

ASSEMBLY AMENDMENT STATEMENT (ACS 1R) Yes
- (includes statement on page 2)

ASSEMBLY AMENDMENT STATEMENT (ACS 2R) Yes
- (includes statement on page 21 & 22)

ASSEMBLY AMENDMENT STATEMENT (ACS 5R) Yes
- (includes statement on page 8)

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: Yes

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Contribution—limits law sets complex standards," 134 NJLJ 11 (5-3-93).

"Campaign fund caps take effect this week," Star Ledger, (4-5-93).

974.90 New Jersey. Legislature. Ad Hoc Commission on Legislative Ethics.

L514 Commission meetings held on legislative ethics and finance, held May 2, May 16, June 6, 1990 June 20, July 11, July 25, August 8, September 5, August 24 and September 12, 1990. Trenton 1990.

LAW/RWH

§15-C.19:44A-20.1
§16-C.19:44A-10.1
§§17-20,23
C.19:44A-11.2
to 19:44A-11.6
§21-C.19:44A-8.1
§22-C.19:44A-7.2
§24-C.19:44A-22.1
§25-T & E and note
to §§18-20
§26-T & E & note
to C.19:44A-6
§27-Note to §§1-26

P.L.1993, CHAPTER 65, *approved March 8, 1993*
Assembly Committee Substitute (*Sixth Reprint*) for
1992 Assembly No. 100,195,196,646,659 and 869

1 AN ACT concerning campaign contributions and expenditures,
2 ⁶[and]⁶ revising and supplementing P.L.1973, c.83 (C.19:44A-1
3 et seq.) ⁶[⁴, amending R.S.19:34-45 and repealing
4 R.S.19:34-32⁴] and amending P.L.1974, c.26 and P.L.1989, c.4⁶.

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

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

10 2. It is hereby declared to be in the public interest and to be
11 the policy of the State to limit [the campaign expenditures by
12 candidates for public office] political contributions and to require
13 the reporting of all contributions received and expenditures made
14 to aid or promote the nomination, election or defeat of any
15 candidate for public office or to aid or promote the passage or
16 defeat of a public question in any election and to require the
17 reporting of all contributions received and expenditures made to
18 provide political information on any candidate for public office,
19 or on any public question.

20 (cf: P.L.1981, c.151, s.1)

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

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

25 a. [The term "allied candidates" means candidates in any
26 election who are (1) seeking nomination or election (A) to an
27 office or offices in the same county or municipal government or
28 school district or (B) to the Legislature representing in whole or
29 part the same constituency, and who are (2) either (A) nominees
30 of the same political party or (B) publicly declared in any manner,
31 including the seeking or obtaining of any ballot position or
32 common ballot slogan, to be aligned or mutually supportive.]
33 (Deleted by amendment, P.L. , c. .)

34 b. [The term "allied campaign organization" means any
35 political committee, any State, county or municipal committee 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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted May 28, 1992.

² Assembly floor amendments adopted June 18, 1992.

³ Assembly floor amendments adopted December 14, 1992.

⁴ Senate SJU committee amendments adopted January 12, 1993.

⁵ Senate SJU committee amendments adopted February 1, 1993.

⁶ Senate floor amendments adopted February 9, 1993.

1 a political party or any campaign organization of a candidate
2 which is in support or furtherance of the same candidate or any
3 one or more of the same group of allied candidates or the same
4 public question as any other such committee or organization.]
5 (Deleted by amendment, P.L. , c.)

6 c. The term "candidate" means: (1) an individual seeking [or
7 having sought] election to a public office of the State or of a
8 county, municipality or school district at an election; except that
9 the term shall not include an individual seeking party office; and
10 (2) an individual who shall have been elected or failed of election
11 to an office, other than a party office, for which he sought
12 election and who receives contributions and makes expenditures
13 for any of the purposes authorized by section 17 of P.L. , c.
14 (C.)(now pending before the Legislature as this bill) during
15 the period of his service in that office.

16 d. The terms "contributions" and "expenditures" include all
17 loans and transfers of money or other thing of value to or by any
18 candidate, candidate committee, joint candidates committee,
19 political committee [or], continuing political committee, political
20 party committee or legislative leadership committee and all
21 pledges or other commitments or assumptions of liability to make
22 any such transfer; and for purposes of reports required under the
23 provisions of this act shall be deemed to have been made upon the
24 date when such commitment is made or liability assumed.

25 e. The term "election" means any election described in section
26 4 of this act.

27 f. The term "paid personal services" means personal, clerical,
28 administrative or professional services of every kind and nature
29 including, without limitation, public relations, research, legal,
30 canvassing, telephone, speech writing or other such services,
31 performed other than on a voluntary basis, the salary, cost or
32 consideration for which is paid, borne or provided by someone
33 other than the committee, candidate or organization for whom
34 such services are rendered. In determining the value, for the
35 purpose of reports required under this act, of contributions made
36 in the form of paid personal services, the person contributing
37 such services shall furnish to the treasurer through whom such
38 contribution is made a statement setting forth the actual amount
39 of compensation paid by said contributor to the individuals
40 actually performing said services for the performance thereof.
41 But if any individual or individuals actually performing such
42 services also performed for the contributor other services during
43 the same period, and the manner of payment was such that
44 payment for the services contributed cannot readily be
45 segregated from contemporary payment for the other services,
46 the contributor shall in his statement to the treasurer so state
47 and shall either (1) set forth his best estimate of the dollar
48 amount of payment to each such individual which is attributable
49 to the contribution of his paid personal services, and shall certify
50 the substantial accuracy of the same, or (2) if unable to
51 determine such amount with sufficient accuracy, set forth the
52 total compensation paid by him to each such individual for the
53 period of time during which the services contributed by him were
54 performed. If any candidate is a holder of public office to whom

1 there is attached or assigned, by virtue of said office, any aide or
2 aides whose services are of a personal or confidential nature in
3 assisting him to carry out the duties of said office, and whose
4 salary or other compensation is paid in whole or part out of public
5 funds, the services of such aide or aides which are paid for out of
6 public funds shall be for public purposes only; but they may
7 contribute their personal services, on a voluntary basis, to such
8 candidate for election campaign purposes.

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

10 h. The term "political information" means any statement
11 including, but not limited to, press releases, pamphlets,
12 newsletters, advertisements, flyers, form letters, or radio or
13 television programs or advertisements which reflects the opinion
14 of the members of the organization on any candidate or
15 candidates for public office, on any public question, or which
16 contains facts on any such candidate, or public question whether
17 or not such facts are within the personal knowledge of members
18 of the organization.

19 i. The term "political committee" means any two or more
20 persons acting jointly, or any corporation, partnership, or any
21 other incorporated or unincorporated association which is
22 organized to, or does, aid or promote the nomination, election or
23 defeat of any candidate or candidates for public office, or which
24 is organized to, or does, aid or promote the passage or defeat of a
25 public question in any election, if the persons, corporation,
26 partnership or incorporated or unincorporated association raises
27 or expends \$1,000.00 or more to so aid or promote the
28 nomination, election or defeat of a candidate or candidates or the
29 passage or defeat of a public question; provided that for the
30 purposes of this act, the term "political committee" shall not
31 include a "continuing political committee," as defined by
32 subsection n. of this section, a "political party committee," as
33 defined by subsection p. of this section, a "candidate
34 committee," as defined by subsection q. of this section, a "joint
35 candidates committee," as defined by subsection r. of this section
36 or a "legislative leadership committee," as defined by subsection
37 s. of this section.

38 j. The term "public solicitation" means any activity by or on
39 behalf of any candidate, political committee [or], continuing
40 political committee, candidate committee, joint candidates
41 committee, legislative leadership committee or political party
42 committee whereby either (1) members of the general public are
43 personally solicited for cash contributions not exceeding \$20.00
44 from each person so solicited and contributed on the spot by the
45 person so solicited to a person soliciting or through a receptacle
46 provided for the purpose of depositing contributions, or (2)
47 members of the general public are personally solicited for the
48 purchase of items having some tangible value as merchandise, at
49 a price not exceeding \$20.00 per item, which price is paid on the
50 spot in cash by the person so solicited to the person so soliciting,
51 when the net proceeds of such solicitation are to be used by or on
52 behalf of such candidate, political committee [or], continuing
53 political committee, candidate committee, joint candidates
54 committee, legislative leadership committee or political party

1 committee.

2 k. The term "testimonial affair" means an affair of any kind
3 or nature including, without limitation, cocktail parties,
4 breakfasts, luncheons, dinners, dances, picnics or similar affairs
5 directly or indirectly intended to raise campaign funds in behalf
6 of a person who holds, or who is or was a candidate for
7 nomination or election to a public office in this State, or directly
8 or indirectly intended to raise funds in behalf of any [State,
9 county or municipal committee of a] political party committee or
10 in behalf of a political committee, continuing political
11 committee, candidate committee, joint candidates committee or
12 legislative leadership committee.

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

16 m. The term "qualified candidate" means:

17 (1) Any candidate for election to the office of Governor whose
18 name appears on the general election ballot; who has deposited
19 and expended \$150,000.00 pursuant to section 7 of P.L.1974, c.26
20 (C.19:44A-32); and who, not later than September 1 preceding a
21 general election in which the office of Governor is to be filled,
22 (a) notifies the Election Law Enforcement Commission in writing
23 that the candidate intends that application will be made on the
24 candidate's behalf for monies for general election campaign
25 expenses under subsection b. of section 8 of P.L.1974, c.26
26 (C.19:44A-33), and (b) signs a statement of agreement, in a form
27 to be prescribed by the commission, to participate in two
28 interactive gubernatorial election debates under the provisions of
29 sections 9 through 11 of [this 1988 amendatory and supplementary
30 act] P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47); or

31 (2) Any candidate for election to the office of Governor whose
32 name does not appear on the general election ballot; who has
33 deposited and expended \$150,000.00 pursuant to section 7 of
34 P.L.1974, c.26 (C.19:44A-32); and who, not later than September
35 1 preceding a general election in which the office of Governor is
36 to be filled, (a) notifies the Election Law Enforcement
37 Commission in writing that the candidate intends that application
38 will be made on the candidate's behalf for monies for general
39 election campaign expenses under subsection b. of section 8 of
40 P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of
41 agreement, in a form to be prescribed by the commission, to
42 participate in two interactive gubernatorial election debates
43 under the provisions of sections 9 through 11 of [this 1988
44 amendatory and supplementary act] P.L.1989, c.4 (C.19:44A-45
45 through C.19:44A-47); or

46 (3) Any candidate for nomination for election to the office of
47 Governor whose name appears on the primary election ballot; who
48 has deposited and expended \$150,000.00 pursuant to section 7 of
49 P.L.1974, c.26 (C.19:44A-32); and who, not later than the last day
50 for filing petitions to nominate candidates to be voted upon in a
51 primary election for a general election in which the office of
52 Governor is to be filled, (a) notifies the Election Law
53 Enforcement Commission in writing that the candidate intends
54 that application will be made on the candidate's behalf for

1 monies for primary election campaign expenses under subsection
2 a. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a
3 statement of agreement, in a form to be prescribed by the
4 commission, to participate in two interactive gubernatorial
5 primary debates under the provisions of sections 9 through 11 of
6 [this 1988 amendatory and supplementary act] P.L.1989, c.4
7 (C.19:44A-45 through C.19:44A-47); or

8 (4) Any candidate for nomination for election to the office of
9 Governor whose name does not appear on the primary election
10 ballot; who has deposited and expended \$150,000.00 pursuant to
11 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than
12 the last day for filing petitions to nominate candidates to be
13 voted upon in a primary election for a general election in which
14 the office of Governor is to be filled, (a) notifies the Election
15 Law Enforcement Commission in writing that the candidate
16 intends that application will be made on the candidate's behalf
17 for monies for primary election campaign expenses under
18 subsection a. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)
19 signs a statement of agreement, in a form to be prescribed by the
20 commission, to participate in two interactive gubernatorial
21 primary debates under the provisions of sections 9 through 11 of
22 [this 1988 amendatory and supplementary act] P.L.1989, c.4
23 (C.19:44A-45 through C.19:44A-47).

24 n. The term "continuing political committee" means[:

25 (1) the State committee, or any county or municipal
26 committee, of a political party; or

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

46 o. The term "statement of agreement" means a written
47 declaration, by a candidate for nomination for election or for
48 election to the office of Governor who intends that application
49 will be made on that candidate's behalf to receive monies for
50 primary election or general election campaign expenses under
51 subsection a. or subsection b., respectively, of section 8 of
52 P.L.1974, c.26 (C.19:44A-33), that the candidate undertakes to
53 abide by the terms of any rules established by any private
54 organization sponsoring a gubernatorial primary or general

1 election debate, as appropriate, to be held under the provisions of
2 sections 9 through [12] 11 of [this 1988 amendatory and
3 supplementary act] P.L.1989, c.4 (C.19:44A-45 through
4 C.19:44A-47) and in which the candidate is to participate. The
5 statement of agreement shall include an acknowledgment of
6 notice to the candidate who signs it that failure on that
7 candidate's part to participate in any of the gubernatorial
8 debates may be cause for the termination of the payment of such
9 monies on the candidate's behalf and for the imposition of
10 liability for the return to the commission of such monies as may
11 previously have been so paid.

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

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

21 r. The term "joint candidates committee" means a committee
22 established pursuant to subsection a. of section 9 of P.L.1973,
23 c.83 (C.19:44A-9) by at least two ⁴[but not more than three]⁴
24 candidates for ⁴[any elective public office] the same elective
25 public offices⁴ in the same election in a legislative district,
26 county ⁴[or],⁴ municipality ⁴[or] school district, but not more
27 candidates than the total number of the same elective public
28 offices to be filled in that election,⁴ for the purpose of receiving
29 contributions and making expenditures. ⁴For the purpose of this
30 subsection, the offices of member of the Senate and members of
31 the General Assembly shall be deemed to be the same elective
32 public offices in a legislative district.⁴

33 s. The term "legislative leadership committee" means a
34 committee established, authorized to be established, or
35 designated by the President of the Senate, the Minority Leader of
36 the Senate, the Speaker of the General Assembly or the Minority
37 Leader of the General Assembly pursuant to section 16 of P.L. ,
38 c. (C.) (now pending before the Legislature as this bill) for
39 the purpose of receiving contributions and making expenditures.
40 (cf: P.L.1989, c.4, s.1)

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

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

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

23 The campaign treasurer of the political committee reporting
24 shall certify to the correctness of each report.

25 Each campaign treasurer of a political committee shall file
26 written notice with the commission of a contribution in excess of
27 [\$250.00] \$500 received during the period between the 13th day
28 prior to the election and the date of the election⁴, and of an
29 expenditure of money or other thing of value in excess of \$500
30 made, incurred or authorized by the political committee to
31 support or defeat a candidate in an election, or to aid the passage
32 or defeat of any public question, during the period between the
33 13th day prior to the election and the date of the election⁴. The
34 notice ⁴of a contribution⁴ shall be filed in writing or by telegram
35 within 48 hours of the receipt of the contribution and shall set
36 forth the amount and date of the contribution [and], the name and
37 mailing address of the contributor, and where the contributor is
38 an individual, the individual's occupation and the name and
39 mailing address of the individual's employer. ⁴The notice of an
40 expenditure shall be filed in writing or by telegram within 48
41 hours of the making, incurring or authorization of the expenditure
42 and shall set forth the name and mailing address of the person,
43 firm or organization to whom or which the expenditure was paid
44 and the amount and purpose of the expenditure.⁴

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

49 b. (1) A group of two or more persons acting jointly, or any
50 corporation, partnership, or any other incorporated or
51 unincorporated association including a political club, political
52 action committee, civic association or other organization, which
53 in any calendar year contributes or expects to contribute at least
54 \$2,500.00 to the aid or promotion of the candidacy of an

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

15 ³No person serving as the chairman of a political party
16 committee or a legislative leadership committee shall be eligible
17 to be appointed or to serve as the chairman of a continuing
18 political committee.³

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

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

50 Each continuing political committee shall provide immediate
51 written notification to each candidate of all expenditures made
52 or authorized on behalf of the candidate.

53 If any continuing political committee submitting cumulative
54 quarterly reports as provided under this subsection receives a

1 contribution from a single source of more than [\$250.00] \$500
2 after the final day of a quarterly reporting period and on or
3 before a primary, general, municipal, school or special election
4 which occurs after that final day but prior to the final day of the
5 next reporting period it shall, in writing or by telegram, report
6 that contribution to the commission within 48 hours of the
7 receipt thereof, including in that report the amount and date of
8 the contribution; the name and mailing address of the
9 contributor; and where the contributor is an individual, the
10 individual's occupation and the name and mailing address of the
11 individual's employer. ⁴if any continuing political committee
12 makes or authorizes an expenditure of money or other thing of
13 value in excess of \$500, or incurs any obligation therefor, to
14 support or defeat a candidate in an election, or to aid the passage
15 or defeat of any public question, after March 31 and on or before
16 the day of the primary election, or after September 30 and on or
17 before the day of the general election, it shall, in writing or by
18 telegram, report that expenditure to the commission within
19 48 hours of the making, authorizing or incurring thereof.⁴

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

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

47 The cumulative quarterly report shall contain the name and
48 mailing address of each person or group from whom moneys,
49 loans, paid personal services or other things of value have been
50 contributed and the amount contributed by each person or group,
51 and where an individual has made such contributions, the report
52 shall indicate the occupation of the individual and the name and
53 mailing address of the individual's employer. In the case of any
54 loan reported pursuant to this subsection, the report shall contain:

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

11 If a political party committee or a legislative leadership
12 committee submitting cumulative quarterly reports as provided
13 under this subsection receives a contribution from a single source
14 of more than \$500 after the final day of a quarterly reporting
15 period and on or before a primary, general, municipal, school or
16 special election which occurs after that final day but prior to the
17 final day of the next reporting period it shall, in writing or by
18 telegram, report that contribution to the commission within
19 48 hours of the receipt thereof, including in that report the
20 amount and date of the contribution; the name and mailing
21 address of the contributor; and where the contributor is an
22 individual, the individual's occupation and the name and mailing
23 address of the individual's employer.

24 d. In any report filed pursuant to the provisions of this section
25 the organization or committee reporting may exclude from the
26 report the [names and addresses] name of [contributors] and other
27 information relating to any contributor whose contributions
28 during the period covered by the report did not exceed [\$100.00]
29 \$200, provided, however, that (1) such exclusion is unlawful if any
30 person responsible for the preparation or filing of the report knew
31 that it was made with respect to any person whose contributions
32 relating to the same election or issue and made to the reporting
33 organization or committee [or to an allied campaign organization
34 or organizations] aggregate, in combination with the contribution
35 in respect of which such exclusion is made, more than [\$100.00]
36 \$200 and (2) any person who knowingly prepares, assists in
37 preparing, files or acquiesces in the filing of any report from
38 which the identification of a contributor has been excluded
39 contrary to the provisions of this section is subject to the
40 provisions of section 21 of this act, but (3) nothing in this proviso
41 shall be construed as requiring any committee or organization
42 reporting pursuant to this act to report the amounts, dates or
43 other circumstantial data regarding contributions made to any
44 other organization or political committee, [committee of a]
45 political party committee or campaign organization of a
46 candidate.

47 Any report filed pursuant to the provisions of this section shall
48 include an itemized accounting of all receipts and expenditures
49 relative to any testimonial affairs held since the date of the most
50 recent report filed, which accounting shall include the name and
51 mailing address of each contributor in excess of [\$100.00] \$200 to
52 such testimonial affair and the amount contributed by each[.]; in
53 the case of an individual contributor, the occupation of the
54 individual and the name and mailing address of the individual's

1 employer; the expenses incurred[,] and the disposition of the
2 proceeds of such testimonial affair.

3 e. A political committee shall be exempt from any
4 requirement to file reports pursuant to this section of
5 contributions received or expenditures made in behalf of two or
6 more joint candidates in any election if the committee files with
7 the Election Law Enforcement Commission a sworn statement to
8 the effect that the total amount to be expended on behalf of
9 their candidacies shall not exceed \$4,000.00; provided, that if a
10 committee which has filed such a sworn statement receives
11 contributions from any one source aggregating more than
12 ~~(\$100.00)~~ \$200.00, it shall forthwith report that fact, including
13 the [identity] name and mailing address of the source; where the
14 source is an individual, the occupation of the individual and the
15 name and mailing address of the individual's employer; and the
16 aggregate total of contributions [therefrom] from the source to
17 the commission. Any sworn statement under this subsection may
18 be filed with the notice of designation by a political committee
19 of a campaign treasurer and campaign depository under section
20 10 of P.L.1973, c.83 (C.19:44A-10), if that committee knows or
21 has reason to believe, at the time when the notice of designation
22 is given, that the total amount to be so expended shall not exceed
23 \$4,000.00.

24 (cf: P.L.1983, c.579, s.11)

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

27 9. [Each candidate in an election shall appoint one campaign
28 treasurer and shall designate one campaign depository. Any bank
29 authorized by law to transact business in the State may be
30 designated as the campaign depository. Notification of the
31 designation of the campaign treasurer and the campaign
32 depository shall be made by the candidate's filing the name and
33 address of such campaign treasurer and such depository with the
34 Election Law Enforcement Commission no later than the tenth
35 day after receipt by the candidate, or by any political committee
36 or continuing political committee which he has authorized to act
37 in his behalf, of any contribution on behalf of his candidacy, or
38 after the making or incurring by the candidate, or by a political
39 committee or continuing political committee, of any expenditure
40 on behalf of that candidacy, whichever comes first.

41 A campaign treasurer of the candidate may appoint deputy
42 campaign treasurers as required and may designate additional
43 campaign depositories in each county in which the campaign is
44 conducted. The candidate shall file the names and addresses of
45 deputy campaign treasurers and additional campaign depositories
46 with the Election Law Enforcement Commission.

47 A candidate may remove a campaign treasurer or deputy
48 campaign treasurer. In the case of the death, resignation or
49 removal of a campaign treasurer, the candidate shall appoint a
50 successor as soon as practicable and shall file his name and
51 address with the Election Law Enforcement Commission within 3
52 days. A candidate may serve as his own campaign treasurer.]

