprisal, and loss of employment. Altogether, the Court found that compelled disclosure would undermine the NAACP's constitutionally protected right to advocate.

The concerns articulated by the Court in NAACP v. Patterson are as valid today as they were over half a century ago. Organizations that advocate on issues such as abortion rights, the Second Amendment, racial justice, and LGBTQ protections, to name just a few, remain polarizing and some individuals will be reluctant to contribute financially if those contributions are subject to widespread disclosure. As a result, broad disclosures such as those prescribed in this bill could significantly hinder the ability of organizations to advocate. Because I am not convinced that extending the bill's disclosure requirements to communications unrelated to an election will withstand constitutional challenge and because doing so could

significantly curtail the association rights of issue advocacy organizations, I am recommending revisions to eliminate the bill's references to legislation and regulation.

The bill's language prohibiting public officeholders from participating in the establishment and management of an independent election committee raises similar, fundamental constitutional concerns. The United States Constitution requires a state to have a sufficiently important government interest and employ closely drawn means in order to limit the First Amendment's speech and association protections. Buckley, supra, 424 U.S. at 25. The deterrence of actual or apparent quid pro quo corruption is a sufficiently important government interest to justify limiting associational rights in the political process. Cf. Citizens United, supra, 558 U.S. at 359. It is not clear, however, how a blanket ban on officeholders establishing or managing an independent expenditure committee will deter quid pro quo corruption or further any other sufficiently important government interest. Notably, the bill's prohibition applies even if the independent expenditure committee advocates for an issue over which the officeholder has no direct influence or involvement, further diminishing the likelihood that a court would find this provision to be sufficiently narrowly tailored. For these reasons, my recommendations would remove this prohibition.

In addition to the aforementioned constitutional concerns, the bill's definition of an independent expenditure committee does not include limited liability corporations ("LLCs") and other for-profit corporate forms. This oversight creates a loophole that could encourage the use of these entities to

circumvent the bill's registration and disclosure requirements. For example, instead of registering as a 527 or a 501(c)(4) organization, a group of individuals could form a corporation with the sole purpose of influencing an election or issue advocacy and avoid much of the disclosures prescribed in the bill. My recommended revisions would close this loophole by subjecting LLCs and other corporate forms to the bill's requirements.

The narrow definition of "independent expenditure committee" in the bill creates an additional loophole that would allow most groups that only engage in policy advocacy to easily circumvent the disclosure requirements set forth in the bill. An entity qualifies as an independent expenditure committee only if it does not coordinate its activities with any candidate or political party. Therefore, a 501(c)(4) organization could exempt itself from the provisions of the bill merely by coordinating its legislative and regulatory advocacy with a candidate.

I am also recommending two important additions to the bill that will strengthen it and further promote transparency. First, I am recommending the extension of pay-to-play disclosures to apply to independent expenditure committees. Under current law, business entities with \$50,000 or more in public contracts must annually file disclosure forms with ELEC if they have contributed to candidate committees, joint candidate committees, political party committees, or legislative leadership committees. These disclosures ensure that public contracts are the result of a fair and open process rather than political favors to prominent contributors. By extending the bill to business entities that contribute to independent

expenditure committees, my recommendations close a loophole that allows an entity that has benefited from large public contracts to entirely avoid disclosure by directing all of its contributions to independent expenditure committees, including 501(c)(4) organizations.

Second, I am recommending the addition of a provision that would require the recipients of economic development subsidies to disclose their contributions to candidates and groups that expend money to influence elections. This addition is a reasonable extension of the bill and will assure that the State's economic development programs operate transparently and without conflicts of interest. The provision is based on Senate Bill No. 2311 from the 2014-15 legislative session, sponsored by Senator Weinberg and former Senator Lesniak, which passed the Senate in 2015 without a single dissenting vote among Democrats. At the time, then-Senator Lesniak stated, "There is an appearance that there is a political price to be paid in order to get these incentives." Then-Senator Lesniak went on to say that such a perception could "put in jeopardy the entire program, and subject it to criticism that it's being exploited for political purposes." See "Senate passes bill that bars campaign contributions to tax break recipients," northjersey.com, September 25, 2015. I am incorporating a slightly modified version of the 2015 bill because I agree with then-Senator Lesniak; New Jersey's incentives programs need to work for everybody, not just for some.

Critics may contend that additional disclosure requirements for the recipients of economic development subsidies are unnecessary given that existing State laws and other provisions of this bill already require candidates and certain groups to

disclose the sources of large contributions. However, this specialized disclosure rule is critical as it will prevent businesses that receive economic development subsidies from hiding their contributions. For example, if an entity controlled by a business that received a subsidy makes a political contribution, the disclosure required under current law would only indicate information about that entity. Thus, someone examining the contribution would have to know that the entity is controlled by the business in order to detect any wrongdoing. To prevent such hidden contributions, I am recommending a provision similar to those found in our pay-to-play laws requiring that all contributions made by an entity controlled by a business that received a subsidy be deemed contributions of the business itself. Furthermore, the specialized and focused disclosure reports established in this provision will prevent the need for the public to sift through the lengthy campaign disclosure reports of various entities to determine whether a business benefitting from an economic development subsidy has made political contributions.

Finally, my recommended revisions correct multiple apparent drafting errors, including many with the potential to impact the bill's substantive effect and spawn time-consuming litigation. For example, the bill is inconsistent in its treatment of how independent expenditure committees are to make reports to ELEC. Additionally, the bill creates a unique reporting schedule for independent expenditure committees, but later requires independent expenditure committees to report on the same schedule as continuing political committees. This inconsistency may lead to uncertainty among filers and administrative difficulties for ELEC and the state and federal courts.

Although laudable in its intentions, I cannot support this bill as drafted because of the numerous legal issues it raises, its potential to stifle nonpartisan advocacy, and the presence of troubling loopholes.

Therefore, I herewith return Senate Bill No. 1500 (Fifth Reprint) and recommend that it be amended as follows:

- Page 2, Title, Line 1: Delete "and limits" and insert "by certain groups and business entities that receive government contracts or development subsidies"
- Page 2, Title, Line 2: After "and" insert "supplementing P.L.1973, c.83 (C.19:44A-1 et seq.) and"
- Page 6, Section 1, Line 10: Delete "\$5,500" and insert "\$2,500"
- Page 7, Section 1, Line 32: Delete "or" and insert ","
- Page 7, Section 1, Line 34: After "(26 U.S.C. s.501)" insert ", or under the "Revised Uniform Limited Liability Company Act," P.L.2012, c.50 (C.42:2C-1 et seq.)"
- Page 7, Section 1, Line 40: Delete "legislation, or regulation,"
- Page 7, Section 1, Line 41: Delete "legislation, or"
- Page 7, Section 1, Line 42: Delete "regulation,"
- Page 7, Section 1, Line 43: Delete "does not coordinate its activities"
- Page 7, Section 1, Line 44: Delete "with any candidate or political party as determined by the" and insert "which is restricted by law or regulation with regard to the coordination of its activities with any candidate or political party. The"
- Page 7, Section 1, Line 45: After "Commission" insert "shall determine whether a person, candidate committee, joint candidates committee, continuing political committee, or independent expenditure committee has coordinated its activities with any candidate or political party"
- Page 8, Section 1, Line 2: Delete "made within"

- Page 8, Section 1, Line 3: Delete in its entirety
- Page 8, Section 1, Line 4: Delete "of the election and refers to" and insert ", for which the direct costs of producing and disseminating exceed \$10,000 in the aggregate during any calendar year, that"
- Page 8, Section 1, Line 4: After "(1)" insert "refers to (a)"
- Page 8, Section 1, Line 8: Delete "(2)" and insert "(b)"
- Page 8, Section 1, Line 11: After "question" insert "; (2) is made within 60 days before a general, primary, or special election for the office sought by the candidate or, in the case of a public question, is made within 60 days before a general, primary, or special election at which the public question appears on the ballot; and (3) can be received by at least 10 percent of the electorate the candidate seeks to represent or, in the case of a public question, can be received by 10 percent of the electorate responsible for deciding the public question"
- Page 8, Section 1, Line 14: Delete ";" and insert ", except a communication appearing in a news story, commentary, or editorial provided that the medium of communication is not owned or controlled by a political party, political committee, or candidate. The term 'electioneering communication' also includes communications"
- Page 8, Section 1, Line 17: After "e-mails." insert "The term 'electioneering communication' shall not include communications presented in a candidate debate or forum conducted pursuant to regulations adopted by the Election Law Enforcement Commission, or which solely promote the debate or forum and made by or on behalf of a sponsor of the debate or forum, or communications by an organization exclusively to its members, stockholders, or

executive or administrative personnel."