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

1 (C.19:44A-3), shall, no later than the date on which that
2 candidate first receives any contribution or makes or incurs any
3 expenditures in connection with an election, establish ⁵[either]⁵
4 (1) a candidate committee ⁵[or],⁵ (2) a joint candidates
5 committee⁵, or (3) both,⁵ for the purpose of receiving
6 contributions and making expenditures. ³No person serving as the
7 chairman of a political party committee or a legislative
8 leadership committee shall be eligible to be appointed or to serve
9 as the chairman of a candidate committee or joint candidates
10 committee, other than a candidate committee or joint candidates
11 committee established to further the nomination for election or
12 the election of that person as a candidate for public office.³
13 Subsequent to an election, a candidate, whether or not successful
14 in that election, shall maintain a candidate committee or a joint
15 candidates committee so long as contributions are received or
16 expenditures made by that former candidate. An elected
17 officeholder who receives contributions and who has not
18 maintained a candidate committee or a joint candidates
19 committee shall establish a candidate committee ⁵[or],⁵ a joint
20 candidates committee⁵, or both,⁵ in a timely manner for the
21 purpose of receiving contributions and making expenditures.

22 b. ¹[Within 30 days of the establishment of a candidate
23 committee or a joint candidates committee, the] The¹ candidate
24 or candidates, as the case may be, shall file with the Election
25 Law Enforcement Commission a certificate of organization on a
26 form prescribed by the commission. The certificate shall provide
27 for ¹the initial appointment by the candidate, or candidates, of a
28 campaign treasurer and for the¹ designation by the candidate, or
29 candidates, of ¹[the] that¹ treasurer of the ¹[campaign]
30 candidate¹ committee, or joint candidates committee, as the
31 campaign treasurer of the candidate, or candidates, for the
32 purposes of subsection a. of section 8 of P.L.1973, c.83
33 (C.19:44A-8) and shall generally identify and be signed by the
34 candidate, or candidates, and the chairman and the treasurer of
35 the candidate committee or joint candidates committee, as the
36 case may be. ³No person serving as the chairman of a political
37 party committee or a legislative leadership committee shall be
38 eligible to be appointed or to serve as the treasurer of a
39 candidate committee or joint candidates committee, other than a
40 candidate committee or joint candidates committee established
41 to further the nomination for election or the election of that
42 person as a candidate for public office.³ ¹The certificate shall
43 be filed prior to or simultaneously with the filing of a notification
44 of the designation of a campaign depository as provided under
45 subsection c. of this section.¹ Upon the filing of such a
46 certificate of organization and until the termination of the
47 committee, the candidate committee or joint candidates
48 committee shall file the reports which the campaign treasurer or
49 treasurers of the candidate or candidates would otherwise be
50 required to file under subsection a. of section 16 of P.L.1973,
51 c.83 (C.19:44A-16).

52 c. Each candidate, or the candidates comprising a joint
53 candidates committee, ¹[shall appoint a campaign treasurer and]¹
54 shall designate a campaign depository. Any bank authorized by

1 law to transact business in the State may be designated as the
2 campaign depository. Notification of the designation of the
3 ¹[campaign treasurer and the] campaign depository shall be
4 made by the candidate's¹, candidates' ¹ or committee's filing
5 the name and address of ¹[such campaign treasurer and]¹ such
6 depository with the Election Law Enforcement Commission no
7 later than the tenth day after receipt by the candidate or the
8 committee of any contribution on behalf of the candidate or
9 candidates or after the making or incurring by the candidate or
10 candidates of any expenditure on behalf of that candidacy,
11 whichever comes first.

12 d. Each candidate and campaign treasurer shall certify the
13 correctness of each report filed by the candidate committee or
14 joint candidates committee with the commission and that each
15 report conforms with the limitations on contributions and
16 expenditures provided for in sections 18, 19 and 20 of P.L. ,
17 c. (C.)(now pending before the Legislature as this bill).

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

25 f. A candidate or candidates may remove a campaign treasurer
26 or deputy campaign treasurer. In the case of the death,
27 resignation or removal of a campaign treasurer, the candidate or
28 candidates shall appoint a successor as soon as practicable and
29 shall file the name and address of that person with the Election
30 Law Enforcement Commission within three days. A candidate
31 may serve as his or her own campaign treasurer. One of the
32 candidates in a joint candidates committee may serve as the
33 campaign treasurer of the entire committee.

34 g. An individual who is a candidate for two or more public
35 offices in an election or in separate elections shall establish
36 separate candidate committees or separate joint candidates
37 committees ⁵or both⁵ for each office contested.

38 h. (1) On and after the 366th day following the effective date
39 of P.L. , c. (now pending before the Legislature as this bill),
40 no candidate shall establish, authorize the establishment of,
41 maintain, or participate directly or indirectly in the management
42 or control of, any political committee or any continuing political
43 committee. Within one year after the enactment of this act,
44 every candidate who maintains, or who participates either
45 directly or indirectly in the management or control of, one or
46 more political committees or one or more continuing political
47 committees, or both, shall wind up or cause to be wound up the
48 affairs of those committees in accordance with the provisions of
49 section 8 of P.L.1973, c.83 (C.19:44A-8) and transfer all of the
50 funds therein into a candidate committee or a joint candidates
51 committee. All funds thus transferred shall be subject to the
52 provisions of section 17 of P.L. , c. (C.)(now pending
53 before the Legislature as this bill).

54 (2) The person or persons having control over a legislative

1 leadership committee shall not be required to wind up the affairs
2 of that committee but shall be required to conform to the
3 requirements of paragraph (1) of this subsection with regard to
4 any other political committees or continuing political committees
5 under the control of the person or persons and used by that person
6 for the purpose of receiving contributions and making
7 expenditures.

8 (cf: P.L.1983, c.579, s.12)

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

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

18 Every political committee [and every continuing political
19 committee] ³may designate a chairman of the committee, but no
20 person serving as the chairman of a political party committee or
21 a legislative leadership committee shall be eligible to be
22 appointed or to serve as the chairman of a political committee.
23 Every political committee³ shall, not later than the date on
24 which it first receives any contribution or makes or incurs any
25 expenditure in the furtherance or aid of the election or defeat of
26 any candidate or [to aid] the passage or defeat of any public
27 question, appoint [, in the case of a political committee,] a single
28 campaign treasurer [, or, in the case of a continuing political
29 committee, a single organizational treasurer,] and designate [, in
30 the case of a political committee,] a campaign depository [or, in
31 the case of a continuing political committee, an organizational
32 depository] ³, but no person serving as the chairman of a political
33 party committee or a legislative leadership committee shall be
34 eligible to be appointed or to serve as the campaign treasurer of
35 a political committee³. Not later than the tenth day after the
36 initial designation of the campaign [or organizational] depository,
37 the committee shall file the name and address of the depository,
38 and of the campaign [or organizational] treasurer, with the
39 Election Law Enforcement Commission.

40 Every continuing political committee shall, not later than the
41 date on which it first receives any contribution or makes or
42 incurs any expenditure in the furtherance or aid of the election or
43 defeat of any candidate or the passage or defeat of any public
44 question, appoint a single organizational treasurer and designate
45 an organizational depository³, provided that no person who is the
46 chairman of a political party committee or a legislative
47 leadership committee shall be eligible to be appointed or to serve
48 as the organizational treasurer of a continuing political
49 committee³. Not later than the tenth day after the initial
50 designation of the organizational depository, the committee shall
51 file the name and address of the depository, and of the
52 organizational treasurer, with the Election Law Enforcement
53 Commission.

54 Every legislative leadership committee shall, not later than the

1 date on which it first receives any contribution or makes or
2 incurs any expenditure in the furtherance or aid of the election or
3 defeat of any candidate or the passage or defeat of any public
4 question, appoint a single organizational treasurer and designate
5 an organizational depository. Not later than the tenth day after
6 the initial designation of the organizational depository, the
7 committee shall file the name and address of the depository, and
8 of the organizational treasurer, with the Election Law
9 Enforcement Commission.

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

20 Any [State, county or municipal committee of a] political party
21 committee, any political committee, [and] any continuing
22 political committee and any legislative leadership committee
23 may remove its organizational or campaign treasurer or deputy
24 treasurer. In the case of the death, resignation or removal of its
25 organizational or campaign treasurer, the committee shall
26 appoint a successor as soon as practicable and shall file his name
27 and address with the Election Law Enforcement Commission
28 within three days.

29 (cf: P.L.1983, c.579, s.13)

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

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

41 a. The duly appointed campaign treasurer or deputy campaign
42 treasurers of the candidate committee or joint candidates
43 committee;

44 b. The duly appointed organizational treasurer or deputy
45 organizational treasurers of a political party committee or
46 [other] a continuing political committee;

47 c. The duly appointed campaign treasurer or deputy campaign
48 treasurers of a political committee; or

49 d. The duly appointed organizational treasurer or deputy
50 organizational treasurer of a legislative leadership committee.

51 It shall be lawful, however, for any person, not acting in
52 concert with any other person or group, to expend personally
53 from his own funds a sum which is not to be repaid to him for any
54 purpose not prohibited by law, or to contribute his own personal

1 services and personal traveling expenses, to support or defeat a
2 candidate or to aid the passage or defeat of a public question;
3 provided, however, that any person making such expenditure shall
4 be required to report his or her name and mailing address and the
5 amount of all such expenditures and expenses, except personal
6 traveling expenses, if the total of the money so expended,
7 exclusive of such traveling expenses, exceeds [\$100.00] \$200, and
8 also, where the person is an individual, to report the individual's
9 occupation and the name and mailing address of the individual's
10 employer, [either:

11 a. To the campaign treasurer of the candidate, political party
12 committee or political committee on whose behalf such
13 expenditure or contribution was made, or to his deputy, who shall
14 cause the same to be included in his report to the Election Law
15 Enforcement Commission subject to the provisions of sections 8
16 and 9 of this act; or

17 b. Directly] to the Election Law Enforcement Commission at
18 the same time and in the same manner as a political committee
19 subject to the provisions of section 8 of this act.

20 No contribution of money shall be made in currency, except
21 contributions in response to a public solicitation, provided that
22 cumulative currency contributions of up to [\$100.00] \$200 ¹[in
23 any calendar year]¹ may be made to a candidate committee or
24 joint ¹[candidate] candidates¹ committee, a political committee
25 [or], a continuing political committee, a legislative leadership
26 committee or a political party committee if the contributor
27 submits with the currency contribution a written statement of a
28 form as prescribed by the commission, indicating [his name and]
29 the contributor's name, mailing address and occupation and the
30 amount of [his] the contribution, [and] including [his] the
31 contributor's signature and the name and mailing address of the
32 contributor's employer.

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
38 through an agent, shall make any loan or advance, the proceeds of
39 which that person, partnership or association knows or has reason
40 to know or believe are intended to be used by the recipient
41 thereof to make a contribution or expenditure, except by check
42 or money order identifying the name, mailing address and
43 occupation or business of the maker of the loan, and, if the maker
44 is an individual, the name and mailing address of that individual's
45 employer; provided, however, that such loans or advances to a
46 single individual, up to a cumulative amount of \$50 in any
47 calendar year, may be made in currency.

48 ¹[Any [State, county or municipal committee of any] political
49 party committee, after a primary election, but not prior thereto,
50 may receive and expend funds to be spent in furtherance and in
51 aid of the candidacy of all the candidates of such party, or of any
52 one or more of such candidates, in accordance with the provisions
53 of this act.]¹

54 (cf: P.L.1983, c.579, s.14)

1 7. Section 8 of P.L.1989, c.4 (C.19:44A-11.1) is amended to
2 read as follows:

3 8. a. Funds or other benefits received and payments made
4 solely for the purpose of determining whether an individual should
5 become a candidate are not contributions or expenditures.
6 Activities contemplated under this exemption include, but are not
7 limited to, conducting a poll, telephone calls and travel to
8 determine whether an individual should become a candidate.

9 The individual shall keep records of all such funds received and
10 payments made.

11 b. If the individual subsequently becomes a candidate, the
12 funds received and payments made are contributions and
13 expenditures subject to the limitations, prohibitions and
14 requirements of P.L.1973, c.83 (C.19:44A-1 et seq.). Such
15 contributions and expenditures shall be reported with the first
16 report filed by the [candidate or the campaign committee of the
17 candidate] candidate committee or joint candidates committee of
18 the candidate, regardless of the date the funds were received or
19 the payments made.

20 c. This exemption does not apply to funds received or
21 payments made for general public political advertising; nor does
22 this exemption apply to funds received or payments made for
23 activities designed to amass campaign funds that would be spent
24 after the individual becomes a candidate.

25 d. In no instance shall permissible activities conducted solely
26 for the purpose of determining whether an individual will become
27 a candidate be confined or limited on the basis of total funds
28 received or payments made for such purpose.

29 The provisions of this section shall not apply to any candidate
30 who has established and is maintaining a candidate committee or
31 a joint candidates committee pursuant to section 9 of P.L.1973,
32 c. 83 (C.19:44A-9).

33 (cf: P.L.1989, c.4, s.8)

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

36 12. An organizational or campaign treasurer or deputy
37 organizational or campaign treasurer of a candidate committee
38 or joint candidates committee, [of] a political committee, [or of]
39 a continuing political committee¹, a political party committee¹
40 or a legislative leadership committee shall make a written record
41 of all funds which he receives as contributions to the candidate
42 committee, joint candidates committee, political committee [or],
43 continuing political committee¹, political party committee¹ or
44 legislative leadership committee, including in that record the
45 name and mailing address of the contributor [and], the amount
46 and date of the contribution, and where the contributor is an
47 individual, the occupation of the individual and the name and
48 mailing address of the individual's employer. The
49 ¹organizational or¹ campaign treasurer shall retain that record
50 for a period of not less than four years. All funds so received
51 shall be deposited by the campaign or organizational treasurer or
52 deputy campaign or organizational treasurer in a campaign
53 depository of the candidate committee or joint candidates
54 committee, the continuing political committee [or], political

1 committee¹, political party committee¹ or legislative leadership
2 committee, in an account designated "[Campaign] Election Fund
3 of (name of candidate, candidates or committee)" no later than
4 the tenth calendar day following receipt of such funds; except
5 that any such treasurer or deputy treasurer may, when authorized
6 by the candidate, candidates or committee of which he is the
7 campaign or organizational treasurer or deputy campaign or
8 organizational treasurer, transfer any such funds to the duly
9 designated campaign or organizational treasurer or deputy
10 campaign or organizational treasurer of another candidate or
11 committee, for inclusion in the ¹[campaign] election¹ fund
12 thereof, without first so depositing them; provided, however, that
13 the amount so transferred shall not be in excess of the amount
14 that may be contributed by one candidate to another candidate in
15 an election pursuant to section 18 of P.L. , c. (C.)(now
16 pending before the Legislature as this bill)¹[and a] , but this
17 proviso shall not be construed to prohibit a county or municipal
18 committee of a political party from making a contribution or
19 contributions, or from transferring funds as hereinabove
20 authorized, to any candidate, candidate committee, joint
21 candidates committee, political committee, continuing political
22 committee, political party committee, or legislative leadership
23 committee. A¹ record of all nondeposited funds so transferred
24 shall be attached to the statement required under this section,
25 identifying them as to source and amount in the same manner as
26 deposited funds.

27 (cf: P.L.1983, c.579, s.15)

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

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

1 employer. If no moneys, loans, paid personal services or other
2 things of value were contributed, the report shall so indicate, and
3 if no expenditures were paid or incurred, the report shall likewise
4 so indicate. The campaign treasurer and the candidate or several
5 candidates shall certify the correctness of the report.
6 b. During the period between the appointment of the campaign
7 treasurer and the election with respect to which contributions are
8 accepted or expenditures made by him, the campaign treasurer
9 shall file his cumulative campaign report (1) on the 29th day
10 preceding the election, and (2) on the 11th day preceding the
11 election; and after the election he shall file his report on the 20th
12 day following such election. Concurrent with the report filed on
13 the 20th day following an election, or at any time thereafter, the
14 campaign treasurer of a candidate [or political committee]
15 committee or joint candidates committee may certify to the
16 Election Law Enforcement Commission that the [campaign]
17 ¹election fund of such candidate [or political committee, having
18 been instituted for the purposes of the late election,] committee
19 or joint candidates committee has wound up its business and been
20 dissolved, or [, in the case of a political committee which
21 continues its activities beyond the election that its] that business
22 regarding the late election has been wound up [; and said
23 certification] but the candidate committee or joint candidates
24 committee will continue for the deposit and use of contributions
25 in accordance with section 17 of P.L. , c. (C.)(now
26 pending before the Legislature as this bill). Certification shall be
27 accompanied by a final accounting of such [campaign] ¹election
28 fund, or of the transactions relating to such election, including
29 the final disposition of any balance remaining in such fund at the
30 time of dissolution or the arrangements which have been made
31 for the discharge of any obligations remaining unpaid at the time
32 of dissolution. Until [such certification has been filed] the
33 candidate committee or joint candidates committee is dissolved,
34 each such treasurer shall continue to file [at the conclusion of
35 each 60-day interval from the 20th day following such election,]
36 reports in the form and manner herein prescribed.
37 The Election Law Enforcement Commission shall promulgate
38 regulations providing for the termination of post-election
39 campaign reporting requirements applicable to [political
40 committees] ¹political committees, ¹candidate committees and
41 joint candidates committees. The requirements to file ¹quarterly
42 reports after the first¹ post-election ¹[reports] report¹ may be
43 waived by the commission, notwithstanding that the certification
44 has not been filed, if the commission determines under any
45 regulations so promulgated that the outstanding obligations of the
46 [political committee] ¹political committee,¹ candidate
47 committee or joint candidates committee do not exceed 10% of
48 the expenditures of the campaign fund with respect to the
49 election or \$1,000.00, whichever is less, or are likely to be
50 discharged or forgiven.
51 A candidate committee or joint ¹[candidate] candidates¹
52 committee shall file with the Election Law Enforcement
53 Commission, not later than April 15, July 15, October 15 of each
54 calendar year in which the candidate ¹or candidates¹ in control

1 of the committee does ¹or do¹ not run for election or reelection
2 and January 15 of each calendar year in which the candidate ¹or
3 candidates¹ does ¹or do¹ run for election or reelection, a
4 cumulative quarterly report of all moneys, loans, paid personal
5 services or other things of value contributed to it or to the
6 candidate ¹or candidates¹ during the period ending on the 15th
7 day preceding that date and commencing on January 1 of that
8 calendar year or, in the case of the cumulative quarterly report
9 to be filed not later than January 15, of the previous calendar
10 year, and all expenditures made, incurred, or authorized by it or
11 the candidate or candidates during the period, whether or not
12 such expenditures were made, incurred or authorized in
13 furtherance of the election or defeat of any candidate, or in aid
14 of the passage or defeat of any public question or to provide
15 information on any candidate or public question. ¹The
16 commission may by regulation require any such candidate
17 committee or joint candidates committee to file during any
18 calendar year one or more additional cumulative reports of such
19 contributions received and expenditures made as may be
20 necessary to ensure that no more than five months shall elapse
21 between the last day of a period covered by one such report and
22 the last day of the period covered by the next such report.¹

23 The commission, on any form it shall prescribe for the
24 reporting of expenditures by a candidate committee or joint
25 candidates committee, ¹shall provide¹ for the grouping
26 together of all expenditures under the category of ¹["ordinary and
27 necessary expenses of holding public office"] "campaign
28 expenses"¹ under paragraph ¹[(6)] (1)¹ of subsection a. of section
29 17 of P.L. , c. (now pending before the Legislature as this
30 bill), identified as such, and for the grouping together, separately,
31 of all other expenditures under the categories prescribed by
32 paragraphs ¹[(1) through (5)] (2) through (6)¹ of that subsection.
33 The cumulative quarterly report due on April 15 in a year
34 immediately after the year in which the candidate ¹or
35 candidates¹ does ¹or do¹ run for election or reelection shall
36 contain a report of all of the contributions received and
37 expenditures made by the candidate ¹or candidates¹ since the
38 18th day after that election.

39 The cumulative quarterly report shall contain the name and
40 mailing address of each person or group from whom moneys,
41 loans, paid personal services or other things of value have been
42 contributed and the amount contributed by each person or group,
43 and where an individual has made such contributions, the report
44 shall indicate the occupation of the individual and the name and
45 mailing address of the individual's employer. In the case of any
46 loan reported pursuant to this section, the report shall contain
47 the name and address of each person who cosigns such loan, and
48 where an individual has cosigned such loans, the report shall
49 indicate the occupation of the individual and the name and
50 mailing address of his employer. The report shall also contain the
51 name and address of each person, firm or organization to whom
52 expenditures have been paid and the amount and purpose of each
53 such expenditure. The treasurer of the candidate committee or
54 joint candidates committee ¹and the candidate or candidates¹

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1 shall certify to the correctness of each cumulative quarterly
2 report.

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

10 [If a political committee or a continuing political committee,
11 with the exception of political party committees for primary
12 elections, assumes for the purposes of reporting, the obligations
13 of a candidate, the campaign treasurer or candidate shall not,
14 upon notice to the commission by such committee of that
15 assumption of obligation, be required to report further.]

16 d. There shall be no obligation to file the reports required by
17 this section on behalf of a candidate if such candidate files with
18 the Election Law Enforcement Commission a sworn statement to
19 the effect that the total amount to be expended in behalf of his
20 candidacy by the candidate committee, by any [State, county or
21 municipal committee of a] political party committee, by any
22 political committee, or by any person shall not in the aggregate
23 exceed \$2,000.00 or \$4,000 for any joint candidates committee
24 containing two candidates or \$6,000 for any joint candidates
25 committee containing three ⁴or more⁴ candidates. The sworn
26 statement may be submitted at the time when the name and
27 address of the campaign treasurer and depository is filed with the
28 Election Law Enforcement Commission, provided that in [no] any
29 case the sworn statement is filed no later than the 29th day
30 before an election. If a candidate who has filed such a sworn
31 statement receives contributions from any one source
32 aggregating more than [~~\$100.00~~] \$200 he shall forthwith make
33 report of the same, including the [identity] name and mailing
34 address of the source and the aggregate total of contributions
35 therefrom, and where the source is an individual, the occupation
36 of the individual and the name and mailing address of the
37 individual's employer, to the Election Law Enforcement
38 Commission.

39 e. There shall be no obligation imposed upon a candidate
40 seeking election to a public office of a school district to file
41 either the reports required under subsection b. of this section
42 [16b.] or the sworn statement referred to in subsection d. of this
43 section [or to comply with the requirements of section 9, 11 or 12
44 of this act], if the total amount expended and to be expended in
45 behalf of his candidacy by the candidate committee, any political
46 committee, any continuing political committee, or a political
47 party committee or by any person, does not in the aggregate
48 exceed \$2,000.00 per election or \$4,000 for any joint candidates
49 committee containing two candidates or \$6,000 for any joint
50 candidates committee containing three ⁴or more⁴ candidates;
51 provided, that if such candidate receives contributions from any
52 one source aggregating more than [~~\$100.00~~] \$200, he shall
53 forthwith make a report of the same, including the name and
54 mailing address of the source [and], the aggregate total of

1 contributions therefrom, and where the source is an individual,
2 the occupation of the individual and the name and mailing address
3 of the individual's employer, to the commission.

4 f. In any report filed pursuant to the provisions of this section,
5 the names and addresses of contributors whose contributions
6 during the period covered by the report did not exceed [\$100.00]
7 \$200 may be excluded; provided, however, that (1) such exclusion
8 is unlawful if any person responsible for the preparation or filing
9 of the report knew that such exclusion was made with respect to
10 any person whose total contributions relating to the same
11 election and made to the reporting candidate or to an allied
12 campaign organization or organizations aggregate, in combination
13 with the total contributions in respect of which such exclusion is
14 made, more than [\$100.00] \$200, and (2) any person who
15 knowingly prepares, assists in preparing, files or acquiesces in the
16 filing of any report from which the identity of any contributor
17 has been excluded contrary to the provisions of this section is
18 subject to the provisions of section 21 of this act, but (3) nothing
19 in this proviso shall be construed as requiring any candidate
20 committee or joint candidates committee reporting pursuant to
21 this act to report the amounts, dates or other circumstantial data
22 regarding contributions made to any other candidate committee,
23 joint candidates committee, political committee [or committee
24 of a], continuing political committee, political party committee
25 or legislative leadership committee.

26 g. Any report filed pursuant to the provisions of this section
27 shall include an itemized accounting of all receipts and
28 expenditures relative to any testimonial affair held since the date
29 of the most recent report filed, which accounting shall include
30 the name and mailing address of each contributor in excess of
31 [\$100.00] \$200 to such testimonial affair and the amount
32 contributed by each [,]; in the case of any individual contributor,
33 the occupation of the individual and the name and mailing address
34 of the individual's employer; the expenses incurred [,]; and the
35 disposition of the proceeds of such testimonial affair.

36 h. [If all expenditures and all receipts of contributions on
37 behalf of a candidate which are required to be reported under
38 subsection c. of this section are conducted by and through a
39 political committee which is required to file financial reports
40 under section 8 of P.L.1973, c.83 (C.19:44A-8), the candidate
41 may authorize that political committee to be his agent with
42 respect to the reporting of those expenditures and receipts by
43 filing with the Election Law Enforcement Commission a
44 certificate of that authorization on a form prescribed by the
45 commission. The certificate shall provide for designation by the
46 candidate of the treasurer of the political committee as the
47 campaign treasurer of the candidate for the purposes of
48 subsection a. thereof and shall generally identify and be signed by
49 the candidate and the chairman and the treasurer of the political
50 committee. Upon the filing of such a certificate of authorization
51 and until the authorization is revoked in writing by the candidate,
52 the political committee shall file the reports which the campaign
53 treasurer of the candidate would otherwise be required to file
54 under subsection a. of this section.] (Deleted by amendment,

1 P.L. , c. .)

2 i. Each campaign treasurer of a candidate ¹committee or joint
3 candidates committee¹ shall file written notice with the
4 commission of a contribution in excess of [\$250.00] \$500 received
5 during the period between the 13th day prior to the election and
6 the date of the election. The notice shall be filed in writing or by
7 telegram within 48 hours of the receipt of the contribution and
8 shall set forth the amount and date of the contribution [and], the
9 name and mailing address of the contributor, and where the
10 contributor is an individual, the occupation of the individual and
11 the name and mailing address of the individual's employer.

12 (cf: P.L.1983, c.579, s.16)

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

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

32 b. Whenever a public solicitation has been authorized by a
33 treasurer during a period covered by a report required to be filed
34 under sections 8 and 16 of this act, there shall be filed with such
35 report and as a part thereof an itemized report on any such
36 solicitation of which the net proceeds exceed [\$100.00] \$200, in
37 such form and detail as required by the rules of the Election Law
38 Enforcement Commission, which report shall include:

39 (1) The name and mailing address of the person authorized to
40 conduct such solicitation, [and] the method of solicitation and,
41 where the person is an individual, the occupation of the individual
42 and the name and mailing address of the individual's employer;

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

54 c. Notwithstanding the provisions of subsection b. of this

1 section, it shall be lawful for any natural person, not acting in
2 concert with any other person or group, to make personally a
3 public solicitation the entire proceeds of which, without
4 deduction for the expenses of solicitation, are to be expended by
5 him personally or under his personal direction to finance any
6 lawful activity in support of or opposition to any candidate or
7 public question or to provide political information on any
8 candidate or public question or to seek to influence the content,
9 introduction, passage or defeat of legislation; provided, however,
10 that any individual making such solicitation who receives gross
11 ¹[contribution] contributions¹ exceeding [\$100.00] \$200 in respect
12 to activities relating to any one election shall be required to
13 make a report stating (1) the amount so collected, (2) the method
14 of solicitation [and], (3) the purpose or purposes for which the
15 funds so collected were expended and the amount expended for
16 each such purpose and (4) the individual's name and mailing
17 address, the individual's occupation and the name and mailing
18 address of the individual's employer.

19 Such report shall be made [either:

20 (1) To the treasurer of the candidate, political committee or
21 continuing political committee on whose behalf such funds were
22 collected and expenditures made, or to his deputy, who shall
23 cause the same to be included in his report to the Election Law
24 Enforcement Commission subject to the provisions of sections 8
25 and 16 of this act; or

26 (2) Directly] to the Election Law Enforcement Commission at
27 the same time and in the same manner as a political committee
28 [or], continuing political committee, political party committee or
29 a legislative leadership committee subject to the provisions of
30 section 8 of this act.

31 d. Contributions or purchases made in response to a public
32 solicitation conducted in conformity with the requirements and
33 conditions of this act shall not be deemed anonymous within the
34 meaning of sections 11[, 14] and 20 of this act.

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

39 (cf: P.L.1983, c.579, s.18)

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

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

51 ³[No individual, either alone or jointly with one or more other
52 individuals, and no corporation, partnership, membership
53 organization or other incorporated or unincorporated association
54 shall loan or advance to any individual, group of individuals,

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

20 No person shall contribute, or purport to contribute, to any
 21 [political] candidate, candidate committee or joint candidates
 22 committee, political committee [or], continuing political
 23 committee, political party committee or legislative leadership
 24 committee funds or property which does not actually [belonging]
 25 belong to him and is not in his full custody and control[, or];
 26 which has been given or furnished to him by any other person or
 27 group for the purpose of making a contribution thereof, except in
 28 the case of group contributions by persons who are members of
 29 the contributing group ³[; or which has been loaned or advanced
 30 expressly for the purpose of inducing the making of a contribution
 31 to a candidate, candidate committee or joint candidates
 32 committee]³ ⁴; or which has been loaned or advanced expressly
 33 for the purpose of inducing the making of a contribution to a
 34 candidate, candidate committee or joint candidates committee⁴.

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

41 (cf: P.L.1983, c.579, s.19)

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

44 21. a. ³[(1)]³ Any person who ⁴[willfully and knowingly]
 45 purposely⁴ and with intent to conceal or misrepresent
 46 contributions given or received or expenditures made or incurred
 47 to aid or promote the nomination, election or defeat of any
 48 candidate for public office or party position, or to aid or promote
 49 the passage or defeat of a public question in any election, or to
 50 aid the dissemination of political information in connection with
 51 any election makes or accepts any contribution or makes or
 52 incurs any expenditure in violation of sections 7, 11[, 14] or 20 of
 53 this act¹[, and any person who willfully and knowingly agrees with
 54 another person to make a contribution to a candidate, candidate

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1 committee, joint candidate committee, political committee,
2 continuing political committee, political party committee, or
3 legislative leadership committee with the intent, or upon the
4 condition, understanding or belief, that the recipient candidate or
5 committee shall make or have made a contribution to another
6 such candidate or committee,]¹ is guilty of ³[(a) if the
7 cumulative total amount of those contributions or those
8 expenditures, or both, is less than or equal to \$5,000,]³ a
9 [misdemeanor] crime of the fourth degree ³[(b) if the
10 cumulative total amount of those contributions or those
11 expenditures, or both, is more than \$5,000 but less than \$75,000,
12 a crime of the third degree; and (c) if the cumulative total
13 amount of those contributions or those expenditures, or both, is
14 equal to or more than \$75,000, a crime of the second degree]³.

15 ³[(2) Any person who establishes, or who serves as the
16 campaign or organizational treasurer or deputy treasurer of^{1,1} a
17 political committee, continuing political committee, political
18 party committee, ¹[or]¹ legislative leadership committee ¹or
19 other group¹ with the intent of enabling a contributor to that
20 committee to effectuate the transfer to a candidate committee
21 or joint candidates committee of amounts of money or other
22 thing of value in excess of the amount which that contributor
23 could ¹legally¹ contribute directly to that candidate committee
24 or joint candidates committee is guilty of a crime of the fourth
25 degree.]³

26 b. Any person who ⁴[willfully and knowingly] purposely⁴ files
27 or prepares or assists in the preparation for filing or ⁴purposely⁴
28 acquiesces in the preparation or filing of any report required
29 under this act which ⁴the person knows⁴ is false, inaccurate or
30 incomplete in any material particular; or who ⁴[willfully and
31 knowingly] purposely⁴ fails or refuses to file any such report
32 when required to do so pursuant to the provisions of this act; or
33 who ⁴[willfully] purposely⁴ supplies any information which he
34 knows to be false, inaccurate or incomplete to any person
35 preparing or assisting in the preparation of any such report, with
36 the knowledge that such information is intended for the purposes
37 of such report, is guilty of a [misdemeanor] crime of the fourth
38 degree.

39 c. The nomination for or election to any office of any
40 candidate who is guilty of any violation within the description of
41 subsection a. or b. of this section shall be void, and the office
42 shall be filled as required by law in the case of a vacancy;
43 provided, however, that nothing herein contained shall be
44 construed in derogation of the constitutional authority of either
45 House of the Legislature to be the judge of the election and
46 qualification of its own members.

47 ³[d. Any individual, partnership, membership organization or
48 other association who or which, directly or through an agent,
49 willfully and knowingly makes a loan or advance of money or
50 other thing of value in violation of section 11 or section 20 of
51 P.L.1973, c.83 (C.19:44A-11, C.19:44A-20) is guilty of: (1) if the
52 cumulative total amount of those loans or advances, or both, is
53 less than or equal to \$5,000, a crime of the fourth degree; (2) if
54 the cumulative total amount of those loans or advances, or both,

1 is more than \$5,000 but less than \$75,000, a crime of the third
2 degree; and (3) if the cumulative total amount of those loans or
3 advances, or both, is equal to or more than \$75,000, a crime of
4 the second degree.

5 e. Any individual, partnership, membership organization or
6 other association who or which willfully and knowingly makes a
7 contribution as a result of having been induced to do so through
8 the receipt, promise or offer of a loan or advance of money or
9 other thing of value, the making of which loan or advance would
10 constitute a violation of section 11 or section 20 of P.L.1973,
11 c.83 (C.19:44A-11, C.19:44A-20), is guilty of a crime of the
12 fourth degree.

13 f. Any person who knowingly refuses to file a statement of
14 registration pursuant to section 21 of P.L. , c. (C.)(now
15 pending before the Legislature as this bill) or who willfully and
16 knowingly files or prepares or assists in the preparation for filing
17 or acquiesces in the preparation or filing of a statement which is
18 false, inaccurate or incomplete in any material particular is
19 guilty of a crime of the fourth degree.]³

20 ⁴d. Any individual, partnership, membership organization or
21 other association who or which, directly or through an agent,
22 purposely makes a loan or advance of money or other thing of
23 value in violation of section 11 or section 20 of P.L. 1973, c. 83
24 (C. 19:44A-11, C. 19:44A-20) is guilty of a crime of the fourth
25 degree.

26 e. Any individual, partnership, membership organization or
27 other association who or which purposely makes a contribution as
28 a result of having been induced to do so through the receipt,
29 promise or offer of a loan or advance of money or other thing of
30 value, the making of which loan or advance would constitute a
31 violation of section 11 or section 20 P.L. 1973, c. 83 (C.
32 19:44A-11, C. 19:44A-20), is guilty of a crime of the fourth
33 degree.⁴

34 (cf: P.L.1973, c.83, s.21)

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

37 22. a. ¹(1)⁴{Any} Except as provided in subsection e. or f.,
38 any⁴ person, including any candidate, treasurer, candidate
39 committee or joint candidates committee, political committee
40 lor], continuing political committee, political party committee
41 or legislative leadership committee, charged with the
42 responsibility under the terms of this act[, including any
43 responsibility arising from an authorization of agency under
44 subsection h. of section 16 of the act (C. 19:44A-16),] for the
45 preparation, certification, filing or retention of any reports,
46 records, notices or other documents, who fails, neglects or omits
47 to prepare, certify, file or retain any such report, record, notice
48 or document at the time or during the time period, as the case
49 may be, and in the manner prescribed by law, or who omits or
50 incorrectly states or certifies any of the information required by
51 law to be included in such report, record, notice or document, any
52 person who proposes to undertake or undertakes a public
53 solicitation, testimonial affair or other activity relating to
54 contributions or expenditures in any way regulated by the

1 provisions of this act who fails to comply with those regulatory
2 provisions, and any other person who in any way violates any of
3 the provisions of this act shall, in addition to any other penalty
4 provided by law, be liable to a penalty of not more than
5 ⁴[\$1,000.00] \$3,000.00⁴ for the first offense and not more than
6 ⁴[\$2,000.00] \$6,000.00⁴ for the second and each subsequent
7 offense.

8 ¹(2) No person shall willfully and ⁴[knowingly] intentionally⁴
9 agree with another person to make a contribution to a candidate,
10 candidate committee, joint candidates committee, political
11 committee, continuing political committee, political party
12 committee, or legislative leadership committee with the intent,
13 or upon the condition, understanding or belief, that the recipient
14 candidate or committee shall make or have made a contribution
15 to another such candidate or committee, but this paragraph shall
16 not be construed to prohibit a county or municipal committee of
17 a political party from making a contribution or contributions to
18 any candidate, candidate committee, joint candidates committee,
19 political committee, continuing political committee, political
20 party committee, or legislative leadership committee. A finding
21 of a violation of this paragraph shall be made only upon clear and
22 convincing evidence. A person who violates the provisions of this
23 paragraph shall be liable to a penalty equal to three times the
24 amount of the contribution which that person agreed to make to
25 the recipient candidate or committee.¹

26 b. Upon receiving evidence of any violation of this section, the
27 Election Law Enforcement Commission shall have power to hold,
28 or to cause to be held under the provisions of subsection d. of this
29 section, hearings upon such violation and, upon finding any person
30 to have committed such a violation, to assess such penalty, within
31 the limits prescribed in subsection a. of this section, as it deems
32 proper under the circumstances, which penalty shall be paid
33 forthwith into the State Treasury for the general purposes of the
34 State. ⁴[Such penalty shall be enforceable in a summary
35 proceeding under ¹[the "Penalty Enforcement Law"] "the penalty
36 enforcement law"¹ (N.J.S.2A:58-1 et seq.).]⁴

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

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

52 ⁴e. Any person who willfully and intentionally makes or
53 accepts any contribution in violation of section 4 of P.L.1974,
54 c.26 (C.19:44A-29) or sections 18, 19 or 20 of P.L. , c.

1 (C. _____)(now pending before the Legislature as this bill), shall be
 2 liable to a penalty of:

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

5 (2) Not more than \$75,000.00 if the cumulative total amount
 6 of those contributions was more than \$5,000.00 but less than
 7 \$75,000; and

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

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

16 g. Any penalty prescribed in this section shall be enforced in a
 17 summary proceeding under "the penalty enforcement law" (N.J.S.
 18 2A:58-1 et seq.).⁴

19 (cf: P.L.1983, c.579, s.20)

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

22 4. a. Except in the case of a candidate, as provided in
 23 subsection g. of this section, no person, candidate committee or
 24 joint ¹[candidates] ⁴[candidate¹] candidates⁴ committee, political
 25 committee [or], continuing political committee or legislative
 26 leadership committee, otherwise eligible to make [political]
 27 contributions, shall make any contribution or contributions to a
 28 candidate, his campaign treasurer or deputy campaign treasurer,
 29 candidate committee, a [State committee, county committee or
 30 municipal committee of any] political party committee, or to any
 31 other person or committee, in aid of the candidacy of or in behalf
 32 of a candidate for nomination for election or for election to the
 33 office of Governor in any primary or general election in the
 34 aggregate in excess of \$1,500.00⁴, or in the case of a joint
 35 candidates committee ⁵when that is the only committee
 36 established by the candidates⁵, in excess of \$1,500.00 per
 37 candidate in the joint candidates committee^{4 5}, or in the case of
 38 a candidate committee and a joint candidates committee when
 39 both are established by a candidate, \$1,500.00 from that
 40 candidate⁵. No candidate for nomination for election or for
 41 election to the office of Governor in any primary or general
 42 election and no campaign treasurer deputy campaign or treasurer
 43 of such candidate shall knowingly accept from any person,
 44 candidate, candidate committee, joint candidates committee,
 45 political committee [or], continuing political committee or
 46 legislative leadership committee any contribution or
 47 contributions in aid of the candidacy of or in behalf of such
 48 candidate in the aggregate in excess of \$1,500.00 ⁴, or in the case
 49 of a joint candidates committee ⁵when that is the only
 50 committee established by the candidates⁵, in excess of \$1,500.00
 51 per candidate in the joint candidates committee,^{4 5} or in the case
 52 of a candidate committee and a joint candidates committee when
 53 both are established by a candidate, \$1,500.00 from that
 54 candidate,⁵ in any primary or general election. No provision of

1 this act shall be construed to prohibit a contribution or
2 contributions in the aggregate in aid of the candidacy of or in
3 behalf of any candidate for nomination for election to the office
4 of Governor in a primary election not in excess of \$1,500.00 ⁴, or
5 in the case of a contribution or contributions by a joint
6 candidates committee ⁵when that is the only committee
7 established by the candidates⁵, in excess of \$1,500.00 per
8 candidate in the joint candidates committee,⁴ ⁵or in the case of a
9 candidate committee and a joint candidates committee when both
10 are established by a candidate, \$1,500.00 from that candidate,⁵
11 and another contribution or contributions in the aggregate in the
12 aid of the candidacy of or in behalf of any candidate for election
13 to the office of Governor in a general election not in excess of
14 \$1,500.00 ⁴, or in the case of a contribution or contributions by a
15 joint candidates committee ⁵when that is the only committee
16 established by the candidates⁵, in excess of \$1,500.00 per
17 candidate in the joint candidates committee⁴ ⁵, or in the case of
18 a candidate committee and a joint candidates committee when
19 both are established by a candidate, \$1,500.00 from that
20 candidate. For the purpose of determining the amount of a
21 contribution to be attributed as given by each candidate in a joint
22 candidates committee, the amount of the contribution by such a
23 committee shall be divided equally among all the candidates in
24 the committee⁵.

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

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

30 d. No State committee of any political party shall knowingly
31 accept from any person, candidate committee, joint candidates
32 committee, political committee [or], continuing political
33 committee or legislative leadership committee, any contribution
34 or contributions in the aggregate in aid of the candidacy of or in
35 behalf of a candidate for election to the office of Governor in a
36 general election in excess of \$1,500.00 ⁴, or in the case of a
37 contribution or contributions by a joint candidates committee
38 ⁵when that is the only committee established by the candidates⁵,
39 in excess of \$1,500.00 per candidate in the joint candidates
40 committee⁴ ⁵, or in the case of a candidate committee and a
41 joint candidates committee when both are established by a
42 candidate, \$1,500.00 from that candidate⁵. A State committee
43 may allocate a contribution of up to \$1,500.00, and up to
44 \$1,500.00 of a contribution in excess of \$1,500.00 in aid of the
45 candidacy of or in behalf of such candidate ⁴, except that in the
46 case of a contribution from a joint candidates committee ⁵when
47 that is the only committee established by the candidates⁵, the
48 amounts which may be so allocated shall be \$1,500.00 per
49 candidate in the joint candidates committee⁴ ⁵, and in the case
50 of a candidate committee and a joint candidates committee when
51 both are established by a candidate, the amount which may be so
52 allocated shall be \$1,500.00 from that candidate. For the purpose
53 of determining the amount of a contribution to be attributed as
54 given by each candidate in a joint candidates committee, the

1 amount of the contribution by such a committee shall be divided
2 equally among all the candidates in the committee⁵. A State
3 committee shall create an account in a National or State bank in
4 behalf of any candidate the committee intends to or does assist
5 for election to the office of Governor in a general election, shall
6 deposit in such account and report to the Election Law
7 Enforcement Commission the name of the contributor of all
8 moneys accepted or allocated in aid of the candidacy of or in
9 behalf of such candidate, and may make a contribution or
10 contributions from such account in any amount in aid of the
11 candidacy of or in behalf of such candidate. No State committee
12 may make any contribution or contributions in aid of the
13 candidacy of or in behalf of such candidate of moneys not
14 deposited in a bank account pursuant to this subsection, and no
15 State committee may make a contribution or contributions in aid
16 of the candidacy of or in behalf of such candidate of moneys or
17 other thing of value pledged or received in a calendar year in
18 which no gubernatorial election was held.

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

35 f. Communications on any subject by a corporation to its
36 stockholders and their families, or by a labor organization to its
37 members and their families, and nonpartisan registration and
38 get-out-the-vote campaigns by a corporation aimed at its
39 stockholders and their families, or by a labor organization aimed
40 at its members and their families, shall not be construed to be in
41 aid of the candidacy of or in behalf of a candidate for election to
42 the office of Governor in any primary or general election.