Page 8, Section 1, Line 23: After "question" delete ","

Page 8, Section 1, Line 24: Delete "legislation, or regulation,"

Page 8, Section 1, Line 27: Delete "legislation, or regulation,"

Page 8, Section 1, Line 31: Delete "legislation, or regulation,"

Page 8, Section 1, Line 36: Delete ", legislation, or regulation,"

Page 8, Section 1, Line 38: Delete ", legislation, or regulation"

Page 12, Section 2, Line 33: Delete "(1)"

Page 12, Section 2, Line 40: After "it" insert "during the period ending on the 15th day preceding that date and commencing on January 1 of that calendar year or, in the case of the cumulative quarterly report to be filed not later than January 15, of the previous calendar year"

Page 12, Section 2, Line 40: After "all" insert "independent"

Page 12, Section 2, Line 41: After "it" insert "during the period, provided that if the committee makes any electioneering communication, the committee shall also include in its report all expenditures in excess of \$3,000 made, incurred, or authorized by it"

Page 12, Section 2, Line 45: Delete "legislation, or regulation,"

Page 12, Section 2, Line 46: Delete "legislation, or"

Page 12, Section 2, Line 47: Delete in its entirety

Page 13, Section 2, Lines 1-2: Delete in their entirety

Page 13, Section 2, Line 3: Delete "made, whichever occurred first" and insert ", including, but not limited to, for electioneering communications, voter registration, get-out-the-vote efforts, polling, and research"

Page 13, Section 2, Line 3: After "The" insert "cumulative"

Page 13, Section 2, Line 7: Delete "since 48 hours preceding the date on which such"

Page 13, Section 2, Line 8: Delete "previous report was made"

Page 13, Section 2, Line 14: Delete "since 48 hours"

Page 13, Section 2, Line 15: Delete "preceding the date on which the previous such report was made"

Page 13, Section 2, Line 18: After "The" insert "cumulative"

Page 13, Section 2, Line 20: Delete "since 48"

Page 13, Section 2, Line 21: Delete in its entirety

Page 13, Section 2, Line 22: Delete "made"

Page 13, Section 2, Lines 26-33: Delete in their entirety

Page 13, Section 2, Line 46: After "\$500" insert "in the case of a political party committee or legislative leadership committee, and more than \$10,000 in the case of an independent expenditure committee,"

Page 14, Section 2, Line 13: After "\$800" insert "in the case of a political party committee or legislative leadership committee, and in excess of \$3,000 in the case of an independent expenditure committee"

Page 14, Section 2, Line 15: Delete "or to aid the passage or defeat of legislation or"

Page 14, Section 2, Line 16: Delete in its entirety

Page 14, Section 2, Line 26: After "\$300," insert "or in excess of \$10,000 in the case of an independent expenditure committee;"

Page 14, Section 2, Line 32: After "\$300" insert ", or in excess of \$10,000 in the case of an independent expenditure committee,"

Page 15, Section 2, Line 1: After "affair" insert ", or in the case of an independent expenditure committee in excess of \$10,000,"

Page 15, Section 2, Line 6: After "limit" insert "and \$10,000 limit"

Page 15, Section 3, Line 47: Delete "legislation, or regulation,"

Page 15, Section 3, Line 48: Delete ", legislation, or"

Page 16, Section 3, Line 1: Delete "regulation"  
Page 16, Section 3, Line 34: Delete "legislation, or regulation,"  
Page 16, Section 3, Line 35: Delete ", legislation, or"  
Page 16, Section 3, Line 36: Delete "regulation"  
Page 18, Section 4, Line 12: Delete "or holder of"  
Page 18, Section 4, Line 13: Delete "public office"  
Page 18, Section 4, Line 21: Delete ", legislation, or"  
Page 18, Section 4, Line 22: Delete "regulation,"  
Page 18, Section 4, Line 23: Delete "legislation, or regulation,"  
Page 19, Section 5, Line 45: After "question," delete "or"  
Page 19, Section 5, Line 46: Delete in its entirety  
Page 19, Section 5, Line 47: Delete "independent expenditure committee,"  
Page 43, Section 10, Line 2: Delete ", or aiding the passage or defeat of legislation or regulation in"  
Page 43, Section 10, Line 3: Delete "the case of an independent expenditure committee,"  
Page 45, Section 12, Line 13: After "12." insert "Section 3 of P.L.2005, c.271 (C.19:44A-20.27) is amended to read as follows:  
  