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

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

53 (cf: P.L.1989, c.4, s.5)

54 ³[15. (New section) a. No corporation or labor organization

1 of any kind shall provide to any of its officers, directors,
2 attorneys, agents or other employees any additional increment of
3 salary, bonus or monetary remuneration of any kind which, in
4 whole or in part, is intended by that corporation or labor
5 organization to be used for the express purpose of paying or
6 making a contribution, either directly or indirectly, of money or
7 other thing of value to any candidate, candidate committee, joint
8 candidates committee, political party committee, legislative
9 leadership committee, political committee or continuing political
10 committee.

11 Any corporation or labor organization of any kind found to be
12 in violation of this subsection shall, in addition to any other
13 penalty provided by law, be liable to a penalty of not more than
14 \$1,000 for the first offense and not more than \$2,000 for the
15 second and each subsequent offense. Any officer, director,
16 attorney, agent or other employee of a corporation or labor
17 organization that provides to another employee of that
18 corporation or labor organization any additional increment of
19 salary, bonus or monetary remuneration or any kind for the
20 purpose described in this subsection is guilty of a crime of the
21 fourth degree.

22 b. No officer, director, attorney, agent or other employee of a
23 corporation or labor organization of any kind shall use any part of
24 any additional increment of salary, bonus or monetary
25 remuneration of any kind which, in whole or in part, is intended
26 by that corporation or labor organization to be used for the
27 express and intentional purpose of paying or making a
28 contribution, either directly or indirectly, of money or other
29 thing of value to a candidate, candidate committee, joint
30 candidates committee, political party committee, legislative
31 leadership committee, political committee or continuing political
32 committee by a corporation or labor organization of any kind, for
33 the purpose of paying or making a contribution, either directly or
34 indirectly, of money or other thing of value to a candidate,
35 candidate committee, joint candidates committee, political party
36 committee, legislative leadership committee, political committee
37 or continuing political committee.

38 Any officer, director, attorney, agent or other employee of a
39 corporation or labor organization of any kind found to be in
40 violation of this subsection of this section is guilty of a crime of
41 the fourth degree.]³

42 ⁴15. (New section) a. No corporation or labor organization of
43 any kind shall provide to any of its officers, directors, attorneys,
44 agents or other employees any additional increment of salary,
45 bonus or monetary remuneration of any kind which, in whole or in
46 part, is intended by that corporation or labor organization to be
47 used for the express purpose of paying or making a contribution,
48 either directly or indirectly, of money or other thing of value to
49 any candidate, candidate committee, joint candidates committee,
50 political party committee, legislative leadership committee,
51 political committee or continuing political committee.

52 Any corporation or labor organization of any kind found to be
53 in violation of this subsection shall, in addition to any other
54 penalty provided by law, be liable to a penalty of not more than

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

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

25 Any officer, director, attorney, agent or other employee of a
26 corporation or labor organization of any kind found to be in
27 violation of this subsection of this section is guilty of a crime of
28 the fourth degree.⁴

29 ³[16.] ⁴[15.3] 16.4 (New section) a. The President of the
30 Senate, the Minority Leader of the Senate, the Speaker of the
31 General Assembly and the Minority Leader of the General
32 Assembly may each establish, authorize the establishment of, or
33 designate one legislative leadership committee for the purpose of
34 receiving contributions and making expenditures to aid or
35 promote the candidacy of any individual, or the candidacy of
36 individuals, for elective office in any election or the passage or
37 defeat of a public question or public questions in any election.
38 The President of the Senate, the Minority Leader of the Senate,
39 the Speaker of the General Assembly and the Minority Leader of
40 the General Assembly, or the person authorized to establish a
41 legislative leadership committee therefor, shall appoint such
42 members and adopt such bylaws for the maintenance of the
43 committee as is deemed appropriate. ¹In the event that the
44 State committee of a political party is designated hereunder to
45 serve as a legislative leadership committee, any receipts and
46 expenditures of that State committee which relate to its activity
47 as a legislative leadership committee shall be accounted for
48 separately from receipts and expenditures relating to the State
49 committee's other activities, and all activity by that State
50 committee in its capacity as a legislative leadership committee
51 shall, for all purposes of this act, be considered as having been
52 conducted as the activities of a separate legislative leadership
53 committee.¹

54 b. Within 30 days after such a committee is established, the

1 Election Law Enforcement Commission shall be informed, in
2 writing, of the names and addresses of the chairperson,
3 vice-chairperson, and all other members of the committee. The
4 commission shall be similarly informed of any change in the
5 membership of the committee within three days of the
6 occurrence of the change.

7 ³[17.] ⁴[16.3] 17.4 (New section) a. All contributions received
8 by a candidate, candidate committee, a joint candidates
9 committee or a legislative leadership committee shall be used
10 only for the following purposes:

11 (1) the payment of ¹[political] campaign¹ expenses;

12 (2) contributions to any charitable organization described in
13 section 170(c) of the Internal Revenue Code of 1954, as amended
14 or modified, or nonprofit organization which is exempt from
15 taxation under section 501(c) of the Internal Revenue Code of
16 1954;

17 (3) transmittal to another candidate, candidate committee, or
18 joint candidates committee, or to a political committee,
19 continuing political committee, legislative leadership committee
20 or political party committee, for the lawful use by such other
21 candidate or committee;

22 (4) the payment of the overhead and administrative expenses
23 related to the operation of the candidate committee or joint
24 candidates committee of a candidate or a legislative leadership
25 committee; ¹[or]¹

26 (5) the pro-rata repayment of contributors¹; or

27 (6) the payment of ordinary and necessary expenses of holding
28 public office¹.

29 As used in this subsection, "¹[political] campaign¹ expenses"
30 means any expense incurred or expenditure made by a candidate,
31 candidate committee, joint candidates committee or legislative
32 leadership committee for the purpose of paying for or leasing
33 items or services used in connection with an election campaign,
34 other than those items or services which may reasonably be
35 considered to be for the personal use of the candidate, any person
36 associated with the candidate or any of the members of a
37 legislative leadership committee.

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

43 c. Any funds remaining in the campaign depository of a
44 candidate's candidate committee or joint candidates committee
45 upon the death of the candidate shall be used only for one or
46 more of the purposes established in subsection a. of this section
47 by the committee's organizational treasurer or deputy treasurer
48 or whoever has control of the depository upon the death of the
49 candidate.

50 ³[18.] ⁴[17.3] 18.4 (New section) a. No individual, other than
51 an individual who is a candidate, no corporation of any kind
52 organized and incorporated under the laws of this State or any
53 other state or any country other than the United States, no labor
54 organization of any kind which exists or is constituted for the

1 purpose, in whole or in part, of collective bargaining, or of
 2 dealing with employers concerning the grievances, terms or
 3 conditions of employment, or of other mutual aid or protection in
 4 connection with employment, or any group shall⁵: (1)⁵ pay or
 5 make any contribution of money or other thing of value to a
 6 candidate ⁴who has established ⁵only⁵ a candidate committee⁴,
 7 his campaign treasurer, deputy campaign treasurer⁴,] or⁴
 8 candidate committee ⁴[or joint candidates committee,]⁴ which in
 9 the aggregate exceeds \$1,500 per ⁶[year⁴] election⁶, or ⁵(2)⁵ pay
 10 or make any contribution of money or other thing of value to
 11 candidates who have established ⁵only⁵ a joint candidates
 12 committee, their campaign treasurer, deputy campaign treasurer,
 13 or joint candidates committee, which in the aggregate exceeds
 14 \$1,500 per ⁶[year] election⁶ per candidate⁴ ⁵, or (3) pay or make
 15 any contribution of money or other thing of value to a candidate
 16 who has established both a candidate committee and a joint
 17 candidates committee, the campaign treasurers, deputy campaign
 18 treasurers, or candidate committee or joint candidates
 19 committee, which in the aggregate exceeds \$1,500 per ⁶[year⁵]
 20 election⁶. No candidate ⁵who has established only a candidate
 21 committee⁵, his campaign treasurer ⁴[or] ⁴ deputy campaign
 22 treasurer⁴,] or⁴ candidate committee ⁴[or joint candidates
 23 committee]⁴ shall knowingly accept from an individual, other
 24 than an individual who is a candidate, a corporation of any kind
 25 organized and incorporated under the laws of this State or any
 26 other state or any country other than the United States ¹[and
 27 doing business in this State]¹, a labor organization of any kind
 28 which exists or is constituted for the purpose ¹[of]¹, in whole or
 29 in part, of collective bargaining, or of dealing with employers
 30 concerning the grievances, terms or conditions of employment, or
 31 of other mutual aid or protection in connection with employment,
 32 or any group any contribution of money or other thing of value
 33 which in the aggregate exceeds \$1,500 per ⁴[election] ⁶[year]
 34 election⁶, and no candidates who have established ⁵only⁵ a joint
 35 candidates committee, or their campaign treasurer, deputy
 36 campaign treasurer, or joint candidates committee, shall
 37 knowingly accept from any such source any contribution of money
 38 or other thing of value which in the aggregate exceeds \$1,500 per
 39 ⁶[year] election⁶ per candidate⁴ ⁵, and no candidate who has
 40 established both a candidate committee and a joint candidates
 41 committee, the campaign treasurers, deputy campaign treasurers,
 42 or candidate committee or joint candidates committee shall
 43 knowingly accept from any such source any contribution of money
 44 or other thing of value which in the aggregate exceeds \$1,500 per
 45 ⁶[year. 5] election.⁶

46 b. ⁶(1)⁶ No political committee or continuing political
 47 committee shall⁵: ⁶[(1)⁵] (a)⁶ pay or make any contribution of
 48 money or other thing of value to a candidate ⁴who has established
 49 ⁵only⁵ a candidate committee⁴, his campaign treasurer, deputy
 50 campaign treasurer⁴,] or⁴ candidate committee ⁴[or joint
 51 candidates committee]⁴, other than a candidate for nomination
 52 for election or for election for the office of Governor, which in
 53 the aggregate exceeds \$5,000 per ⁴[election] ⁶[year] election⁶, or
 54 ⁶[(2)⁵] (b)⁶ pay or make any contribution of money or other thing

1 of value to candidates who have established ⁵only⁵ a joint
2 candidates committee, their campaign treasurer or deputy
3 campaign treasurer, or the joint candidates committee, which in
4 the aggregate exceeds \$5,000 per ⁶[year] election⁶ per
5 candidate⁴ ⁵, or ⁶[(3)] (c)⁶ pay or make any contribution of money
6 or other thing of value to a candidate who has established both a
7 candidate committee and a joint candidates committee, the
8 campaign treasurers, deputy campaign treasurers, or candidate
9 committee or joint candidates committee, which in the aggregate
10 exceeds \$5,000 per ⁶[year⁵] election⁶. No candidate ⁴who has
11 established ⁵only⁵ a candidate committee⁴, his campaign
12 treasurer, deputy campaign treasurer⁴[.] or⁴ candidate
13 committee ⁴[or joint candidates committee]⁴, other than a
14 candidate for nomination for election or for election for the
15 office of Governor, shall knowingly accept from any political
16 committee or continuing political committee any contribution of
17 money or other thing of value which in the aggregate exceeds
18 \$5,000 per ⁴[election] ⁶[year] election⁶, and no candidates who
19 have established ⁵only⁵ a joint candidates committee, their
20 campaign treasurer, deputy campaign treasurer, or joint
21 candidates committee, shall knowingly accept from any such
22 source any contribution of money or other thing of value which in
23 the aggregate exceeds \$5,000 per ⁶[year] election⁶ per
24 candidate⁴ ⁵, and no candidate who has established both a
25 candidate committee and a joint candidates committee, the
26 campaign treasurers, deputy campaign treasurers, or candidate
27 committee or joint candidates committee shall knowingly accept
28 from any such source any contribution of money or other thing of
29 value which in the aggregate exceeds \$5,000 per ⁶[year.⁵] election.⁶

30 election.⁶
31 ⁶(2)⁶ ⁴The limitation upon the knowing acceptance by a
32 candidate, campaign treasurer, deputy campaign treasurer,
33 candidate committee or joint candidates committee of any
34 contribution of money or other thing of value from a political
35 committee or continuing political committee under the
36 ⁶[foregoing]⁶ provisions ⁶of paragraph (1)⁶ of this subsection shall
37 also be applicable to the knowing acceptance of any such
38 contribution from the county committee of a political party by a
39 candidate or the campaign treasurer, deputy campaign treasurer,
40 candidate committee or joint candidates committee of a
41 candidate⁵, other than a candidate for nomination for election or
42 for election for the office of Governor,⁵ for any elective public
43 office in another county or, in the case of a candidate for
44 nomination for election or for election to the office of member
45 of the Legislature, in a legislative district in which, according to
46 the federal decennial census upon the basis of which legislative
47 districts shall have been established, less than ⁵[25%] 20%⁵ of the
48 population ⁵[of the legislative district in which the person is a
49 candidate]⁵ resides within the county ⁵of that county
50 committee⁵. In addition, all contributor reporting requirements
51 and other restrictions and regulations applicable to a contribution
52 of money or other thing of value by a political committee or
53 continuing political committee under the provisions of P.L.1973,
54 c.83 (C.19:44A-1 et seq.) shall likewise be applicable to the

1 making or payment of such a contribution by such a county
2 committee.⁴

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

27 ⁶With respect to the limitations in this paragraph, the
28 Legislature finds and declares that:

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

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

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

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

47 (e) It is, therefore, reasonable for the State to promote this
48 compelling interest by limiting the amount a county committee
49 may give to a legislative candidate based upon the degree to
50 which the population of the legislative district overlaps with the
51 population of that county.⁶

52 c. ⁴(1)⁴ No candidate ⁴who has established ⁵only⁵ a candidate
53 committee⁴, his campaign treasurer, deputy treasurer⁴,] or⁴
54 candidate committee ⁴[or joint candidates committee,]⁴ shall

1 ⁴(a)⁴ pay or make any contribution of money or other thing of
 2 value to another candidate⁴[.] who has established ⁵only⁵ a
 3 candidate committee⁴, his campaign treasurer, deputy campaign
 4 treasurer⁴[.] or⁴ candidate committee ⁴[or joint candidates
 5 committee]⁴, other than a candidate for nomination for election
 6 or for election for the office of Governor, which in the aggregate
 7 exceeds \$5,000 per ⁴[election] ⁶[year] election⁶, or (b) pay or
 8 make any contribution of money or other thing of value to
 9 candidates who have established ⁵only⁵ a joint candidates
 10 committee, their campaign treasurer, deputy campaign treasurer,
 11 or joint candidates committee, which in the aggregate exceeds
 12 \$5,000 per ⁶[year] election⁶ per candidate in the recipient
 13 committee⁴ ⁵, or (c) pay or make any contribution of money or
 14 other thing of value to a candidate who has established both a
 15 candidate committee and a joint candidates committee, the
 16 campaign treasurers, deputy campaign treasurers, or candidate
 17 committee or joint candidates committee, which in the aggregate
 18 exceeds \$5,000 per ⁶[year⁵] election⁶. No candidate ⁴who has
 19 established ⁵only⁵ a candidate committee⁴, his campaign
 20 treasurer, deputy campaign treasurer⁴[.] or⁴ candidate
 21 committee ⁴[or joint candidates committee]⁴, other than a
 22 candidate for nomination for election or for election to the office
 23 of the Governor, shall knowingly accept from another candidate
 24 ⁵who has established only a candidate committee⁵, his campaign
 25 treasurer, deputy campaign treasurer⁴[.] or⁴ candidate
 26 committee ⁴[or joint candidates committee]⁴, any contribution of
 27 money or other thing of value which in the aggregate exceeds
 28 \$5,000 per ⁴[election. ³Expenditures by a candidate for
 29 nomination for election or for election to the office of member
 30 of the Legislature or to an office of a political subdivision of the
 31 State, or by the campaign treasurer, deputy treasurer, candidate
 32 committee or joint candidates committee of such a candidate,
 33 which are made in furtherance of the nomination or election,
 34 respectively, of another candidate for the same office in the
 35 same legislative district or the same political subdivision shall
 36 not be deemed to be "contributions" to that other candidate for
 37 the purposes of this subsection; for the purposes of this sentence,
 38 the offices of member of the State Senate and member of the
 39 General Assembly shall be deemed to be the same office.³]
 40 ⁶[year] election⁶, and no candidates who have established ⁵only⁵
 41 a joint candidates committee, their campaign treasurer, deputy
 42 campaign treasurer, or joint candidates committee, shall
 43 knowingly accept from any such source any contribution of money
 44 or other thing of value which in the aggregate exceeds \$5,000 per
 45 ⁶[year] election⁶ per candidate in the recipient committee⁵, and
 46 no candidate who has established both a candidate committee and
 47 a joint candidates committee, the campaign treasurers, deputy
 48 campaign treasurers, or candidate committee or joint candidates
 49 committee, shall knowingly accept from any such source any
 50 contribution of money or other thing of value which in the
 51 aggregate exceeds \$5,000 per ⁶[year⁵] election⁶.
 52 (2) No candidates who have established ⁵only⁵ a joint
 53 candidates committee, their campaign treasurer, deputy
 54 campaign treasurer, or joint candidates committee shall (a) pay

1 or make any contribution of money or other thing of value to
2 another candidate who has established ⁵only⁵ a candidate
3 committee, his campaign treasurer, deputy campaign treasurer or
4 candidate committee, other than a candidate for nomination for
5 election or for election for the office of Governor, which in the
6 aggregate exceeds, on the basis of each candidate in the
7 contributing joint candidates committee, \$5,000 per ⁶[year]
8 election⁶, or (b) pay or make any contribution of money or other
9 thing of value to candidates who have established ⁵only⁵ a joint
10 candidates committee, their campaign treasurer, deputy
11 campaign treasurer or joint candidates committee, which in the
12 aggregate exceeds, on the basis of each candidate in the
13 contributing joint candidates committee, \$5,000 per ⁶[year]
14 election⁶ per candidate in the recipient joint candidates
15 committee⁵, or (c) pay or make any contribution of money or
16 other thing of value to a candidate who has established both a
17 candidate committee and a joint candidates committee, the
18 campaign treasurers, deputy campaign treasurers or candidate
19 committee or joint candidates committee, which in the aggregate
20 exceeds, on the basis of each candidate in the contributing joint
21 candidates committee, \$5,000 per ⁶[year⁵] election⁶. No
22 candidate who has established ⁵only⁵ a candidate committee, his
23 campaign treasurer, deputy campaign treasurer, or candidate
24 committee, other than a candidate for nomination for election or
25 for election for the office of Governor, shall knowingly accept
26 from other candidates who have established ⁵only⁵ a joint
27 candidates committee, their campaign treasurer, deputy
28 campaign treasurer or joint candidates committee, any
29 contribution of money or other thing of value which in the
30 aggregate exceeds, on the basis of each candidate in the
31 contributing committee, \$5,000 per ⁶[year] election⁶, and no
32 candidates who have established ⁵only⁵ a joint candidates
33 committee, their campaign treasurer, deputy campaign treasurer,
34 or joint candidates committee, shall knowingly accept from any
35 such source any contribution of money or other thing of value
36 which in the aggregate exceeds, on the basis of each candidate in
37 the contributing joint candidates committee, \$5,000 per ⁶[year]
38 election⁶ per candidate in the recipient joint candidates
39 committee⁵, and no candidate who has established both a
40 candidate committee and a joint candidates committee, the
41 campaign treasurers, deputy campaign treasurers, or candidate
42 committee or joint candidates committee, shall knowingly accept
43 from any such source any contribution of money or other thing of
44 value which in the aggregate exceeds, on the basis of each
45 candidate in the contributing joint candidates committee, \$5,000
46 per ⁶[year⁵] election⁶.

47 (3) ⁵No candidate who has established both a candidate
48 committee and a joint candidates committee, the campaign
49 treasurers, deputy campaign treasurers, or candidate committee
50 or joint candidates committee shall (a) pay or make any
51 contribution of money or other thing of value to another
52 candidate who has established only a candidate committee, his
53 campaign treasurer, deputy campaign treasurer or candidate
54 committee, other than a candidate for nomination for election or

1 for election for the office of Governor, which in the aggregate
2 exceeds \$5,000 per ⁶[year] election⁶, or (b) pay or make any
3 contribution of money or other thing of value to candidates who
4 have established only a joint candidates committee, their
5 campaign treasurer, deputy campaign treasurer or joint
6 candidates committee, which in the aggregate exceeds \$5,000 per
7 ⁶[year] election⁶ per candidate in the recipient joint candidates
8 committee, or (c) pay or make any contribution of money or other
9 thing of value to a candidate who has established both a
10 candidate committee and a joint candidates committee, the
11 campaign treasurers, deputy campaign treasurers, or candidate
12 committee or joint candidates committee, which in the aggregate
13 exceeds \$5,000 per ⁶[year] election⁶. No candidate who has
14 established only a candidate committee, his campaign treasurer,
15 deputy campaign treasurer, or candidate committee, other than a
16 candidate for nomination for election or for election for the
17 office of Governor, shall knowingly accept from a candidate who
18 has established both a candidate committee and a joint
19 candidates committee, the campaign treasurers, deputy campaign
20 treasurers, or candidate committee or joint candidates
21 committee, any contribution of money or other thing of value
22 which in the aggregate exceeds \$5,000 per ⁶[year] election⁶, and
23 no candidates who have established only a joint candidates
24 committee, their campaign treasurer, deputy campaign treasurer,
25 or joint candidates committee, shall knowingly accept from any
26 such source any contribution of money or other thing of value
27 which in the aggregate exceeds \$5,000 per ⁶[year] election⁶ per
28 candidate in the recipient joint candidates committee, and no
29 candidate who has established both a candidate committee and a
30 joint candidates committee, the campaign treasurers, deputy
31 campaign treasurers, or candidate committee or joint candidates
32 committee shall knowingly accept from any such source any
33 contribution of money or other thing of value which in the
34 aggregate exceeds \$5,000 per ⁶[year] election⁶.

35 (4)⁵ Expenditures by a candidate for nomination for election or
36 for election to the office of member of the Legislature or to an
37 office of a political subdivision of the State, or by the campaign
38 treasurer, deputy treasurer, candidate committee or joint
39 candidates committee of such a candidate, which are made in
40 furtherance of the nomination or election, respectively, of
41 another candidate for the same office in the same legislative
42 district or the same political subdivision shall not be construed to
43 be subject to any limitation under this subsection; for the
44 purposes of this sentence, the offices of member of the State
45 Senate and member of the General Assembly shall be deemed to
46 be the same office.⁴

47 d. ⁴[During any calendar year in which a political party
48 committee or legislative leadership committee makes
49 contributions to a candidate committee, joint candidates
50 committee, political committee, continuing political committee,
51 political party committee, or legislative leadership committee,
52 the total amount of all contributions to any particular recipient
53 committee from the contributing political party committee or
54 legislative leadership committee as of any date in that calendar

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1 year which may be made from the cumulative total of
 2 contributions received by the contributing political party
 3 committee or legislative leadership committee up to that date
 4 from all individuals, committees or other groups shall not exceed
 5 the total amount of contributions actually received as of that
 6 date from each individual, committee or group by the
 7 contributing political party committee or legislative leadership
 8 committee, up to the amount which that individual, committee or
 9 group is allowed by law to give directly to the particular
 10 recipient committee. In determining whether all or any portion
 11 of a contribution by the political party committee ¹or legislative
 12 leadership committee¹ is permitted by or violative of this
 13 subsection, no account shall be taken of that committee's assets
 14 on hand as of the close of business of the preceding calendar year.

15 This subsection shall not be construed to require or authorize,
 16 with respect to any contributions which have been made by a
 17 contributor to a particular political party committee ¹or
 18 legislative leadership committee¹, the attribution of those
 19 contributions to that contributor for the purposes of determining
 20 the amount which the contributor is allowed by law to contribute
 21 to any other entity.] Nothing contained in this section shall be
 22 construed to impose any limitation on contributions by a
 23 candidate, or by a corporation, 100% of the stock in which is
 24 owned by a candidate or the candidate's spouse, child, parent or
 25 sibling residing in the same household, to that candidate's
 26 campaign.⁴

27 ⁵e. For the purpose of determining the amount of a
 28 contribution to be attributed as given to or by each candidate in a
 29 joint candidates committee, the amount of the contribution to or
 30 by such a committee shall be divided equally among all the
 31 candidates in the committee.⁵

32 ³[19.] ⁴[18.³] 19.⁴ (New section) a. ⁵[No] (1) Except as
 33 otherwise provided in paragraph (2) of this subsection, no⁵
 34 individual, no corporation of any kind organized and incorporated
 35 under the laws of this State or any other state or any country
 36 other than the United States, no labor organization of any kind
 37 which exists or is constituted for the purpose, in whole or in part,
 38 of collective bargaining, or of dealing with employers concerning
 39 the grievances, terms or conditions of employment, or of other
 40 mutual aid or protection in connection with employment, no
 41 political committee, continuing political committee, candidate
 42 committee or joint candidates committee or any other group,
 43 shall pay or make any contribution of money or other thing of
 44 value to the campaign treasurer, deputy treasurer or other
 45 representative of the State committee of a political party or the
 46 campaign treasurer, deputy campaign treasurer or other
 47 representative of any legislative leadership committee, which in
 48 the aggregate exceeds \$25,000 per year ⁴, or in the case of a
 49 joint candidates committee ⁵when that is the only committee
 50 established by the candidates⁵, \$25,000 per year per candidate in
 51 the joint candidates committee⁴ ⁵, or in the case of a candidate
 52 committee and a joint candidates committee when both are
 53 established by a candidate, \$25,000 per year from that
 54 candidate⁵. No campaign treasurer, deputy campaign treasurer

1 or other representative of the State committee of a political
2 party or campaign treasurer, deputy campaign treasurer or other
3 representative of any legislative leadership committee shall
4 knowingly accept from an individual, a corporation of any kind
5 organized and incorporated under the laws of this State or any
6 other state or any country other than the United States ¹[and
7 doing business in the State]¹, a labor organization of any kind
8 which exists or is constituted for the purpose ¹[of]¹, in whole or
9 in part, of collective bargaining, or of dealing with employers
10 concerning the grievances, terms or conditions of employment, or
11 of other mutual aid or protection in connection with employment,
12 a political committee, a continuing political committee, a
13 candidate committee or a joint candidates committee or any
14 other group, any contribution of money or other thing of value
15 which in the aggregate exceeds \$25,000 per year ⁴, or in the case
16 of a joint candidates committee ⁵when that is the only
17 committee established by the candidates⁵, \$25,000 per year per
18 candidate in the joint candidates committee⁴ ⁵, or in the case of
19 a candidate committee and a joint candidates committee when
20 both are established by a candidate, \$25,000 per year from that
21 candidate.⁵

22 ⁵(2) No national committee of a political party shall pay or
23 make any contribution of money or other thing of value to the
24 campaign treasurer, deputy treasurer or other representative of
25 the State committee of a political party which in the aggregate
26 exceeds \$50,000 per year, and no campaign treasurer, deputy
27 campaign treasurer or other representative of the State
28 committee of a political party shall knowingly accept from the
29 national committee of a political party any contribution of money
30 or other thing of value which in the aggregate exceeds \$50,000
31 per year.⁵

32 b. No individual, no corporation of any kind organized and
33 incorporated under the laws of this State or any other state or
34 any country other than the United States ¹[and doing business in
35 this State]¹, no labor organization of any kind which exists or is
36 constituted for the purpose ¹[of]¹, in whole or in part, of
37 collective bargaining, or of dealing with employers concerning
38 the grievances, terms or conditions of employment, or of other
39 mutual aid or protection in connection with employment, no
40 political committee, continuing political committee, candidate
41 committee or joint candidates committee or any other group,
42 shall pay or make any contribution of money or other thing of
43 value to any county committee of a political party, which in the
44 aggregate exceeds ³[\$10,000] ³\$25,000³ per year ⁴, or in the case
45 of a joint candidates committee ⁵when that is the only
46 committee established by the candidates⁵, \$25,000 per year per
47 candidate in the joint candidates committee⁴ ⁵, or in the case of
48 a candidate committee and a joint candidates committee when
49 both are established by a candidate, \$25,000 per year from that
50 candidate⁵. No campaign treasurer, deputy campaign treasurer
51 or other representative of a county committee of a political
52 party shall knowingly accept from an individual, a corporation of
53 any kind organized and incorporated under the laws of this State
54 or any other state or any country other than the United States, a

1 labor organization of any kind which exists or is constituted for
2 the purpose, in whole or in part, of collective bargaining, or of
3 dealing with employers concerning the grievances, terms or
4 conditions of employment, or of other mutual aid or protection in
5 connection with employment, a political committee, a continuing
6 political committee, a candidate committee or a joint candidates
7 committee or any other group, any contribution of money or
8 other thing of value which in the aggregate exceeds ³[\$10,000]
9 \$25,000³ per year ⁴, or in the case of a joint candidates
10 committee ⁵when that is the only committee established by the
11 candidates⁵, \$25,000 per year per candidate in the joint
12 candidates committee⁴ ⁵, or in the case of a candidate
13 committee and a joint candidates committee when both are
14 established by a candidate, \$25,000 per year from that candidate⁵.

15 c. No individual, no corporation of any kind organized and
16 incorporated under the laws of this State or any other state or
17 any country other than the United States ¹[and doing business in
18 this State]¹, no labor organization of any kind which exists or is
19 constituted for the purpose ¹[of]¹, in whole or in part, of
20 collective bargaining, or of dealing with employers concerning
21 the grievances, terms or conditions of employment, or of other
22 mutual aid or protection in connection with employment, no
23 political committee, continuing political committee, candidate
24 committee or joint candidates committee or any other group shall
25 pay or make any contribution of money or other thing of value to
26 any municipal committee of a political party, which in the
27 aggregate exceeds \$5,000 per year ⁴, or in the case of a joint
28 candidates committee ⁵when that is the only committee
29 established by the candidates⁵, \$5,000 per year per candidate in
30 the joint candidates committee⁴ ⁵, or in the case of a candidate
31 committee and a joint candidates committee when both are
32 established by a candidate, \$5,000 per year from that
33 candidate⁵. No campaign treasurer, deputy campaign treasurer
34 or other representative of a municipal committee of a political
35 party shall knowingly accept from an individual, a corporation of
36 any kind organized and incorporated under the laws of this State
37 or any other state or any country other than the United States
38 ¹[and doing business in this State]¹, a labor organization of any
39 kind which exists or is constituted for the purpose ¹[of]¹, in
40 whole or in part, of collective bargaining, or of dealing with
41 employers concerning the grievances, terms or conditions of
42 employment, or of other mutual aid or protection in connection
43 with employment, a political committee, a continuing political
44 committee, a candidate committee or a joint candidates
45 committee or any other group, any contribution of money or
46 other thing of value which in the aggregate exceeds \$5,000 per
47 year ⁴, or in the case of a joint candidates committee ⁵when that
48 is the only committee established by the candidates⁵, \$5,000 per
49 year per candidate in the joint candidates committee⁴ ⁵, or in the
50 case of a candidate committee and a joint candidates committee
51 when both are established by a candidate, \$5,000 per year from
52 that candidate⁵.

53 ⁴No county committee of a political party in any county shall
54 pay or make any contribution of money or other thing of value to

1 a municipal committee of a political party in a municipality not
2 located in that county which in the aggregate exceeds the amount
3 of aggregate contributions which, under this subsection, a
4 continuing political committee is permitted to pay or make to a
5 municipal committee of a political party. No campaign
6 treasurer, deputy campaign treasurer or other representative of a
7 municipal committee of a political party in any municipality shall
8 knowingly accept from any county committee of a political party
9 in any county other than the county in which the municipality is
10 located any contribution of money or other thing of value which
11 in the aggregate exceeds the amount of contributions permitted
12 to be so paid or made under that subsection.⁴

13 ⁵d. For the purpose of determining the amount of a
14 contribution to be attributed as given by each candidate in a joint
15 candidates committee, the amount of the contribution by such a
16 committee shall be divided equally among all the candidates in
17 the committee.⁵

18 ³[20.] ⁴[19.3] 20.⁴ (New section) a. ⁴[No individual, no
19 corporation of any kind organized and incorporated under the
20 laws of this State or any other state or any country other than
21 the United States ¹[and doing business in this State]¹, and no
22 labor organization of any kind which exists or is constituted for
23 the purpose ¹[of]¹, in whole or in part, of collective bargaining,
24 or of dealing with employers concerning the grievances, terms or
25 conditions of employment, or of other mutual aid or protection in
26 connection with employment, ¹or any other group,¹ shall pay or
27 make any contribution of money or other thing of value to a
28 continuing political committee which in the aggregate exceeds
29 ²[\$1,500] ²\$3,000² per year. No continuing political committee
30 shall knowingly accept from an individual, a corporation of any
31 kind organized and incorporated under the laws of this State or
32 any other state or any country other than the United States ¹[and
33 doing business in this State]¹, or a labor organization of any kind
34 which exists or is constituted for the purpose ¹[of]¹, in whole or
35 in part, of collective bargaining, or of dealing with employers
36 concerning the grievances, terms or conditions of employment, or
37 of other mutual aid or protection in connection with employment,
38 ¹or any other group,¹ any contribution of money or other thing of
39 value which in the aggregate exceeds ²[\$1,500] ²\$3,000² per year.

40 b. No individual, no corporation of any kind organized and
41 incorporated under the laws of this State or any other state or
42 any country other than the United States ¹[and doing business in
43 this State]¹, and no labor organization of any kind which exists or
44 is constituted for the purpose ¹[of]¹, in whole or in part, of
45 collective bargaining, or of dealing with employers concerning
46 the grievances, terms or conditions of employment, or of other
47 mutual aid or protection in connection with employment, ¹or any
48 other group,¹ shall pay or make any contribution of money or
49 other thing of value to a political committee, other than a
50 political committee which is organized to, or does, aid or
51 promote the passage or defeat of a public question in any
52 election, which in the aggregate exceeds \$1,500 per election. No
53 political committee, other than a political committee which is
54 organized to, or does, aid or promote the passage or defeat of a

1 public question in any election, shall knowingly accept from an
2 individual, a corporation of any kind organized and incorporated
3 under the laws of this State or any other state or any country
4 other than the United States ¹[and doing business in this State]¹,
5 or a labor organization of any kind which exists or is constituted
6 for the purpose of ¹[of]¹ , in whole or in part, of collective
7 bargaining, or of dealing with employers concerning the
8 grievances, terms or conditions of employment, or of other
9 mutual aid or protection in connection with employment, ¹or any
10 other group,¹ any contribution of money or other thing of value
11 which in the aggregate exceeds \$1,500 per election.

12 c.]⁴ No candidate ⁴who has established ⁵only⁵ a candidate
13 committee⁴, his campaign treasurer, deputy treasurer⁴[,] or⁴
14 candidate committee ⁴[or joint candidates committee,]⁴ shall pay
15 or make any contribution of money or other thing of value to a
16 political committee, other than a political committee which is
17 organized to, or does, aid or promote the passage or defeat of a
18 public question in any election, or a continuing political
19 committee, which in the aggregate exceeds, ¹in the case of such
20 a political committee, \$5,000 per election, or in the case of a
21 continuing political committee,¹ \$5,000 per year ⁴, and no
22 candidates who have established ⁵only⁵ a joint candidates
23 committee, their campaign treasurer, deputy campaign treasurer
24 or joint candidates committee shall pay or make any contribution
25 of money or other thing of value to such a political committee or
26 continuing political committee which in the aggregate exceeds, in
27 the case of such a political committee, \$5,000 per election per
28 candidate in the joint candidates committee, or in the case of a
29 continuing political committee, \$5,000 per year per candidate in
30 the joint candidates committee^{4 5}, and no candidate who has
31 established both a candidate committee and a joint candidates
32 committee shall pay or make any contribution of money or other
33 thing of value which in the aggregate exceeds, in the case of such
34 a political committee, \$5,000 per election from that candidate,
35 or in the case of a continuing political committee, \$5,000 per
36 year from that candidate⁵. No political committee, other than a
37 political committee which is organized to, or does, aid or
38 promote the passage or defeat of a public question in any
39 election, or a continuing political committee, shall knowingly
40 accept from a candidate ⁴who has established ⁵only⁵ a candidate
41 committee⁴, his campaign treasurer, deputy treasurer⁴[,] or⁴
42 candidate committee ⁴[or joint candidates committee]⁴, any
43 contribution of money or other thing of value which in the
44 aggregate exceeds, ¹in the case of such a political committee,
45 \$5,000 per election, or in the case of a continuing political
46 committee, \$5,000 per year^{1 4}, and no such political committee
47 or continuing political committee shall knowingly accept from
48 candidates who have established a ⁵only⁵ joint candidates
49 committee, their campaign treasurer, deputy campaign treasurer,
50 or joint candidates committee, any contribution of money or
51 other thing of value which in the aggregate exceeds, in the case
52 of such a political committee, \$5,000 per election per candidate
53 in the joint candidates committee, or in the case of a continuing
54 political committee, \$5,000 per year per candidate in the joint

1 candidates committee^{4 5}, and no such political committee or
2 continuing political committee shall knowingly accept from a
3 candidate who has established both a candidate committee and a
4 joint candidates committee any contribution of money or other
5 thing of value which in the aggregate exceeds, in the case of such
6 a political committee, \$5,000 per election from that candidate,
7 or in the case of a continuing political committee, \$5,000 per
8 year from that candidate. For the purpose of determining the
9 amount of a contribution to be attributed as given by each
10 candidate in a joint candidates committee, the amount of the
11 contribution by such a committee shall be divided equally among
12 all the candidates in the committee⁵.

13 ⁴[d.] b.⁴ No political committee, other than a political
14 committee which is organized to, or does, aid or promote the
15 passage or defeat of a public question in any election, and no
16 continuing political committee shall pay or make any contribution
17 of money or other thing of value to another political committee,
18 other than a political committee which is organized to, or does,
19 aid or promote the passage or defeat of a public question in any
20 election, or another continuing political committee which in the
21 aggregate exceeds ¹, in the case of a recipient continuing
22 political committee, ¹ \$5,000 per year, or in the case of a recipient
23 political committee, ¹ \$5,000 per election. No political
24 committee, other than a political committee which is organized
25 to, or does, aid or promote the passage or defeat of a public
26 question in any election, and no continuing political committee
27 shall knowingly accept from another political committee, other
28 than a political committee which ¹is¹ organized to, or does, aid
29 or promote the passage or defeat of a public question in any
30 election, or another continuing political committee any
31 contribution of money or other thing of value which in the
32 aggregate exceeds ¹, in the case of a recipient continuing
33 political committee, ¹ \$5,000 per year, or in the case of a recipient
34 political committee, ¹ \$5,000 per election.

35 ³[21.] ⁴[20.³] ^{21.⁴ (New section) a. Each political}
36 committee, as defined in subsection i. of section 3 of P.L.1973,
37 c.83 (C.19:44A-3), which aids or promotes the nomination for
38 election or the election of a candidate or the passage or defeat of
39 a public question, each continuing political ⁴[committees]
40 committee⁴ as defined in subsection n. of section 3 of P.L.1973,
41 c.83, and each legislative leadership committee as defined in
42 subsection s. of section 3 of P.L.1973, c.83, shall submit to the
43 commission a statement of registration which includes:

44 (1) the complete name or identifying title of the committee³ [,
45 which name or title shall accurately reflect the political
46 interests, objectives and composition of the committee and shall
47 not distort, misrepresent or be misleading as to the true nature of
48 the committee's composition, interests, objectives, or financial
49 supporters] and the general category of entity or entities,
50 including but not limited to business organizations, labor
51 organizations, professional or trade associations, candidate for or
52 holder of public office, political party, ideological grouping or
53 civic association, the interests of which are shared by the
54 leadership, members, or financial supporters of the committee³;

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

5 (3) a descriptive statement prepared by the organizers or
6 officers of the committee that identifies (a) the names and
7 mailing addresses of the persons having control over the affairs
8 of the committee, including but not limited to persons in whose
9 name or at whose direction or suggestion the committee solicits
10 funds and persons participating in any decision to make a
11 contribution of such funds to any candidate, political committee
12 or continuing political committee; (b) the name and mailing
13 address of any person not included among the persons identified
14 under subparagraph (a) of this paragraph who, directly or through
15 an agent, participated in the initial organization of the
16 committee; (c) in the case of any person identified under
17 subparagraph (a) or subparagraph (b) who is an individual, the
18 occupation of that individual, the individual's home address, and
19 the name and mailing address of the individual's employer, or, in
20 the case of any such person which is a corporation, partnership,
21 unincorporated association, or other organization, the name and
22 mailing address of the organization; and (d) any other information
23 which the Election Law Enforcement Commission may, under
24 such regulations as it shall adopt pursuant to the provisions of the
25 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
26 et seq.), require as being material to the fullest possible
27 disclosure of the economic, political and other particular
28 interests and objectives which the committee has been organized
29 to or does advance. The commission shall be informed, in
30 writing, of any change in the ⁴[membership of the committee]
31 information required by this paragraph⁴ within three days of the
32 ⁴[occurrence] occurrence⁴ of the change. Legislative leadership
33 committees shall be exempt from the requirements of
34 subparagraphs (a), (b) and (c) of this paragraph.

35 b. After submission of a statement of registration ¹[by] to¹
36 the commission pursuant to this section, the committee shall use
37 the complete name or identifying title on all documents
38 submitted to the commission, in all solicitations for
39 contributions, in all paid media advertisements purchased or paid
40 for by the committee in support of or in opposition to any
41 candidate or public question, and in all contributions made by the
42 committee to candidates or other committees.

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

1 material to the fullest possible disclosure of the economic,
2 political and other particular interests and objectives which the
3 contributing organization has been organized to or does advance.

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

26 ³[22.] ⁴[21.³] 22.⁴ (New section) a. Not later than December
27 1 of each year preceding any year in which a general election is
28 to be held to fill the office of Governor for a four-year term, the
29 Election Law Enforcement Commission shall adjust the amounts,
30 set forth in subsection b. of this section, which shall be applicable
31 under P.L.1973, c.83 (19:44A-1 et seq.) to primary and general
32 elections for any public office other than the office of Governor,
33 to limitations on contributions to and from political committees,
34 continuing political committees, candidate committees, joint
35 candidates committees, political party committees and
36 legislative leadership committees and to other amounts, at a
37 percentage which ¹[is] shall be¹ the same as the percentage of
38 change that the commission ¹[will adjust] applies to¹ the amounts
39 ¹[to be]¹ used for the primary and general elections for the office
40 of Governor held in the third year preceding the year in which
41 that December 1 occurs, pursuant to section 19 of P.L.1980, c.74
42 (C.19:44A-7.1)¹, and any amount so adjusted shall be rounded in
43 the same manner as provided in that section¹.

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

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

52 (2) the minimum amount of a contribution to a political
53 committee, continuing political committee, legislative leadership
54 committee or political party committee which triggers

1 ¹[reporting of] an obligation to report¹ that contribution to the
2 commission pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8),
3 and the minimum amount of a contribution to a candidate,
4 candidate committee or joint candidates committee which
5 triggers ¹[reporting of] an obligation to report¹ that contribution
6 to the commission pursuant to section 16 of P.L.1973, c.83
7 (C.19:44A-16);

8 (3) the minimum amount of a contribution to a political
9 committee, continuing political committee, legislative leadership
10 committee or a political party committee ¹[in excess of \$500]¹
11 received during the period between the 13th day prior to the
12 election and the date of the election ⁴, the minimum amount of
13 an expenditure by a political committee during that period, and
14 the minimum amount of an expenditure by a continuing political
15 committee during the period beginning after March 31 and ending
16 on the date of the primary election and the period beginning after
17 September 30 and ending on the date of the general election⁴
18 ¹which triggers an obligation to report that contribution to the
19 commission¹ pursuant to section 8 of P.L.1973, c.83
20 (C.19:44A-8), and the minimum amount of a contribution to a
21 candidate, candidate committee or joint candidates committee
22 ¹[in excess of \$500]¹ received during the period between the 13th
23 day prior to the election and the date of the election ¹which
24 triggers an obligation to report that contribution to the
25 commission¹ pursuant to section 16 of P.L.1973, c.83
26 (C.19:44A-16);

27 (4) the maximum amount which may be ¹[raised] expended¹ by
28 the campaign organizations of ⁴[at least]⁴ two ⁴[but not] or⁴
29 more ⁴[than three]⁴ candidates forming a joint candidates
30 committee without being required to file contribution reports,
31 pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8);

32 (5) the maximum amount that a person, not acting in concert
33 with any other person or group, may spend to support or defeat a
34 candidate or to aid the passage or defeat of a public question
35 without being required to ¹report¹ all such expenditures and
36 expenses to the commission pursuant to section 11 of P.L.1973,
37 c.83 (¹C.19:44A-11) and the maximum amount that a person, not
38 acting in concert with any other person or group, may raise
39 through a public solicitation and expend to finance any lawful
40 activity ¹in¹ support of or in opposition to any candidate or
41 public question or to seek to influence the content, introduction,
42 passage or defeat of legislation pursuant to section 19 of
43 P.L.1973, c.83 (C.19:44A-19);

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

52 ⁴[(7) the minimum total amounts of the contributions and
53 expenditures, the concealment or misrepresentation of which,
54 shall constitute a crime of the fourth ³[, third or second degree

1 and the minimum total amounts of loans or advances of money
2 made, directly or through an agent, willfully and knowingly,
3 which shall constitute a crime of the fourth, third or second]³
4 degree pursuant to section 21 of P.L.1973, c.83 (1C.19:44A-21);

5 (8)] (7)⁴ the maximum amount of penalty which may be
6 imposed by the commission on any person who fails to comply
7 with the regulatory provisions of P.L.1973, c.83 (C.19:44A-1 et
8 seq.) for a first offense or a second and subsequent offenses,
9 pursuant to section 22 of P.L.1973, c.83 (C.19:44A-22);

11 4(8) the maximum amount of penalty which may be imposed by
12 the commission on any corporation or labor organization which
13 provides any of its employees any additional increment of salary
14 for the express purpose of making a contribution to a candidate,
15 candidate committee, joint candidates committee, political party
16 committee, legislative leadership committee, political committee
17 or continuing political committee for a first or a second and
18 subsequent offenses, pursuant to section 15 of P.L. , c.
19 (C.) (now pending before the Legislature as this bill);⁴

20 (9) ³[the maximum amount of penalty which may be imposed
21 by the commission on any corporation or labor organization which
22 provides any of its employees any additional increment of salary
23 for the express purpose of making a contribution to a candidate,
24 candidate committee, joint candidates committee, political party
25 committee, legislative leadership committee, political committee
26 or continuing political committee for a first or a second and
27 subsequent offenses, pursuant to section 15 of P.L. , c.
28 (C.) (now pending before the Legislature as this bill);

29 (10)]³ the maximum amount of contributions permitted to be
30 made by an individual, a corporation or labor organization to a
31 candidate, candidate committee or joint candidates committee,
32 the maximum amount of contributions permitted to be made by a
33 political committee or a continuing political committee to a
34 candidate, candidate committee or joint candidates committee
35 other than the committee of a candidate for nomination or
36 election to the office of Governor and the maximum amount of
37 contributions permitted to be made by one candidate, candidate
38 committee or joint candidates committee, other than the
39 committee of a candidate for nomination or election to the office
40 of Governor, to another candidate, candidate committee or joint
41 candidates committee other than the committee of a candidate
42 for nomination or election to the office of Governor pursuant to
43 section ³[18] ⁴[17³] 18⁴ of P.L. , c. (C.) (now pending
44 before the Legislature as this bill);

45 ³[(11)] (10)³ the maximum amount of contributions permitted
46 to be made by an individual, corporation, labor organization,
47 political committee, continuing political committee, candidate
48 committee or joint candidates committee or any other group to
49 any political party committee or any legislative leadership
50 committee pursuant to section ³[19] ⁴[18³] 19⁴ of P.L. , c.
51 (C.) (now pending before the Legislature as this bill);

52 ³[(12)] (11)³ the maximum amount of contributions permitted
53 to be made by ⁴[an individual, corporation ³[or],³ labor
54 organization³,] a⁴ candidate, candidate committee or joint
candidates committee³ to a political committee or a continuing

1 political committee and the maximum amount of contributions
2 permitted to be made by one political committee or continuing
3 political committee to another political committee or continuing
4 political committee pursuant to section ³[20] ⁴[19³] 20⁴ of
5 P.L. , c. (C.)(now pending before the Legislature as this
6 bill).

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

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

24 ³[23.] ⁴[22.³] 23.⁴ (New section) Any person, partnership,
25 association, political committee or continuing political
26 committee may make a loan or loans to any person, partnership,
27 association, political committee or continuing political
28 committee with knowledge or reason to know that the
29 prospective recipient of the loan intends to use the proceeds
30 thereof to make a contribution in aid of any candidate or the
31 candidate committee or joint candidates committee of any
32 candidate, provided that, at any time, the aggregate total of the
33 unrepaid portion of all such loans by that lender shall not exceed
34 an amount equal to twice the maximum amount of contributions
35 in the aggregate which, under subsection a. of section 18 of
36 P.L. , c. (C.)(now pending before the Legislature as this
37 bill), the lender is permitted to make to such a candidate. The
38 provisions of this subsection shall not apply to any bank, savings
39 bank, savings and loan association or credit union, whether
40 chartered by the United States, this State, or any other state or
41 territory of the United States, or by a foreign country.

42 ⁴24. (New section) If a political committee or continuing
43 political committee, having been established or consisting of
44 members or having received contributions in violation of this act,
45 shall have made any contribution or expenditure in opposition to,
46 or in furtherance of the defeat of, a candidate, that candidate
47 may, in a summary action in the Superior Court, apply for an
48 order directing that political committee or continuing political
49 committee to show cause why the court should not grant such
50 injunctive relief as the candidate may seek. The court shall
51 decide the application within 48 hours of the filing thereof and,
52 upon a proper demonstration of the candidate's entitlement
53 thereto, shall grant appropriate injunctive relief against that
54 political committee or continuing political committee.

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1 In addition, the court may order that contributions previously
2 received by the committee shall be deemed to be contributions to
3 the candidate committee or joint candidates committee, as
4 appropriate, of the candidate's opponent in the election for all
5 purposes of section 18 of P.L. , c. (C.) (now pending
6 before the Legislature as this bill), and shall so advise the
7 Election Law Enforcement Commission. The court may also
8 order that, to the extent that the amounts of such contributions
9 so attributed are, together with other amounts contributed by the
10 same contributors directly to the candidate committee or joint
11 candidates committee, in excess of the amounts of contributions
12 which that candidate committee or joint candidates committee
13 could legally have received directly from those contributors
14 under that section 18, the candidate committee or joint
15 candidates committee of the aggrieved candidate may receive
16 contributions in excess of the amounts of contributions which
17 that candidate committee or joint candidates committee could
18 legally receive under section 18 of that P.L. , c. (C.).

19 If the court determines that an application for injunctive relief
20 under this section is frivolous, the court may award costs,
21 including any attorney's fees, to the political committee or
22 continuing committee against which such relief was sought.⁴

23 ⁴25. (New section) If any candidate or the campaign treasurer
24 or deputy campaign treasurer of a candidate shall, prior to the
25 effective date of this act, have filed with the Election Law
26 Enforcement Commission a report under P.L.1973, c.83
27 (C.19:44A-1 et seq.) which indicates that the outstanding
28 liabilities of the campaign fund of the candidate are in excess of
29 all assets of that campaign fund available to pay those liabilities,
30 the campaign fund may accept amounts of contributions in
31 addition to the amounts permitted under sections 18, 19 and 20 of
32 P.L. , c. (C.) (now pending before the Legislature as this
33 bill), provided that the aggregate total of those additional
34 amounts shall not be greater than the amount of the excess so
35 indicated.⁴

36 ⁵[426. R.S.19:34-45 is amended to read as follows:

37 19:34-45. [No corporation carrying on the business of a bank,
38 savings bank, co-operative bank, trust, trustee, savings
39 indemnity, safe deposit, insurance, railroad, street railway,
40 telephone, telegraph, gas, electric light, heat or power, canal or
41 aqueduct company, or having the right to condemn land, or to
42 exercise franchises in public ways granted by the state or any
43 county or municipality, and no corporation, person, trustee or
44 trustees, owning or holding the majority of stock in any such
45 corporation, shall pay or contribute money or thing of value in
46 order to aid or promote the nomination or election of any person,
47 or in order to aid or promote the interests, success or defeat of
48 any political party.] a. If a utility subject to regulation by the
49 Board of Public Utilities is required to file a report with the
50 Election Law Enforcement Commission, a copy of that report
51 shall also be filed by the utility with the Board of Public Utilities.

52 b. Monies collected from ratepayers may not be the source of
53 contributions made by a regulated utility and may not be used by
54 a regulated utility to pay the administrative costs of a continuing

1 political committee.⁴
2 (cf: R.S.19:34-45)]⁵
3 ⁵[427. (New section) Notwithstanding any other law, rule,
4 regulation, or directive to the contrary, the Election Law
5 Enforcement Commission may review its personnel requirements
6 for the implementation of P.L. , c. (C.) (now pending before
7 the Legislature as Senate, No. 1017 (2R) or Assembly Committee
8 Substitute (4R) for Assembly, Nos. 100, 195, 196, 646, 659 and
9 869) and may employ such personnel as are necessary to
10 implement that statute.]⁴⁵

11 ⁵[428.] 26.⁵ (New section) Notwithstanding any other law to
12 the contrary, the Election Law Enforcement Commission is
13 hereby empowered and directed to publish any rule and to take
14 any administrative action whatsoever, necessary to insure that
15 the provisions of this 1993 amendatory and supplementary act
16 shall be applicable to the June, 1993 primary election. The
17 adoption and publication of rules shall, to the extent feasible, be
18 subject to the provisions of the "Administrative Procedure Act,"
19 P.L.1968, c.410 (C.52:14B-1 et seq.), provided that the
20 commission shall be excused from strict compliance with any
21 requirement under that act if and to the extent that it
22 determines, in the reasonable exercise of its discretion, that the
23 public interest in the timely implementation of the provisions of
24 this 1993 amendatory and supplementary act so requires. Any
25 rule adopted by this provision shall take effect on the 45th day
26 following enactment of this amendatory and supplementary act.⁴

27 ⁵[429. R.S.19:34-32 is repealed.]⁴⁵

28 ⁴[3[24. This] 23. If enacted on or before January 1, 1993, this³
29 act shall take effect on ³[the January 1st following enactment]
30 January 1, 1993. If enacted after January 1, 1993 and on or
31 before March 1, 1993, this act shall take effect immediately, but
32 amounts of contributions paid or made, or accepted, prior to such
33 date of enactment by any person to whom the provisions of
34 sections 17, 18, or 19 apply shall not be considered in determining
35 the application of those sections on and after that date of
36 enactment. If enacted after March 1, 1993, this act shall take
37 effect on January 1, 1994³.]

38 ⁵[30.] 27.⁵ This act shall take effect on the 30th day following
39 enactment, but amounts of contributions paid or made, or
40 accepted, on or after January 1 of the year in which such
41 enactment occurs and prior to that effective date by any person
42 to whom the provisions of sections 18, 19, or 20 apply shall not be
43 considered in determining the application of those sections on and
44 after that effective date.⁴

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49 Amends "The New Jersey Campaign Contributions and
50 Expenditures Reporting Act;" restricts contributions by
51 individuals, corporations, unions, political committees and
52 continuing political committees.

1 (11) the maximum amount of contributions permitted to be
2 made by an individual, corporation, labor organization, political
3 committee, continuing political committee, candidate committee
4 or joint candidates committee or any other group to any political
5 party committee or any legislative leadership committee
6 pursuant to section 19 of P.L. , c. (C.)(now pending
7 before the Legislature as this bill);

8 (12) the maximum amount of contributions permitted to be
9 made by an individual, corporation or labor organization to a
10 political committee or a continuing political committee and the
11 maximum amount of contributions permitted to be made by one
12 political committee or continuing political committee to another
13 political committee or continuing political committee pursuant to
14 section 20 of P.L. , c. (C.)(now pending before the
15 Legislature as this bill).

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

26 23. (New section) Any person, partnership, association, political
27 committee or continuing political committee may make a loan or
28 loans to any person, partnership, association, political committee
29 or continuing political committee with knowledge or reason to
30 know that the prospective recipient of the loan intends to use the
31 proceeds thereof to make a contribution in aid of any candidate
32 or the candidate committee or joint candidates committee of any
33 candidate, provided that, at any time, the aggregate total of the
34 unrepaid portion of all such loans by that lender shall not exceed
35 an amount equal to twice the maximum amount of contributions
36 in the aggregate which, under subsection a. of section 18 of
37 P.L. , c. (C.)(now pending before the Legislature as
38 this bill), the lender is permitted to make to such a candidate.
39 The provisions of this subsection shall not apply to any bank,
40 savings bank, savings and loan association or credit union,
41 whether chartered by the United States, this State, or any other
42 state or territory of the United States, or by a foreign country.

43 24. This act shall take effect on the January 1st following
44 enactment.
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47 STATEMENT

48
49 This bill amends "The New Jersey Campaign Contributions and
50 Expenditures Reporting Act" concerning the amount of money
51 and other things of value that individuals, candidates,
52 corporations, unions, political committees and continuing
53 political committees (popularly known as Political Action
54 Committees or PACs) may contribute to other candidates.

1 political committees and continuing political committees. The
2 bill implements most of the changes in the Reporting Act
3 recommended by the Ad Hoc Commission on Legislative Ethics
4 and Campaign Finance in its final report.

5 The bill includes the following provisions.

6 1. A limit of \$1,500 per election is imposed on the amount that
7 may be contributed to a candidate or a candidate committee by
8 an individual or group and a limit of \$5,000 per election is
9 imposed on the amount that may be contributed per election to a
10 candidate or a candidate committee, other than a candidate for
11 nomination or election to the office of Governor, by a political
12 committee or a continuing political committee.

13 2. A candidate is limited to only one campaign committee (to
14 be known as a candidate committee) for the purpose of raising
15 funds for and paying the expenses of the political activities of
16 that candidate. At least two but no more than three candidates
17 in an election in the same legislative district, county or
18 municipality would also be permitted to form a joint candidates
19 committee.

20 3. A limit of \$25,000 per year is imposed on the amount that an
21 individual, corporation, labor organization, political committee,
22 continuing political committee, candidate committee or joint
23 candidates committee or any other group can contribute to the
24 State committee of each political party or to each legislative
25 leadership committee. (Only four such committees would be
26 permitted: one for the majority leadership and one for the
27 minority leadership in each House of the Legislature.)

28 4. A limit of \$10,000 per year is imposed on the amount that an
29 individual, corporation, labor organization, political committee,
30 continuing political committee, candidate committee or joint
31 candidates committee or any other group can contribute to each
32 county committee of each political party, and limit of \$5,000 per
33 year is imposed on the amount these groups can contribute to
34 each municipal committee of each political party.

35 5. No limit is imposed on the amount of money that can be
36 contributed to a candidate committee or a joint candidates
37 committee by a political party committee, a legislative
38 leadership committee, or a national party or congressional party
39 political committee.

40 6. A limit of \$1,500 per election is imposed on the amount that
41 one candidate committee or joint candidates committee can
42 contribute to another candidate committee (other than the
43 committee of a candidate for nomination or election to the office
44 of Governor) or a joint candidates committee.

45 7. A limit of \$1,500 per year is imposed on the amount that an
46 individual, corporation or labor organization may contribute to a
47 continuing political committee (other than a legislative
48 leadership committee or a political party committee).

49 8. A limit of \$1,500 per election is imposed on the amount that
50 an individual, corporation or labor organization may contribute to
51 a political committee and a limit of \$5,000 per election is
52 imposed on the amount that a political committee or continuing
53 political committee may contribute to another political
54 committee or continuing political party.

1 9. Contributions to a candidate, a candidate committee, a joint
2 candidates committee or a legislative leadership committee are
3 restricted to only the following uses: a) the payment of all
4 political expenses; b) contributions to charities; c) the payment of
5 overhead and administrative expenses related to the operation of
6 the candidate's campaign committee or joint candidates
7 committee or a legislative leadership committee; d) transmittals
8 to another candidate, candidate committee, joint candidates
9 committees, political committees, continuing political
10 committee, legislative leadership committee or political party
11 committee; e) pro-rata repayment of contributors.

12 10. Any funds remaining in the campaign depository of a
13 candidate committee or joint candidate committee of a candidate
14 at the death of the candidate shall be used only in one or more of
15 the acceptable ways described above by the committee's
16 treasurer or whoever has control of the committee's funds after
17 the death of the candidate.

18 11. Individual contributors to a candidate or a committee
19 (including political committees, continuing political committees,
20 political party committees and legislative leadership committees)
21 are required to disclose to that candidate or committee their
22 occupation and employer, so that this information may be
23 provided to the Election Law Enforcement Commission (ELEC).

24 12. Each political committee, continuing political committee
25 and legislative leadership committee is required to register with
26 ELEC, carry a title that clearly reflects the political interests,
27 objectives and composition of the committee and provide the
28 names, mailing addresses, occupations and employers of the
29 officers of the committee.

30 13. The current threshold amount which triggers the disclosure
31 of contributions made to a candidate, a candidate committee or a
32 joint candidates committee is raised from \$100 to \$200 and the
33 threshold amount triggering the 48-hour notice requirement for
34 contributions is raised from over \$250 to contributions over \$500.

35 14. All dollar amounts provided for in the Reporting Act,
36 including all new contribution limits, would be adjusted
37 quadriennially.

38 15. Existing civil fines and penalties that may be imposed by
39 ELEC on violators of the Reporting Act are increased in order to
40 promote compliance with disclosure.

41 16. A person is prohibited from making loans to any other
42 person for the purpose of inducing that person to make a
43 campaign contribution.

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48 Amends "The New Jersey Campaign Contributions and
49 Expenditures Reporting Act;" restricts contributions by
50 individuals, corporations, unions, political committees and
51 continuing political committees.

STATEMENT

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3 This bill makes significant changes in "The New Jersey
4 Campaign Contributions and Expenditures Reporting Act"
5 concerning the amount of money and other things of value that
6 individuals, candidates, corporations, unions, political committees
7 and continuing political committees (popularly known as Political
8 Action Committees or PACs) may contribute to other candidates,
9 political committees and continuing political committees. The
10 bill implements the many of the changes in the Reporting Act
11 recommended by the Ad Hoc Commission on Legislative Ethics
12 and Campaign Finance in its final report.

13 The bill includes the following provisions.

14 1. A limit of \$1,000 is imposed on the amount that may be
15 contributed per election to a candidate or a candidate committee
16 by an individual or group (other than a political committee or a
17 continuing political committee) in those years in which any
18 election is held for the office that the candidate seeks and a limit
19 of \$1,500 is imposed on the amount that may be contributed per
20 election to a candidate or a candidate committee, other than a
21 candidate for nomination or election to the office of Governor,
22 by a political committee or a continuing political committee per
23 calendar year in those years in which no election is held for that
24 office.

25 2. A candidate is limited to only one campaign committee (to
26 be known as a candidate committee) for the purpose of raising
27 funds for and paying the expenses of the political activities of
28 that candidate. At least two but no more than three candidates
29 in an election in the same legislative district, county or
30 municipality would also be permitted to form a joint candidates
31 committee.

32 3. A limit of \$25,000 per year is imposed on the amount that
33 an individual, political committee, continuing political
34 committee, candidate committee or joint candidates committee
35 or any other group can contribute to the State committee of each
36 political party or to each legislative party committee. (Only four
37 such committees would be permitted: one for the majority
38 leadership and one for the minority leadership in each House of
39 the Legislature.)

40 4. A limit to \$10,000 per year is imposed on the amount that
41 an individual, political committee, continuing political
42 committee, candidate committee or joint candidates committee
43 or any other group can contribute to each county committee of
44 each political party, and limit of \$5,000 per year is imposed on
45 the amount these groups can contribute to each municipal
46 committee of each political party.

47 5. No limit is imposed on the amount of money that can be
48 contributed to a candidate committee or a joint candidates
49 committee by a political party committee, a legislative party
50 committee, or a national party or congressional party political
51 committee.

52 6. A limit of \$1,500 per election is imposed on the amount that
53 one candidate committee or joint candidates committee can
54 contribute to another candidate committee (other than the

1 committee of a candidate for nomination or election to the office
2 of Governor) or a joint candidates committee.

3 7. A limit of \$1,500 per year is imposed on the amount that an
4 individual may contribute to a continuing political committee
5 (other than a legislative leadership committee or a political party
6 committee).

7 8. A limit of \$1,500 per election is imposed on the amount that
8 an individual may contribute to a political committee and a limit
9 of \$5,000 per year is imposed on the amount that a political
10 committee or continuing political committee may contribute to
11 another political committee or continuing political party.

12 9. Current prohibitions which apply exclusively to
13 contributions from certain regulated corporations are repealed
14 and replaced by the same restrictions on all corporations and
15 labor organizations that are in effect under federal law. These
16 provide that no corporation or labor organization may make
17 campaign contributions. However, the officers or employees of a
18 corporation and their families and the officers and members of a
19 labor organization and their families may make a contribution
20 through a political committee or continuing political committee
21 that is composed of the officers or employees of a corporation
22 and their families and the officers and members of a labor
23 organization and their families and that derives its funds solely
24 from voluntary contributions solicited from those persons.

25 10. Individual contributors to a candidate or a committee
26 (including political committees, continuing political committees,
27 political party committees and legislative leadership committees)
28 are required to disclose to that candidate or committee their
29 occupation and employer, so that this information may be
30 provided to the Election Law Enforcement Commission (ELEC).

31 11. Each political committee, continuing political committee
32 and legislative leadership committee is required to register with
33 ELEC, carry a title that clearly reflects the political interests,
34 objectives and composition of the committee and provide the
35 names, mailing addresses, occupations and employers of the
36 officers of the committee.

37 12. Candidates and elected officials who organize, conduct, or
38 serve as chairpersons of charitable solicitations and who receive
39 donations made out to them or in their name must first deposit
40 those funds in their campaign depositories before remitting them
41 to the charity and must report to ELEC the amount and
42 remittance of those funds.

43 13. All dollar amounts provided for in the Reporting Act,
44 including all new contribution limits, would be adjusted biennially.

45 14. Existing civil fines and penalties that may be imposed by
46 ELEC on violators of the Reporting Act are increased in order to
47 promote compliance with disclosure.

48 15. A person is prohibited from making loans to any other
49 person for the purpose of inducing that person to make a
50 campaign contribution.

51 16. An appropriation of \$1,500,000 is provided to ELEC in
52 order to strengthen its administrative capacity and carry out the
53 provisions of this bill.

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Revises "The New Jersey Campaign Contributions and Expenditures Reporting Act;" restricts contributions by individuals, corporations, unions, political committees and continuing political committees; appropriates \$1.5 million.

1 committee or joint candidates committee of a candidate may be
2 used for the payment of the expenses arising from the furnishing,
3 staffing or operation of an office used in connection with that
4 person's official duties as an elected public official.

5 c. Any funds remaining in the campaign depository of a
6 candidate's candidate committee or joint candidates committee
7 upon the death of the candidate shall be used only for one or
8 more of the purposes established in subsection a. of this section
9 by the committee's organizational treasurer or deputy treasurer
10 or whoever has control of the depository upon the death of the
11 candidate.

12 2. This act shall take effect on January 1 following enactment.
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14 STATEMENT

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17 This bill establishes five permissible uses for contributions
18 received by a candidate, the candidate committee or joint
19 candidates committee of a candidate or a legislative party
20 committee.

21 The uses include:

- 22 a) the payment of political expenses;
23 b) contributions to any charitable organization or nonprofit
24 organization;
25 c) transmittal to another candidate, candidate committee or
26 joint candidates committee, to a political committee, continuing
27 political committee, legislative party committee or a political
28 party committee;
29 d) the payment of the overhead and administrative expenses
30 related to the operation of a candidate committee, joint
31 candidates committee or a legislative party committee; or
32 e) the pro rata repayment of contributors.

33 The bill specifically prohibits the use of contributions received
34 by a candidate or by the candidate committee or joint candidates
35 committee of a candidate for the payment of the expenses arising
36 from the furnishing, staffing or operation of an office used in
37 connection with that person's official duties as an elected public
38 official.

39 The bill provides that any funds remaining in the campaign
40 depository of a candidate's candidate committee or joint
41 campaign committee upon the death of the candidate shall be
42 used only for one or more of the permissible purposes by the
43 committee's organizational treasurer or deputy treasurer or
44 whoever has control of the depository upon the death of the
45 candidate.

46 The bill is based on recommendations contained in the
47 "Findings and Recommendations of the Ad Hoc Commission on
48 Legislative Ethics and Campaign Finance" issued in October,
49 1990.
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54 Establishes five permissible uses for campaign contributions.

1 candidate seeks or exceeds \$1,000 per calendar year in those
2 years in which no election is held for that office. No candidate,
3 his campaign treasurer or deputy campaign treasurer or a
4 political committee or continuing political committee serving as
5 the campaign committee of such a candidate, with the exception
6 of a candidate for the office of Governor, the campaign treasurer
7 or deputy campaign treasurer of such a candidate or a political
8 committee or continuing political committee serving as the
9 campaign committee of such a candidate, shall knowingly accept
10 from any person any contribution of money or other thing of
11 value which in the aggregate exceeds \$1,000 per election in those
12 years in which any election is held for the office that the
13 candidate seeks or exceeds \$1,000 per calendar year in those
14 years in which no election is held for that office.

15 3. a. No person shall pay or make any contribution of money or
16 other thing of value to any municipal committee of a political
17 party which in the aggregate exceeds \$2,000 per calendar year.
18 No municipal committee of a political party shall knowingly
19 accept from any person any contribution of money or other thing
20 of value which in the aggregate exceeds \$2,000 per calendar year.

21 b. No person shall pay or make any contribution of money or
22 other thing of value to any county committee of a political party
23 which in the aggregate exceeds \$5,000 per calendar year. No
24 county committee of a political party shall knowingly accept
25 from any person any contribution of money or other thing of
26 value which in the aggregate exceeds \$5,000 per calendar year.

27 c. No person shall pay or make any contribution of money or
28 other thing of value to any State committee of a political party
29 which in the aggregate exceeds \$10,000 per calendar year. No
30 State committee of a political party shall knowingly accept from
31 any person any contribution of money or other thing of value
32 which in the aggregate exceeds \$10,000 per calendar year.

33 4. This act shall take effect on the January 1st following
34 enactment.
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37 STATEMENT

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39 This bill limits the amount of money and other things of value
40 that continuing political committees, popularly known as Political
41 Action Committees or PACs, and individuals can contribute to
42 candidates. It also limits the contributions that a person may
43 make to the State, county or municipal committees of a political
44 party per calendar year.

45 Specifically, the bill:

46 a) Prohibits PACs other than the State, county or municipal
47 committees of a political party from contributing more than
48 \$2,500 to an individual candidate, other a candidate for the office
49 of Governor, per election in those years in which any election is
50 held for the office that the candidate seeks or more than \$2,500
51 per calendar year in those years in which no election is held for
52 that office;

53 b) Prohibits persons from contributing more than \$1,000 to an
54 individual candidate, other than a candidate for the office of

1 Governor, per election in those years in which any election is held
2 for the office that the candidate seeks or more than \$1,000 per
3 calendar year in those years in which no election is held for that
4 office; and

5 c) Prohibits persons from contributing more than \$2,000 to any
6 municipal committee or more than \$5,000 to any county
7 committee or more than \$10,000 to any State committee of a
8 political committee per calendar year.

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13 Places certain limitations on the contributions that continuing
14 political committees and persons may make.

1 b. After submission of a statement of registration by the
2 commission pursuant to this section, the committee shall use the
3 complete name or identifying title on all documents submitted to
4 the commission, in all solicitations for contributions, in all paid
5 media advertisements purchased or paid for by the committee in
6 support of or in opposition to any candidate or public question,
7 and in all contributions made by the committee to candidates or
8 other committees.

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

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

44 10. This act shall take effect immediately.

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47 STATEMENT

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49 This bill makes various changes in "The New Jersey Campaign
50 Contributions and Expenditures Reporting Act," P.L.1973, c.83
51 (C.19:44A-1 et seq.). Under the bill:

52 (1) Any loan transaction which the lender undertakes with the
53 intent to induce the borrower or any other party to make a
54 campaign contribution, and the contribution of any proceeds of

1 such a loan, is prohibited. A loan or contribution made in
2 violation of this provision is to be a criminal offense;

3 (2) The aggregate total of loans which a non-bank lender may
4 make to borrowers who, to that lender's knowledge or belief,
5 intend to use the proceeds to fund contributions to gubernatorial
6 candidates is limited to an amount equal to twice the amount of
7 the statutory limit on such contributions. All such loans, whether
8 the candidate to whom the borrower intends to make a
9 contribution is seeking the office of Governor or instead is
10 seeking some other office, which are in excess of \$50 are
11 required to be by check or money order. Any violation of these
12 provisions is to be a criminal offense;

13 (3) Certain political committees and continuing political
14 committees are to be required to register their names, together
15 with an identification of the general category of interest shared
16 by the leadership, members, or financial supporters of such
17 committee, with the Election Law Enforcement Commission, and
18 also may apply to the commission for its approval of an acronym
19 or abbreviation for the committee, which shall be used in all
20 filings with the commission;

21 (4) Violations of the Reporting Act, now uniformly established
22 as fourth degree offenses, are to be graded as fourth, third or
23 second degree offenses in accordance with the seriousness of the
24 violation; and

25 (5) Campaign contribution reports required to be filed under
26 current provisions of the Reporting Act are to include, in addition
27 to the name and address of each contributor, the occupation of
28 any contributor who is an individual, the name and mailing
29 address of that person's employer and any other information to
30 the extent such information may be material to the fullest
31 possible disclosure of the economic, political and other particular
32 interests which the committee has been organized to or does
33 advance.

34 The first four of the changes indicated above provide for
35 implementation of certain of the recommendations of a
36 presentment issued on October 6, 1988 by a grand jury impanelled
37 to investigate alleged violations of the Act.

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42 Regulates certain loans made in connection with campaign
43 contributions; requires PACs to register with ELEC.

1 (11) the maximum amount of contributions permitted to be
2 made by an individual, corporation, labor organization to a
3 continuing political committee, other than a legislative
4 leadership committee or a political party committee, and the
5 maximum amount of contributions permitted to be made by one
6 political committee or continuing political committee to another
7 political committee or continuing political committee pursuant to
8 section 20 of P.L. , c. (C.)(now pending before the
9 Legislature as this bill).

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

20 25. This act shall take effect on the January 1st following
21 enactment.
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24 STATEMENT

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26 This bill makes significant changes in "The New Jersey
27 Campaign Contributions and Expenditures Reporting Act"
28 concerning the amount of money and other things of value that
29 individuals, candidates, corporations, unions, political committees
30 and continuing political committees (popularly known as Political
31 Action Committees or PACs) may contribute to other candidates,
32 political committees and continuing political committees. The
33 bill implements many of the changes in the Reporting Act
34 contained in the final report of the Ad Hoc Commission on
35 Legislative Ethics and Campaign Finance.

36 The bill includes the following provisions:

37 1. A limit of \$1,500 is imposed on the amount that may be
38 contributed per election to a candidate or the joint candidates
39 committee of a candidate by an individual, corporation, union or
40 other group (other than a political committee or a continuing
41 political committee) and a limit of \$5,000 is imposed on the
42 amount that may be contributed per election to a candidate or
43 the joint candidates committee of a candidate, other than a
44 candidate for nomination or election to the office of Governor,
45 by a political committee or a continuing political committee.

46 2. A candidate for any elective public office is limited to one
47 political committee, for the purpose of raising funds for and
48 paying the expenses of the political activities of that candidate,
49 and one continuing political committee for the purpose of raising
50 funds and paying expenses. Candidates are also permitted to
51 form joint candidates committee of no more than three
52 candidates for any elective offices in the same election in a
53 legislative district, county or municipality.

1 3. A limit of \$25,000 per year is imposed on the amount that
2 an individual, corporation, union, political committee, continuing
3 political committee or other group can contribute to the State
4 committee of each political party or to each legislative
5 leadership committee. (Only four such committees would be
6 permitted: one for the majority leadership and one for the
7 minority leadership in each House of the Legislature.)

8 4. A limit of \$10,000 per year is imposed on the amount that
9 an individual, corporation, union, political committee, continuing
10 political committee or other group can contribute to each county
11 committee of each political party, and a limit of \$5,000 per year
12 is imposed on the amount these groups can contribute to each
13 municipal committee of each political party.

14 5. No limit is imposed on the amount of money that can be
15 contributed to a candidate or a joint candidates committee by a
16 political party committee, a legislative leadership committee, or
17 a national party or congressional party political committee.

18 6. A limit of \$5,000 per election is imposed on the amount that
19 one candidate can contribute to another candidate, other than a
20 candidate for nomination or election to the office of Governor.

21 7. A limit of \$1,500 per year is imposed on the amount that an
22 individual may contribute to a continuing political committee
23 (other than a legislative leadership committee, or a political
24 party committee).

25 8. A limit of \$1,500 per election is imposed on the amount that
26 an individual may contribute to a political committee and a limit
27 of \$5,000 per year is imposed on the amount that a political
28 committee or continuing political committee may contribute to
29 another political committee or continuing political party.

30 9. Contributions are restricted to only the following uses: a)
31 the payment of all campaign-related expenses; b) contributions to
32 charities; c) the payment of overhead and administrative
33 expenses related to the operation of the candidate's political
34 committee or continuing political committee; d) contributions to
35 other candidates or to political committees or continuing
36 political committees; e) pro rata refunds to contributors.

37 10. Any funds remaining in the political committee, continuing
38 political committee or joint candidate committee of a candidate
39 or an elected public official at the death of that person shall be
40 used only in one or more of the acceptable ways described above
41 by the committee's treasurer or whoever has control of the
42 committee's funds after the death of the candidate or elected
43 public official.

44 11. Individual contributors to a candidate or a committee
45 (including political committees, continuing political committees,
46 political party committees and legislative leadership committees)
47 are required to disclose to that candidate or committee their
48 occupation and employer, so that this information and all other
49 information already required by law is provided to the Election
50 Law Enforcement Commission (ELEC).

51 12. Each political committee, continuing political committee
52 and legislative leadership committee is required to provide to
53 ELEC a brief statement of purpose, as well as the names, home
54 addresses, occupations and employers of the officers of the

1 committee, and require each candidate committee and joint
2 campaign committee to disclose the name of the candidate or
3 candidates for which it is raising funds and paying campaign
4 expenses.

5 13. The current threshold amount which triggers the disclosure
6 of contributions made to a candidate or joint candidates
7 committee is raised from \$100 to \$200 and the threshold amount
8 triggering the 48-hour notice requirement for contributions is
9 raised from over \$250 to contributions over \$500.

10 14. Candidates and elected officials are prohibited from
11 raising funds in their own name for charitable or any other
12 non-campaign purposes via checks made out in their own name.

13 15. Limits are placed on the amount of money or other thing
14 of value that a county committee can contribute to a legislative
15 candidate based upon the total number of county committees of
16 the party in that person's legislative district and limits are
17 placed on the amount of money or other thing of value that a
18 municipal committee can contribute to a legislative candidate
19 based upon the population of that municipality.

20 16. All dollar amounts provided for in the Reporting Act,
21 including all new limits and thresholds, would be adjusted
22 quadrennially.

23 17. Existing civil fines and penalties that may be imposed by
24 ELEC on violators of the Reporting Act are increased in order to
25 promote compliance with disclosure.

26 18. A person is prohibited from making loans to any other
27 person for the purpose of inducing that person to make a
28 campaign contribution.

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33 *Revises and supplements "The New Jersey Campaign*
34 *Contributions and Expenditures Reporting Act;" restricts*
35 *contributions by individuals, corporations, unions, political*
36 *committees and continuing political committees.*

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 100, 195, 196, 646, 659 and 869

STATE OF NEW JERSEY

DATED: MAY 11, 1992

The Assembly State Government Committee reports favorably an Assembly Committee Substitute for Assembly Bill Nos. 100, 195, 196, 646, 659 and 869.

This bill amends "The New Jersey Campaign Contributions and Expenditures Reporting Act" concerning the amount of money and other things of value that individuals, candidates, corporations, unions, political committees and continuing political committees (popularly known as Political Action Committees or PACs) may contribute to other candidates, political committees and continuing political committees. The bill implements most of the changes in the Reporting Act recommended by the Ad Hoc Commission on Legislative Ethics and Campaign Finance in its final report.

The bill includes the following provisions.

1. A limit of \$1,500 per election is imposed on the amount that may be contributed to a candidate or a candidate committee by an individual or group and a limit of \$5,000 per election is imposed on the amount that may be contributed per election to a candidate or a candidate committee, other than a candidate for nomination or election to the office of Governor, by a political committee or a continuing political committee.

2. A candidate is limited to only one campaign committee (to be known as a candidate committee) for the purpose of raising funds for and paying the expenses of the political activities of that candidate. Alternatively, at least two but no more than three candidates in an election in the same legislative district, county or municipality would be permitted to form a joint candidates committee. No candidate would be allowed to maintain any political committee or continuing committee.

3. A limit of \$25,000 per year is imposed on the amount that an individual, corporation, labor organization, political committee, continuing political committee, candidate committee or joint candidates committee or any other group can contribute to the State committee of each political party or to each legislative leadership committee. (Only four such committees would be permitted: one for the majority leadership and one for the minority leadership in each House of the Legislature.)

4. A limit of \$10,000 per year is imposed on the amount that an individual, corporation, labor organization, political committee, continuing political committee, candidate committee or joint candidates committee or any other group can contribute to each county committee of each political party, and limit of \$5,000 per year is imposed on the amount these groups can contribute to each municipal committee of each political party.

5. No limit is imposed on the amount of money that can be contributed to a candidate committee or a joint candidates

committee by a political party committee, a legislative leadership committee, or a national party or congressional party political committee. However, a political party committees or legislative leadership committee could not, from the contributions it receives from contributors, annually give to any recipient any more than those contributors severally could legally give to the recipient.

6. A limit of \$1,500 per election is imposed on the amount that one candidate committee or joint candidates committee can contribute to another candidate committee (other than the committee of a candidate for nomination or election to the office of Governor) or a joint candidates committee.

7. A limit of \$1,500 per year is imposed on the amount that an individual, corporation or labor organization may contribute to a continuing political committee (other than a legislative leadership committee or a political party committee).

8. A limit of \$1,500 per election is imposed on the amount that an individual, corporation or labor organization may contribute to a political committee and a limit of \$5,000 per election is imposed on the amount that a political committee or continuing political committee may contribute to another political committee or continuing political party.

9. Contributions to a candidate, a candidate committee, a joint candidates committee or a legislative leadership committee are restricted to only the following uses: a) the payment of all political expenses; b) contributions to charities; c) the payment of overhead and administrative expenses related to the operation of the candidate's campaign committee or joint candidates committee or a legislative leadership committee; d) transmittals to another candidate, candidate committee, joint candidates committees, political committees, continuing political committee, legislative leadership committee or political party committee; e) pro-rata repayment of contributors; and f) the payment of ordinary and necessary expenses of holding public office.

10. Any funds remaining in the campaign depository of a candidate committee or joint candidate committee of a candidate at the death of the candidate shall be used only in one or more of the acceptable ways described above by the committee's treasurer or whoever has control of the committee's funds after the death of the candidate.

11. Individual contributors to a candidate or a committee (including political committees, continuing political committees, political party committees and legislative leadership committees) are required to disclose to that candidate or committee their occupation and employer, so that this information may be provided to the Election Law Enforcement Commission (ELEC).

12. Each political committee, continuing political committee and legislative leadership committee is required to register with ELEC, carry a title that clearly reflects the political interests, objectives and composition of the committee and provide the names, mailing addresses, occupations and employers of the officers of the committee.

13. The current threshold amount which triggers the disclosure of contributions made to a candidate, a candidate committee or a joint candidates committee is raised from \$100 to \$200 and the

threshold amount triggering the 48-hour notice requirement for contributions is raised from over \$250 to contributions over \$500.

14. All dollar amounts provided for in the Reporting Act, including all new contribution limits, would be adjusted quadriennially.

15. Existing criminal fines and penalties that may be imposed by ELEC on violators of the Reporting Act are increased in order to promote compliance with disclosure.

16. A person is prohibited from making loans to any other person for the purpose of inducing that person to make a campaign contribution.

STATEMENT

These amendments to this bill, which revises "The New Jersey Campaign Contributions and Expenditures Reporting Act," would accomplish the following:

(1) Conform terminology (e.g., from "campaign committee" to "candidate committee", from "joint candidate committee" to "joint candidates committee", etc.) and correct or amplify references;

(2) Ensure that, as at present, the currency contribution limit is not to apply to campaign committees on a per-year basis, but on a per-election basis;

(3) Eliminate the existing prohibition, apparently unconstitutional under Eu v. San Francisco County Democratic Central Committee, 109 S.Ct. 1013, 57 U.S.L.W. 4251 (1989), on pre-primary spending by party committees to aid candidates of the party;

(4) Clarify that the obligations to make written records of contributions received and to deposit those contributions will continue to apply to political party committees;

(5) Authorize the Election Law Enforcement Commission to require additional reports by candidate committees and joint candidates committees if necessary to prevent extended periods (more than 5 months) of non-disclosure during periods of transition between campaign-cycle and quarterly-cycle reporting;

(6) Require candidates, as well as their campaign treasurers, to certify the correctness of quarterly reports by their campaign committees, just as they must in the case of their election-cycle reports;

(7) Correct misstated reference to expenditures (viz., "campaign expenses") which are to be reported separately from other expenditures on a candidate's expenditure reporting form;

(8) Provide, with respect to the prohibition against any agreement between two parties that one will make a political contribution if the other will do likewise, that violation of the provision shall be a civil rather than a criminal offense, and shall be subject to a fine equal to three times the amount of the illicit contribution;

(9) Clarify that "groups", as well as defined contributors, are subject to all contribution limits;

(10) Supply a missing reference, inadvertently omitted, to the payment of ordinary and necessary expenses of holding public office as a proper purpose for which contributions received by a candidate, candidate committee, joint candidates committee, or legislative leadership committee may be used; and

(11) Provide that all corporations, and not only those doing business in New Jersey, are subject to the legislation's limits on the amounts which may be contributed to candidates, candidate committees, legislative leadership committees, party committees, continuing political committees, and political committees.

FISCAL NOTE TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 100, 195, 196, 646, 659 and 869

STATE OF NEW JERSEY

DATED: June 4, 1992

The Assembly Committee Substitute for Assembly Bill Nos. 100, 195, 196, 646, 659 and 869 amends "The New Jersey Campaign Contributions and Expenditures Reporting Act" concerning the amount of money and other things of value that individuals, candidates, corporations, unions, political committees and continuing political committees (popularly known as Political Action Committees or PACs) may contribute to other candidates, political committees and continuing political committees. The bill implements most of the changes in the Reporting Act recommended by the Ad Hoc Commission on Legislative Ethics and Campaign Finance in its final report.

The bill includes the following provisions:

1. A limit of \$1,500 per election is imposed on the amount that may be contributed to a candidate or a candidate committee by an individual or group and a limit of \$5,000 per election is imposed on the amount that may be contributed per election to a candidate or a candidate committee, other than a candidate for nomination or election to the office of Governor, by a political committee or a continuing political committee.

2. A candidate is limited to only one campaign committee (to be known as a candidate committee) for the purpose of raising funds for and paying the expenses of the political activities of that candidate. Alternatively, at least two but no more than three candidates in an election in the same legislative district, county or municipality would be permitted to form a joint candidates committee. No candidate would be allowed to maintain any political committee or continuing committee.

3. A limit of \$25,000 per year is imposed on the amount that an individual, corporation, labor organization, political committee, continuing political committee, candidate committee or joint candidates committee or any other group can contribute to the State committee of each political party or to each legislative leadership committee. (Only four such committees would be permitted: one for the majority leadership and one for the minority leadership in each House of the Legislature.)

4. A limit of \$10,000 per year is imposed on the amount that an individual, corporation, labor organization, political committee, continuing political committee, candidate committee or joint candidates committee or any other group can contribute to each county committee of each political party, and a limit of \$5,000 per year is imposed on the amount these groups can contribute to each municipal committee of each political party.

5. No limit is imposed on the amount of money that can be contributed to a candidate committee or a joint candidates committee by a political party committee, a legislative leadership committee, or a national party or congressional party political committee. However, a political party committee or legislative leadership committee could not, from the contributions it receives from contributors, annually give to any recipient any more than those contributors severally could legally give to the recipient.

6. A limit of \$1,500 per election is imposed on the amount that one candidate committee or joint candidates committee can contribute to another candidate committee (other than the committee of a candidate for nomination or election to the office of Governor) or a joint candidates committee.

7. A limit of \$1,500 per year is imposed on the amount that an individual, corporation or labor organization may contribute to a continuing political committee (other than a legislative leadership committee or a political party committee).

8. A limit of \$1,500 per election is imposed on the amount that an individual, corporation or labor organization may contribute to a political committee and a limit of \$5,000 per election is imposed on the amount that a political committee or continuing political committee may contribute to another political committee or continuing political committee.

9. Contributions to a candidate, a candidate committee, a joint candidates committee or a legislative leadership committee are restricted to only the following uses: a) the payment of all political expenses; b) contributions to charities; c) the payment of overhead and administrative expenses related to the operation of the candidate's campaign committee or joint candidates committee or a legislative leadership committee; d) transmittals to another candidate, candidate committee, joint candidates committees, political committees, continuing political committee, legislative leadership committee or political party committee; e) pro-rata repayment of contributors; and f) the payment of ordinary and necessary expenses of holding public office.

10. Any funds remaining in the campaign depository of a candidate committee or joint candidate committee of a candidate at the death of the candidate shall be used only in one or more of the acceptable ways described above by the committee's treasurer or whoever has control of the committee's funds after the death of the candidate.

11. Individual contributors to a candidate or a committee (including political committees, continuing political committees, political party committees and legislative leadership committees) are required to disclose to that candidate or committee their occupation and employer, so that this information may be provided to the Election Law Enforcement Commission (ELEC).

12. Each political committee, continuing political committee and legislative leadership committee is required to register with ELEC, carry a title that clearly reflects the political interests, objectives and composition of the committee and provide the names, mailing addresses, occupations and employers of the officers of the committee.

ACS for A100

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13. The current threshold amount which triggers the disclosure of contributions made to a candidate, a candidate committee or a joint candidates committee is raised from \$100 to \$200 and the threshold amount triggering the 48-hour notice requirement for contributions is raised from over \$250 to contributions over \$500.

14. All dollar amounts provided for in the Reporting Act, including all new contribution limits, would be adjusted quadrennially.

15. Existing criminal fines and penalties that may be imposed by ELEC on violators of the Reporting Act are increased in order to promote compliance with disclosure.

16. A person is prohibited from making loans to any other person for the purpose of inducing that person to make a campaign contribution.

The Election Law Enforcement Commission (ELEC) estimates that in order to implement the provisions of this bill, an additional 33 staff members (12 compliance officers, 1 clerk, 2 field investigators, 2 attorneys, 7 data entry operators, 6 secretaries, 1 assistant systems administrator, 1 research specialist and 1 fiscal analyst) would be required, for a total first-year personnel cost of \$750,250. An additional \$533,000 in first-year operating expenditures would be necessary, for a total first-year cost of \$1,283,250. This first-year cost includes \$473,000 in one-time equipment and data processing expenditures. After adding a 10 percent inflation factor and eliminating the first-year startup costs, ELEC estimates that the second and third-year expenses would be \$891,275 and \$980,403 respectively.

The Office of Legislative Services (OLS) notes that although the Ad Hoc Commission on Legislative Ethics and Campaign Finance recommends various new responsibilities for the Election Law Enforcement Commission, several of the recommendations entail increased contribution thresholds rather than an increased work load and should not require additional resources to implement. However, other recommendations concerning the increased contributor and lobbyist reporting requirements would justify increased staff, computer capability and facilities. In addition, increased printing costs would be incurred during the initial phase of implementation as a result of the need for ELEC to update all of its forms and manuals.

The OLS does not have sufficient information available to it to determine the number of additional personnel required to implement these recommendations. For example, ELEC does not address the manner in which the Ad Hoc Commission's recommendations will interface with its current activities. It may be possible to use present staff to perform some of the new duties. Since the new procedures will supercede many current activities, it would probably be necessary to eliminate some of these current activities and retrain personnel on the new procedures. The OLS further notes that ELEC has consistently claimed that it is understaffed to perform its present responsibilities, and additional personnel are required. Therefore, it is difficult to determine which of the requested new positions are required for the new responsibilities, and which may be needed merely to continue its current operations.

or a labor organization of any kind which exists or is constituted for the purpose ¹[of]¹, in whole or in part, of collective bargaining, or of dealing with employers concerning the grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment, ¹or any other group,¹ any contribution of money or other thing of value which in the aggregate exceeds \$1,500 per election.

c. No candidate, his campaign treasurer, deputy treasurer, candidate committee or joint candidates committee, shall pay or make any contribution of money or other thing of value to a political committee, other than a political committee which is organized to, or does, aid or promote the passage or defeat of a public question in any election, or a continuing political committee, which in the aggregate exceeds¹, in the case of such a political committee, \$5,000 per election, or in the case of a continuing political committee,¹ \$5,000 per year. No political committee, other than a political committee which is organized to, or does, aid or promote the passage or defeat of a public question in any election, or a continuing political committee, shall knowingly accept from a candidate, his campaign treasurer, deputy treasurer, candidate committee or joint candidates committee, any contribution of money or other thing of value which in the aggregate exceeds¹, in the case of such a political committee, \$5,000 per election, or in the case of a continuing political committee,¹ \$5,000 per year.

d. No political committee, other than a political committee which is organized to, or does, aid or promote the passage or defeat of a public question in any election, and no continuing political committee shall pay or make any contribution of money or other thing of value to another political committee, other than a political committee which is organized to, or does, aid or promote the passage or defeat of a public question in any election, or another continuing political committee which in the aggregate exceeds¹, in the case of a recipient continuing political committee, \$5,000 per year, or in the case of a recipient political committee,¹ \$5,000 per election. No political committee, other than a political committee which is organized to, or does, aid or promote the passage or defeat of a public question in any election, and no continuing political committee shall knowingly accept from another political committee, other than a political committee which organized to, or does, aid or promote the passage or defeat of a public question in any election, or another continuing political committee any contribution of money or other thing of value which in the aggregate exceeds¹, in the case of a recipient continuing political committee, \$5,000 per year, or in the case of a recipient political committee,¹ \$5,000 per election.

STATEMENT

This amendment would raise the limit imposed by this legislation on the amount of aggregate annual contributions which an individual, corporation, or labor union could give to a continuing political committee (i.e., a political action committee, or "PAC") from \$1,500 to \$3,000.

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 100, 195, 196, 646, 659 and 869

with Assembly Floor Amendments
(Sponsored by Assemblymen MARTIN and DORIA)

ADOPTED JUNE 18, 1992

This amendment would raise the limit imposed by this legislation on the amount of aggregate annual contributions which an individual, corporation, or labor union could give to a continuing political committee (i.e., a political action committee, or "PAC") from \$1,500 to \$3,000.

amounts of contributions paid or made, or accepted, prior to such date of enactment by any person to whom the provisions of sections 17, 18, or 19 apply shall not be considered in determining the application of those sections on and after that date of enactment. If enacted after March 1, 1993, this act shall take effect on January 1, 1994.

STATEMENT

These Assembly amendments to this legislation, which imposes new restrictions on political contributions and makes various other changes in "The New Jersey Campaign Contributions and Expenditures Reporting Act", would effect the following changes in the bill:

(1) Prohibit the chairman of a political party committee or a legislative leadership committee from serving as the chairman or treasurer of a continuing political committee (i.e., a political action committee, or "PAC"), a political committee, or a candidate committee or joint candidates committee. An exception from the prohibition would allow a party or leadership committee chairman who is also a candidate to chair or serve as treasurer of his or her own candidate organization;

(2) Delete provisions, proposed under the legislation and not in existing law, which would (a) prohibit certain acts involving the making or handling of campaign contributions or the disclosure of those contributions or other information, and (b) establish a grading of existing criminal sanctions in accordance with the severity of the offense;

(3) Clarify that a candidate's expenditures on behalf of a fellow candidate for the same office of the same political subdivision or legislative district are exempt from the bill's limit on amounts which one candidate can contribute to another;

(4) Increase the amount which individuals, corporations, labor organizations, and other entities may give to a county political party committee from \$10,000 to \$25,000 per year;

(5) Delete from the bill's provisions for public registration by political committees, continuing political committees, and legislative leadership committees a requirement that the committee's name "accurately reflect the political interests, objectives and composition of the committee," and require instead that the statement of registration identify "the general category of entity or entities, . . . the interests of which are shared by the leadership, members, or financial supporters of the committee";

(6) Make technical changes in the provisions for quadrennial indexation adjustments of various monetary reporting thresholds, contribution limits, etc. to reflect the foregoing revisions; and

(7) Change the date upon which the bill is to take effect as law from "January 1st following enactment" so that (a) if the bill is enacted on or before January 1, 1993, it will take effect on

**ASSEMBLY Amendments to
ASSEMBLY COMMITTEE SUBSTITUTE for
ASSEMBLY, Nos. 100, 195, 196, 646, 659 and 869 (2R)
Page 22**

January 1, 1993, (b) if enacted after January 1, 1993 and on or before March 1, 1993, the bill will take effect immediately, but contributions made prior to such enactment shall not be considered in determining the application of the legislation's limits on amounts of those contributions, and (c) if enacted after March 1, 1993, the bill will take effect on January 1, 1994.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

[THIRD REPRINT]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 100, 195, 196, 646, 659, and 869

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 12, 1993

The Senate Judiciary Committee reports favorably and with committee amendments ACS for Assembly, Nos. 100, 195, 196, 646, 659, and 869 (3R).

This bill proposes a series of amendments to the "New Jersey Campaign Contributions and Expenditures Reporting Act" concerning the amount of money and other things of value that individuals, candidates, political committees and political action committees (PACs) may contribute to candidates, political committees and PACs. The following is a summary of the major provisions of the bill and the amendments to the bill adopted by the committee:

1. The bill would have imposed a limit of \$1,500 per election limit on the amount that may be contributed by an individual and a \$5,000 per election limit on contributions by political committees or continuing political committees. The committee adopted an amendment providing that these limitation would be on a per year basis. There would be no limitation on what an individual could contribute to his own campaign. By amendment, the committee clarified that there is also no limitation on the amount that a corporation 100% controlled by a candidate or members of the candidate's immediate family may contribute to the candidate's campaign.

2. As passed by the Assembly, the bill would have limited participation in a joint candidate committee to no more than three candidates. The committee amended the bill to provide that participation in a joint candidate committee would be dependent on the number of the same offices to be filled at that election.

3. The bill would impose a limit of \$25,000 per year on the amount that an individual, corporation, labor organization, political committee, candidate committee or joint candidates committee or any other group can contribute to the State committee of each political party or to each legislative leadership committee. Only four leadership committees would be permitted: one for the majority leadership and one for the minority leadership in both the Senate and Assembly.

4. The bill would impose a limit of \$25,000 per year on the amount that an individual, corporation, labor organization, political committee, continuing political committee, candidate committee or joint candidates committee or any other group can contribute to the county committee of each political party, and a limit of \$5,000 per year is imposed on the amount these groups can contribute to the municipal committee of each political party.

5. The bill would impose no limitation on the amount of money that can be contributed to a candidate committee or a joint candidates committee by a political party committee or by a legislative leadership committee.

6. The bill would set a limit of \$5,000 per election on the amount that one candidate committee or joint candidates committee can contribute to another candidate committee or a joint candidates committee. Under an amendment adopted by the committee, there would, however, be no limitation on the amount a candidate committee may contribute to the campaign of a running mate with Senate and Assembly candidates being considered running mates.

7. The committee adopted amendments deleting provisions which would have imposed a \$3,000 a year limit on the amount that an individual, corporation or labor organization may contribute to a continuing political committee and a limit of \$1,500 per election on the amount that an individual, corporation or labor organization may contribute to a political committee.

8. This bill would establish a \$5,000 per year limit on the amount contributed to a PAC by another PAC or political committee and a \$5,000 per election limit on a contribution to a political committee by a PAC or other political committee.

9. The bill would provide that contributions to a candidate, a candidate committee, a joint candidates committee or a legislative leadership committee can only be used for the following: a) the payment of all campaign expenses; b) contributions to charities; c) the payment of overhead and administrative expenses related to the operation of the candidate's campaign committee or joint candidates committee or a legislative leadership committee; d) transmittals to another candidate, candidate committee, joint candidates committees, political committees, continuing political committee, legislative leadership committee or political party committee; e) pro-rata repayment of contributors; and f) the payment of ordinary and necessary expenses of holding public office.

10. The bill provides that individual contributors to a candidate or a committee (including political committees, continuing political committees, political party committees and legislative leadership committees) must disclose to that candidate or committee their occupation and employer so that this information may be provided to the Election Law Enforcement Commission (ELEC).

The bill would require that the filing for a committee identify the general category of entity or entities the interests of which are shared by the committee's leadership, members or financial supporters.

11. The bill would raise the current threshold amount which triggers the disclosure of contributions made to a candidate, a candidate committee or a joint candidates committee from \$100 to \$200 and the threshold amount triggering the 48-hour notice requirement for contributions from over \$250 to contributions over \$500.

12. The bill provides that all dollar amounts provided for in the Reporting Act, including all new contribution limits, would be adjusted quadrennially.

13. The amendments restore a section to the bill prohibiting corporations and labor organizations from giving employees additional remuneration for the express purpose of making a contribution.

14. The amendments would restore two criminal offenses covering the making of a loan as an inducement for the making of a contribution and the making of a contribution after being induced by a loan. These offenses would be classified as crimes of the fourth degree.

The amendments would also add additional monetary penalties for violations of the provisions setting limits on campaign contributions. These penalties would be based on the amount of the illegal contributions with a top penalty of up to \$100,000.00 for illegal contributions of more than \$75,000.00. The amendments also provide for forfeiture of office if an elected official is determined by ELEC to have committed a violation involving illegal contributions of \$50,000.00 or more and that the violation had a significant impact on the election. An additional amendment raises the general penalties for violation of the campaign financing statute from \$1,000.00 to \$3,000.00 for a first offense and from \$2,000.00 to \$6,000.00 for repeat offenses.

15. The amendments add a provision providing that if a PAC or political committee is illegally organized or makes illegal contributions in an effort to defeat a candidate, the aggrieved candidate may apply to Superior Court for injunctive relief. Relief granted under this provision could include an increase in the amount of contributions that the aggrieved candidate may legally raise.

16. The amendments add a provision limiting to \$5,000 per year the amount that a candidate may accept from a county committee of a political party if less than 25% of the district is within that county.

17. The amendments add a provision requiring political committees and PACs to report within 48 hours expenditures of more than \$500.00 made between the last ELEC report filed by the political committee or PAC and the date of the election.

18. The amendments clarify that campaign contribution limits applicable to individual candidate may be aggregated in the case of a joint campaign committee.

19. The amendments add a provision permitting ELEC to employ additional personnel to implement the bill's provisions.

20. The amendments add a provision clarifying that the bill's contribution limitations would not apply to campaign debts incurred prior to the bill's enactment.

21. The amendments add a provision empowering ELEC to adopt whatever emergency rules and regulations are necessary to insure that the bill's provisions apply to the June 1993 primary election.

22. By amendment, the committee repealed provisions which barred financial institutions, insurance companies and utilities from making campaign contributions.

SENATE JUDICIARY COMMITTEE
STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
[FOURTH REPRINT]
ASSEMBLY, Nos. 100, 195, 196, 646, 659 and 869
with committee amendments
STATE OF NEW JERSEY

DATED: FEBRUARY 1, 1993

The Senate Judiciary Committee reports favorably Assembly Committee Substitute for Assembly Bill Nos. 100, 195, 196, 646, 659 and 869 [4R] with committee amendments.

ACS for A100 et al and S1017 both proposed a series of amendments to the "New Jersey Campaign Contributions and Expenditures Reporting Act" concerning the amount of money and other things of value that individuals, candidates, political committees and political action committees (PACs) may contribute to candidates, political committees and PACs. Both bills were released with committee amendments by the Judiciary Committee on January 12. On January 25, S1017 was merged by floor vote with ACS for A100 and ACS for A100 was recommitted to the Judiciary Committee for further consideration.

Upon reconsideration, the following amendments were adopted by the committee:

1. The amendments would permit a candidate to establish both a candidate and a joint candidates committee. In order to insure that contribution limits cannot be exceeded by the creation of both committees, the total amounts of contributions that can be made to or by a candidate who has established both committees is limited to the amounts that can be given to or by a candidate committee. As previously released, the bill would have permitted a candidate to establish either a candidate committee or a joint candidate committee but not both.

2. The amendments would also clarify that for the purpose of determining the amount of a contribution to be attributed as given to or by each candidate in a joint candidates committee, the amount of the contribution to or by such a committee shall be divided equally among all the candidates in the committee.

3. As previously released, the bill would have limited to \$5,000.00 the amount that a county committee of a political party could have contributed to a legislative candidate if that county constituted less than 25% of the legislative district. The amendments would provide that if a county constitutes less than 20% of a district, the limitation on a county committee would be \$5,000 and if the county constitutes at least 20% but less than 40% of the district, the limitation on a county committee from that county would be \$25,000.00.

4. The amendments deleted sections from the bill which would have eliminated the existing restrictions on campaign contributions by regulated industries and insurance companies.

5. The amendments would delete the provisions permitting the Election Law Enforcement Commission to employ such personnel as it deems necessary to implement the bill, notwithstanding the present hiring freeze.

6. The amendments would permit a national committee of a political party to contribute up to \$50,000 per year to the State committee of a political party.

committee ¹or legislative leadership committee¹ is permitted by or violative of this subsection, no account shall be taken of that committee's assets on hand as of the close of business of the preceding calendar year.

This subsection shall not be construed to require or authorize, with respect to any contributions which have been made by a contributor to a particular political party committee ¹or legislative leadership committee¹, the attribution of those contributions to that contributor for the purposes of determining the amount which the contributor is allowed by law to contribute to any other entity.) Nothing contained in this section shall be construed to impose any limitation on contributions by a candidate, or by a corporation, 100% of the stock in which is owned by a candidate or the candidate's spouse, child, parent or sibling residing in the same household, to that candidate's campaign.⁴

⁵e. For the purpose of determining the amount of a contribution to be attributed as given to or by each candidate in a joint candidates committee, the amount of the contribution to or by such a committee shall be divided equally among all the candidates in the committee.⁵

REPLACE TITLE TO READ:

AN ACT concerning campaign contributions and expenditures, ⁶[and]⁶ revising and supplementing P.L.1973, c.83 (C.19:44A-1 et seq.) ⁶[⁴, amending R.S.19:34-45 and repealing R.S.19:34-32⁴] and amending P.L.1974, c.26⁶.

and P.L. 1989, c. 4

STATEMENT

These amendments (1) change the basis of the limits on contributions to candidates from a per year to a per election basis; (2) with respect to the provisions placing limits on the contributions from a county committee to legislative candidates when only a certain portion of the legislative district is within a county, add a statement of legislative findings and declarations to make clear the basis for placing such limits in those circumstances; and (3) make a technical correction in the title.



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
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Release:

Monday
March 8, 1993

GOVERNOR SIGNS CAMPAIGN FINANCE REFORM BILLS

For the first time, contributors to candidates for legislative and local offices this year will be subject to limits on how much they may give and to tough disclosure requirements under a bill signed by Governor Jim Florio today.

"Reforming our system of financing legislative elections is crucial if we want people to see that government works for them, and not the special interests," Gov. Florio said. "The reform bill the Legislature has sent me is a significant step forward in our common effort to make government more responsive."

"There is more we should do, but this represents a good first step by imposing limits on contributions and by requiring much greater disclosure and accountability," Gov. Florio said. "I had hoped to see other reforms included in this legislation. For instance, I believe we should require corporations and unions which make significant contributions to report those contributions to ELEC, so the public can more easily track campaign funding."

"While this legislation does not contain every reform that could be made, and while it deviates in some ways from the recommendations of the Rosenthal Commission, I am signing the legislation because the reforms it does contain are long overdue," Gov. Florio said. "However, I hope the Legislature continues to heed the call of the public to reform the governmental process, particularly with the passage of the comprehensive ethics reform bill that I called for in my annual address and which the people of this state deserve."

Candidates for governor already are subject to individual contribution limits of \$1,800 if they accept partial public financing under a 1974 law. New Jersey is one of the few states in the country to have public financing of gubernatorial elections.

The campaign finance reform is the latest in a number of reforms the Governor has enacted during his term. On his first day in office, the Governor signed an executive order requiring complete disclosure of the financial interests of public officials and their families. He also signed into law lobbying reforms that require full disclosure of all lobbying expenditures connected with activities intended to influence executive branch and legislative decisions.

Governor Florio signed laws requiring local public officials and public school officials to comply with a strict code of ethical standards. In January, 1993, the Governor signed executive orders banning state agency leases with legislators and their families and reforming the process for awarding no-bid contracts. He also has proposed an ethics reform law that would strengthen the ethical standards applicable to state officers and employees, as well as members of the Legislature.

"I urge the Legislature to adopt the same kind of tough ethics standards for its own members that I have imposed on my administration," Gov. Florio said.

The bill signed today will:

CONTRIBUTIONS

- * Limit contributions to candidates by individuals, corporations, and unions to \$1,500 per election.
- * Limit contributions by candidates to another candidate to \$5,000 per election.
- * Limit contributions by Political Action Committees (PACs) to \$5,000 per election.
- * Limit contributions by other PACS or by candidates to single-election PACs.
- * Limit individuals or entities to contributing no more than \$25,000 per year to a state or county political committee or \$5,000 per year to a municipal political committee.
- * Limit contributions by county committees to candidates for county or local office in other counties, and to candidates in certain districts, based upon the county committee's share of population in the legislative districts.
- * Contributions to candidates or legislative leadership committees could only be used for specified purposes.

DISCLOSURE

- * Individual contributors to a candidate or a committee are required to disclose their occupation and employer, and that information would have to be reported to ELEC.
- * Every PAC and leadership committee is required to register with ELEC, state the interests of the PAC, and provide the names, addresses, occupations and employers of the officers of the PAC.