3. a. Any business entity making a contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind to a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or to a political party committee, legislative leadership committee, political committee, independent expenditure committee, or continuing political committee, which has received in any calendar year ~~[\$50,000]~~ \$17,500 or more in the aggregate through agreements or contracts with a public entity, shall file an annual disclosure statement with the New Jersey Election Law Enforcement

Commission, established pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth all such contributions made by the business entity during the 12 months prior to the reporting deadline.

b. The commission shall prescribe forms and procedures for the reporting required in subsection a. of this section which shall include, but not be limited to:

(1) the name and mailing address of the business entity making the contribution, and the amount contributed during the 12 months prior to the reporting deadline;

(2) the name of the candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, candidate committee, joint candidates committee, political party committee, legislative leadership committee, political committee, independent expenditure committee, or continuing political committee receiving the contribution; and

(3) the amount of money the business entity received from the public entity through contract or agreement, the dates, and information identifying each contract or agreement and describing the goods, services or equipment provided or property sold.

c. The commission shall maintain a list of such reports for public inspection both at its office and through its Internet site.

d. When a business entity is a natural person, a contribution by that person's spouse, domestic partner, civil union partner, or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a

natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity, or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code or independent expenditure committee that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

e. As used in this section:

"business entity" means a for-profit entity that is a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction; and

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate.

[e.] f. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

(cf: P.L.2007, c.304, s.2)

13. (New section) a. As used in this section:

"Development subsidy" means the authorizing of or providing to a recipient entity an amount of funds by or from a State agency with a value of not less than \$25,000 for the purpose of stimulating economic development in New Jersey, including, but not limited to, any bond, grant, loan, loan guarantee, matching fund, or any tax expenditure. "Development subsidy" shall not mean: (1) any contract under which a State agency purchases or otherwise procures goods, services, or construction on an unsubsidized basis, including any contract solely for the construction or renovation of a facility owned by a State agency; or (2) any authorizing or providing of funds by or from a State agency to a recipient entity, including by means of a tax expenditure, for the exclusive purpose of the development or production of affordable housing, for the exclusive purpose of subsidizing site remediation, recycling, commuter transportation assistance, pollution reduction, energy conservation, or other programs to improve the environment, or for the exclusive purpose of providing benefits to employees of the recipient entity.

"Interest" means the ownership or control of more than 10 percent of the profits or assets of a recipient entity, including the control of assets in a nonprofit entity, or 10 percent of the stock in the case of a recipient entity that is a corporation for profit, as appropriate.

"Person" means any corporation, association, operation, organization, firm, partnership, trust or other form of business

association, as well as a natural person.

"Recipient entity" means any non-governmental person, business, corporation, association, operation, firm, limited liability company, partnership, limited partnership, trust, or other form of business association or other business entity, which (1) receives a development subsidy, or any benefit thereof, from a State agency; or (2) purchases, sells, or assigns a tax credit transfer certificate with a value of not less than \$25,000 pursuant to section 7 of P.L.2011, c.149 (C.34:1B-248), section 10 of P.L.2014, c.63 (C.34:1B-251), or paragraph (4) of subsection b. of P.L.2009, c.90 (C.52:27D-489f).

"State agency" means the State of New Jersey or any agency, instrumentality, or authority of the State that provides a development subsidy to a recipient entity and, in the case of a tax expenditure related to any tax paid to the State, "State agency" means the State Treasurer or the New Jersey Economic Development Authority, as applicable.

"Tax expenditure" means the amount of foregone tax collections due to any abatement, reduction, exemption, or credit against any State tax, including, but not limited to, taxes on raw materials, inventories or other assets, taxes on gross receipts, income, or sales, and any use, excise, or utility tax. "Tax expenditure" shall not mean any credit against any tax liability of an employee or any personal exemption, homestead rebate, credit, or deduction for the expenses of a household or individual, or other reduction of the tax liability of an individual or household.

b. A recipient entity making a contribution of money or any other thing of value,

including an in-kind contribution or pledge to make a contribution of any kind, to a candidate for, or a holder of, any public office or to a political party committee, legislative leadership committee, political committee, independent expenditure committee, or continuing political committee, shall file an annual disclosure statement with the New Jersey Election Law Enforcement Commission setting forth all such contributions made by the recipient entity during the 12 months prior to the reporting deadline.

c. The commission shall prescribe forms and procedures for the reporting required in subsection b. of this section which shall include, but not be limited to:

(1) the name and mailing address of the recipient entity making the contribution, and the amount contributed during the 12 months prior to the reporting deadline;

(2) the name of the candidate for, or the holder of, any public office, candidate committee, joint candidates committee, political party committee, legislative leadership committee, political committee, independent expenditure committee, or continuing political committee receiving the contribution;

(3) in the case of a recipient entity that purchases, sells, or assigns a tax credit transfer certificate, the amount of consideration the recipient entity paid or received for each tax credit transfer certificate purchased, sold, or assigned; the name of the transferrer; the name of the transferee; and the value of the tax credit transfer certificate; and

(4) in the case of a recipient entity that

receives a development subsidy, the value of the development subsidy, the State agency that awarded the subsidy, and the program under which the subsidy was awarded.

d. The commission shall maintain a list of such reports for public inspection both at its office and through its Internet site.

e. When a recipient entity is a natural person, a contribution by that person's spouse, domestic partner, civil union partner, or child, residing therewith, shall be deemed to be a contribution by the recipient entity. When a recipient entity is other than a natural person, a contribution by any person or other entity having an interest therein shall be deemed to be a contribution by the recipient entity. When a recipient entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the recipient entity, or their spouses; any subsidiaries directly or indirectly controlled by the recipient entity; or any political organization organized under section 527 of the Internal Revenue Code or independent expenditure committee that is directly or indirectly controlled by the recipient entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the recipient entity.

f. A recipient entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the recipient entity failed to report.

14."

Page 45, Section 13, Line 20:

Delete "13." and insert "15."

Page 45, Section 13, Line 24:

Delete "paragraph (1) of"

Page 45, Section 13, Line 28:

Delete "paragraph" and insert "subsection"

Page 45, Section 13, Line 29:

After "act." insert "Sections 12 and 13 of this act shall take effect on the first day of the 13th month next following the date of enactment."

Respectfully,

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

# Governor Murphy Takes Action on Legislation

06/17/2019

**TRENTON** – Today, Governor Phil Murphy signed the following bills into law:

**S150 (Singleton, Greenstein/Zwicker, Benson, Sumter)** - Concerns disclosure requirements by independent expenditure committees.

[Copy of Statement on S150](#)

**S393 w/GR (Madden, Singleton/DeAngelo, Murphy, Verrelli)** - Establishes Talent Network Program in DOLWD.

**S844 w/GR (Turner, Cruz-Perez/Sumter, Mukherji, Pintor Marin, Wimberly)** - Establishes a partial return to work TDI program.

**S1967 w/GR (Sweeney, Madden/Jasey, Taliaferro, Benson)** - Concerns certain workers' compensation supplemental benefits.

**GOVERNOR'S STATEMENT UPON SIGNING  
SENATE BILL NO. 150**

Today I am signing Senate Bill No. 150, which revises "The New Jersey Campaign Contributions and Expenditures Reporting Act" to require independent expenditure committees to regularly disclose contributions and expenditures in excess of identified monetary thresholds to the Election Law Enforcement Commission (ELEC). I commend my colleagues in the Legislature for their continued efforts to ensure that so-called "dark money" is brought out into the light.

As I described at length in the message accompanying my conditional veto of Senate Bill No. 1500 (Fifth Reprint), I am concerned that extending the disclosure requirements to cover advocacy that is not connected to an issue before the electorate may infringe upon constitutionally protected speech and association rights. As detailed in my message, the United States Supreme Court has long recognized the harm that overly broad disclosure requirements can cause to an organization, its mission and its members. Additionally, I remain concerned that various apparent drafting errors in the bill may invite confusion among filers and could spawn time-consuming litigation.

I am therefore signing this bill based on an express commitment from my colleagues in the Legislature, including legislative leadership and the bill's prime sponsors, to introduce and swiftly pass legislation removing advocacy in connection with legislation and regulations from its parameters, thereby ensuring that the bill's disclosure requirements apply to election-related advocacy, and making previously recommended technical revisions in order to ensure its consistent application.

I thank the sponsors for their commitment to this important issue. I am confident that this bill, along with its agreed-upon companion, will bring greater transparency to our political process in a manner that is both legally and technically sound.

Date: June 17, 2019

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor