

19:44A-2

## **LEGISLATIVE HISTORY CHECKLIST**

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**LAWS OF:** 1993      **CHAPTER:** 65  
**NJSA:** 19:44A-2      (NJ Campaign Contributions and Expenditures Reporting Act)  
**BILL NO.:** A100

**SPONSOR(S)** Haytaian and others

**DATE INTRODUCED:** January 14, 1992

**COMMITTEE:**      **ASSEMBLY:** State Government  
**SENATE:**            Judiciary

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:** February 18, 1993  
**ASSEMBLY:** February 18, 1993  
**SENATE:** February 18, 1993

**DATE OF APPROVAL:** March 8, 1993

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** Assembly Committee Substitute (6R) enacted

**A100/A195/A196/A646/A659/A869**

<b>SPONSOR'S STATEMENT (A100)</b> (Begins on page 37 of original bill)	Yes
<b>SPONSOR'S STATEMENT (A195)</b> (Begins on page 38 of original bill)	Yes
<b>SPONSOR'S STATEMENT (A196)</b> (Begins on page 2 of original bill)	Yes
<b>SPONSOR'S STATEMENT (A646)</b> (Begins on page 2 of original bill)	Yes
<b>SPONSOR'S STATEMENT (A659)</b> (Begins on page 16 of original bill)	Yes
<b>SPONSOR'S STATEMENT (A869)</b> (Begins on page 37 of original bill)	Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes

**SENATE:** Yes 1-12-93  
2-1-93

**FLOOR AMENDMENT STATEMENT:** Yes 6-18-92  
2-9-93

**LEGISLATIVE FISCAL NOTE:** Yes

**ASSEMBLY AMENDMENT STATEMENT (ACS)** Yes  
- (includes statement on page 27)

(continued)

**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.19:34-32<sup>4</sup>] and amending P.L.1974, c.26 and P.L.1989, c.4<sup>6</sup>.  
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 b. 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  
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-46 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 q. 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 <sup>4</sup>[but not more than three]<sup>4</sup>  
24 candidates for <sup>4</sup>[any elective public office] the same elective  
25 public offices<sup>4</sup> in the same election in a legislative district,  
26 county <sup>4</sup>[or],<sup>4</sup> municipality <sup>4</sup>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,<sup>4</sup> for the purpose of receiving  
29 contributions and making expenditures. <sup>4</sup>For 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.<sup>4</sup>

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 election<sup>4</sup>, 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 election<sup>4</sup>. The  
34 notice <sup>4</sup>of a contribution<sup>4</sup> 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. <sup>4</sup>The 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.<sup>4</sup>

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.<sup>3</sup>

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. <sup>4</sup>If 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.<sup>4</sup>

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. <sup>3</sup>No 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.<sup>3</sup>  
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] The<sup>1</sup> 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 the<sup>1</sup> designation by the candidate, or  
29      candidates, of 1[the] that<sup>1</sup> treasurer of the 1[campaign]  
30      candidate<sup>1</sup> 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. <sup>3</sup>No 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.<sup>3</sup> <sup>1</sup>The 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.<sup>1</sup> 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]~~<sup>1</sup> campaign depository shall be  
4 made by the candidate's<sup>1</sup>, candidates<sup>1</sup> or committee's filing  
5 the name and address of ~~1[such campaign treasurer and]~~<sup>1</sup> 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. )<sup>(now pending before the Legislature as this bill)</sup>.

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 ~~5~~or both<sup>5</sup> for each office contested.

38 h. (1) On and after the 366th day following the effective date  
39 of P.L. , c. <sup>(now pending before the Legislature as this bill)</sup>,  
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.18:44A-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. )<sup>(now pending</sup>  
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 committee<sup>3</sup> 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] <sup>3</sup>, 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 committee<sup>3</sup>. 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 depository<sup>3</sup>, 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 committee<sup>3</sup>. 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 <sup>1[in</sup>  
23 any calendar year]<sup>1</sup> may be made to a candidate committee or  
24 joint [candidate] candidates<sup>1</sup> 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 <sup>1</sup>[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.]<sup>1</sup>

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

1 committee<sup>1</sup>, political party committee<sup>1</sup> 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 [campaign] election<sup>1</sup> 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)<sup>1</sup>[ 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. A<sup>1</sup> 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      1<sup>election</sup> 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] 1<sup>election</sup>  
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] 1<sup>political committees, 1 candidate committees and</sup>  
41       joint candidates committees. The requirements to file 1<sup>quarterly</sup>  
42       reports after the first<sup>1</sup> post-election 1[reports] report<sup>1</sup> 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] 1<sup>political committee, 1 candidate</sup>  
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] candidates<sup>1</sup>  
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 candidates<sup>1</sup> in control

1   of the committee does 1or do<sup>1</sup> not run for election or reelection  
2   and January 15 of each calendar year in which the candidate 1or  
3   candidates<sup>1</sup> does 1or do<sup>1</sup> 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 candidates<sup>1</sup> 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. <sup>1</sup>The  
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.<sup>1</sup>

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 provide<sup>1</sup> for the grouping  
26   togetherof all expenditures under the category of 1["ordinary and  
27   necessary expenses of holding public office"] "campaign  
28   expenses"<sup>1</sup> under paragraph 1[(6)] (1)<sup>1</sup> 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)<sup>1</sup> 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   candidates<sup>1</sup> does 1or do<sup>1</sup> run for election or reelection shall  
36   contain a report of all of the contributions received and  
37   expenditures made by the candidate 1or candidates<sup>1</sup> 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 candidates<sup>1</sup>

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<sup>4</sup> or more<sup>4</sup> 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<sup>4</sup> or more<sup>4</sup> 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,  
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 <sup>1</sup>committee or joint  
3      candidates committee<sup>1</sup> 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 <sup>1</sup>[contribution] contributions<sup>1</sup> 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.]<sup>3</sup> <sup>4</sup>No 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.<sup>4</sup>

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 <sup>3</sup>[; 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]<sup>3</sup> <sup>4</sup>; 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 committee<sup>4</sup>.

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. <sup>3</sup>[(1)]<sup>3</sup> Any person who <sup>4</sup>[willfully and knowingly]  
45 purposely<sup>4</sup> 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 act<sup>1</sup>[, and any person who willfully and knowingly agrees with  
54 another person to make a contribution to a candidate, candidate

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,<sup>1</sup> is guilty of <sup>3</sup>[(a) if the  
7 cumulative total amount of those contributions or those  
8 expenditures, or both, is less than or equal to \$5,000,<sup>3</sup> a  
9 [misdemeanor] crime of the fourth degree <sup>3</sup>[(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]<sup>3</sup>.

15 <sup>3</sup>[(2) Any person who establishes, or who serves as the  
16 campaign or organizational treasurer or deputy treasurer of<sup>1,1</sup> a  
17 political committee, continuing political committee, political  
18 party committee, <sup>1</sup>[or]<sup>1</sup> legislative leadership committee <sup>1</sup>or  
19 other group<sup>1</sup> 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 <sup>1</sup>legally<sup>1</sup> contribute directly to that candidate committee  
24 or joint candidates committee is guilty of a crime of the fourth  
25 degree.]<sup>3</sup>

26 b. Any person who <sup>4</sup>[willfully and knowingly] purposely<sup>4</sup> files  
27 or prepares or assists in the preparation for filing or <sup>4</sup>purposely<sup>4</sup>  
28 acquiesces in the preparation or filing of any report required  
29 under this act which <sup>4</sup>the person knows<sup>4</sup> is false, inaccurate or  
30 incomplete in any material particular; or who <sup>4</sup>[willfully and  
31 knowingly] purposely<sup>4</sup> fails or refuses to file any such report  
32 when required to do so pursuant to the provisions of this act; or  
33 who <sup>4</sup>[willfully] purposely<sup>4</sup> 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 <sup>3</sup>[(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.]<sup>3</sup>

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 vioalition 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.<sup>4</sup>

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)<sup>1</sup> 4[Any] Except as provided in subsection e. or f.,  
38      any<sup>4</sup> person, including any candidate, treasurer, candidate  
39      committee or joint candidates committee, political committee  
40      [or], 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 18 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

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

~~1[2] No person shall willfully and 4[knowingly] intentionally<sup>4</sup> agree with another person to make a contribution to a candidate, candidate committee, joint candidates committee, political committee, continuing political committee, political party committee, or legislative leadership committee with the intent, or upon the condition, understanding or belief, that the recipient candidate or committee shall make or have made a contribution to another such candidate or committee, but this paragraph shall not be construed to prohibit a county or municipal committee of a political party from making a contribution or contributions to any candidate, candidate committee, joint candidates committee, political committee, continuing political committee, political party committee, or legislative leadership committee. A finding of a violation of this paragraph shall be made only upon clear and convincing evidence. A person who violates the provisions of this paragraph shall be liable to a penalty equal to three times the amount of the contribution which that person agreed to make to the recipient candidate or committee.<sup>1</sup>~~

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

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

d. The commission may designate a hearing officer to hear complaints of violations of this act. Such hearing officer shall take testimony, compile a record and make factual findings, and shall submit the same to the commission, which shall have power to assess penalties within the limits and under the conditions prescribed in subsections b. and c. of this section. The commission shall review the record and findings of the hearing officer, but it may also seek such additional testimony as it deems necessary. The commission's determination shall be by 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.28 (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.).<sup>4</sup>  
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 [candidates] <sup>4</sup>[candidate<sup>1</sup>] candidates<sup>4</sup> 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 \$1,500.00<sup>4</sup>, or in the case of a joint  
35      candidates committee<sup>5</sup>when that is the only committee  
36      established by the candidates<sup>5</sup>, in excess of \$1,500.00 per  
37      candidate in the joint candidates committee<sup>4</sup><sup>5</sup>, 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      candidate<sup>5</sup>. 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<sup>4</sup>, or in the case  
49      of a joint candidates committee<sup>5</sup>when that is the only  
50      committee established by the candidates<sup>5</sup>, in excess of \$1,500.00  
51      per candidate in the joint candidates committee<sup>4</sup><sup>5</sup>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<sup>5</sup> 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 <sup>4</sup>, or  
5 in the case of a contribution or contributions by a joint  
6 candidates committee <sup>5</sup>when that is the only committee  
7 established by the candidates<sup>5</sup>, in excess of \$1,500.00 per  
8 candidate in the joint candidates committee<sup>4</sup> <sup>5</sup>or 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<sup>5</sup>  
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 <sup>4</sup>, or in the case of a contribution or contributions by a  
15 joint candidates committee <sup>5</sup>when that is the only committee  
16 established by the candidates<sup>5</sup>, in excess of \$1,500.00 per  
17 candidate in the joint candidates committee<sup>4</sup> <sup>5</sup>, 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 committee<sup>5</sup>.

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 <sup>4</sup>, or in the case of a  
37 contribution or contributions by a joint candidates committee  
38 <sup>5</sup>when that is the only committee established by the candidates<sup>5</sup>,  
39 in excess of \$1,500.00 per candidate in the joint candidates  
40 committee<sup>4</sup> <sup>5</sup>, 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 candidate<sup>5</sup>. 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 <sup>4</sup>, except that in the  
46 case of a contribution from a joint candidates committee <sup>5</sup>when  
47 that is the only committee established by the candidates<sup>5</sup>, the  
48 amounts which may be so allocated shall be \$1,500.00 per  
49 candidate in the joint candidates committee<sup>4</sup> <sup>5</sup>, 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 committee<sup>5</sup>. 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.]<sup>3</sup>

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

52 Any corporation or labor organization of any kind found to be  
in violation of this subsection shall, in addition to any other  
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.<sup>4</sup>

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.<sup>4</sup> (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] campaign<sup>1</sup> 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]<sup>1</sup>

26 (5) the pro-rata repayment of contributors<sup>1</sup>; or

27 (6) the payment of ordinary and necessary expenses of holding  
28 public office<sup>1</sup>.

29 As used in this subsection, "1[political] campaign<sup>1</sup> 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.<sup>4</sup> (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 shall<sup>5</sup>: <sup>1</sup>(1)<sup>5</sup> pay or  
5 make any contribution of money or other thing of value to a  
6 candidate <sup>4</sup>who has established <sup>5</sup>only<sup>5</sup> a candidate committee<sup>4</sup>,  
7 his campaign treasurer, deputy campaign treasurer<sup>4</sup>[.] or<sup>4</sup>  
8 candidate committee<sup>4</sup>[or joint candidates committee]<sup>4</sup> which in  
9 the aggregate exceeds \$1,500 per <sup>6</sup>[year<sup>4</sup>] election<sup>6</sup>, or <sup>5</sup>(2)<sup>5</sup> pay  
10 or make any contribution of money or other thing of value to  
11 candidates who have established <sup>5</sup>only<sup>5</sup> 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 <sup>6</sup>[year] election<sup>6</sup> per candidate<sup>4</sup> <sup>5</sup>, 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 <sup>6</sup>[year<sup>5</sup>]  
20 election<sup>6</sup>. No candidate <sup>5</sup>who has established only a candidate  
21 committee<sup>5</sup>, his campaign treasurer <sup>4</sup>[or] <sup>4</sup> deputy campaign  
22 treasurer<sup>4</sup>[.] or<sup>4</sup> candidate committee<sup>4</sup>[or joint candidates  
23 committee]<sup>4</sup> 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 county other than the United States <sup>1</sup>[and  
27 doing business in this State]<sup>1</sup>, a labor organization of any kind  
28 which exists or is constituted for the purpose <sup>1</sup>[of]<sup>1</sup>, 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 <sup>4</sup>[election] <sup>6</sup>[year]  
34 election<sup>6</sup>, and no candidates who have established <sup>5</sup>only<sup>5</sup> 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 <sup>6</sup>[year] election<sup>6</sup> per candidate<sup>4</sup> <sup>5</sup>, 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 <sup>6</sup>[year. <sup>5</sup>] election.<sup>6</sup>

46 b. <sup>6</sup>(1)<sup>6</sup> No political committee or continuing political  
47 committee shall<sup>5</sup>: <sup>6</sup>[<sup>1</sup>]<sup>5</sup> (a)<sup>6</sup> pay or make any contribution of  
48 money or other thing of value to a candidate <sup>4</sup>who has established  
49 <sup>5</sup>only<sup>5</sup> a candidate committee<sup>4</sup>, his campaign treasurer, deputy  
50 campaign treasurer<sup>4</sup>[.] or<sup>4</sup> candidate committee<sup>4</sup>[or joint  
51 candidates committee]<sup>4</sup>, 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 <sup>4</sup>[election] <sup>6</sup>[year] election<sup>6</sup>, or  
54 <sup>6</sup>[<sup>5</sup>(2)<sup>5</sup>] (b)<sup>6</sup> 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]  
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,]6 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.<sup>4</sup>

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)8 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.<sup>5</sup>

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.<sup>6</sup>

52 c. 4(1)<sup>4</sup> No candidate 4who has established 5only<sup>5</sup> a candidate  
53 committee<sup>4</sup>, his campaign treasurer, deputy treasurer<sup>4</sup>[,] or<sup>4</sup>  
54 candidate committee 4[or joint candidates committee,]<sup>4</sup> shall

1       ~~4(a)4~~ pay or make any contribution of money or other thing of  
2       value to another candidate~~4[,] who has established 5only5~~ a  
3       candidate committee<sup>4</sup>, his campaign treasurer, deputy campaign  
4       treasurer~~4[,] or~~<sup>4</sup> candidate committee ~~4[or joint candidates~~  
5       committee]<sup>4</sup>, 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] election~~<sup>6</sup>, 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] election<sup>6</sup> per candidate in the recipient  
13      committee<sup>4</sup> ~~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[year] election<sup>6</sup>. No candidate ~~4[who has~~  
19      established 5only5 a candidate committee<sup>4</sup>, his campaign  
20      treasurer, deputy campaign treasurer~~4[,] or~~<sup>4</sup> candidate  
21      committee ~~4[or joint candidates committee]~~<sup>4</sup>, 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      5[who has established only a candidate committee]<sup>5</sup>, his campaign  
25      treasurer, deputy campaign treasurer~~4[,] or~~<sup>4</sup> candidate  
26      committee ~~4[or joint candidates committee]~~<sup>4</sup>, any contribution of  
27      money or other thing of value which in the aggregate exceeds  
28      \$5,000 per ~~4[election]~~<sup>3</sup>Expenditures 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.<sup>3</sup>  
40      6[year] election<sup>6</sup>, 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] election<sup>6</sup> per candidate in the recipient committee<sup>5</sup>, 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[year] election<sup>6</sup>.

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 <sup>5</sup>only<sup>5</sup> 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 <sup>6</sup>[year]  
8 election<sup>6</sup>, or (b) pay or make any contribution of money or other  
9 thing of value to candidates who have established <sup>5</sup>only<sup>5</sup> 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 <sup>6</sup>[year]  
14 election<sup>6</sup> per candidate in the recipient joint candidates  
15 committee<sup>5</sup>, 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 <sup>6</sup>[year<sup>5</sup>] election<sup>6</sup>. No  
22 candidate who has established <sup>5</sup>only<sup>5</sup> 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 <sup>5</sup>only<sup>5</sup> 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 <sup>6</sup>[year] election<sup>6</sup>, and no  
32 candidates who have established <sup>5</sup>only<sup>5</sup> 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 <sup>6</sup>[year]  
38 election<sup>6</sup> per candidate in the recipient joint candidates  
39 committee<sup>5</sup>, 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 <sup>6</sup>[year<sup>5</sup>] election<sup>6</sup>.

47 (3) <sup>5</sup>No 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] election<sup>6</sup>, 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] election<sup>6</sup> 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] election<sup>6</sup>. 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] election<sup>6</sup>, 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] election<sup>6</sup> 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] election<sup>6</sup>.

35      (4)<sup>5</sup> 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.<sup>4</sup>

47      d. <sup>4</sup>[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

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 committee<sup>1</sup> 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  
legislative leadership committee<sup>1</sup>, the attribution of those  
18 contributions to that contributor for the purposes of determining  
19 the amount which the contributor is allowed by law to contribute  
20 to any other entity.] Nothing contained in this section shall be  
21 construed to impose any limitation on contributions by a  
22 candidate, or by a corporation, 100% of the stock in which is  
23 owned by a candidate or the candidate's spouse, child, parent or  
24 sibling residing in the same household, to that candidate's  
25 campaign.<sup>4</sup>

26 5e. For the purpose of determining the amount of a  
27 contribution to be attributed as given to or by each candidate in a  
28 joint candidates committee, the amount of the contribution to or  
29 by such a committee shall be divided equally among all the  
30 candidates in the committee.<sup>5</sup>

31 3[19.] 4[18.<sup>3</sup>] 19.<sup>4</sup> (New section) a. 5[No] (1) Except as  
32 otherwise provided in paragraph (2) of this subsection, no<sup>5</sup>  
33 individual, no corporation of any kind organized and incorporated  
34 under the laws of this State or any other state or any country  
35 other than the United States, no labor organization of any kind  
36 which exists or is constituted for the purpose, in whole or in part,  
37 of 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 the campaign treasurer, deputy treasurer or other  
44 representative of the State committee of a political party or the  
45 campaign treasurer, deputy campaign treasurer or other  
46 representative of any legislative leadership committee, which in  
47 the aggregate exceeds \$25,000 per year <sup>4</sup>, or in the case of a  
48 joint candidates committee <sup>5</sup>when that is the only committee  
49 established by the candidates<sup>6</sup>, \$25,000 per year per candidate in  
50 the joint candidates committee<sup>4</sup> <sup>5</sup>, or in the case of a candidate  
51 committee and a joint candidates committee when both are  
52 established by a candidate, \$25,000 per year from that  
53 candidate<sup>6</sup>. 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 <sup>1</sup>[and  
7 doing business in the State]<sup>1</sup>, a labor organization of any kind  
8 which exists or is constituted for the purpose <sup>1</sup>[of]<sup>1</sup>, 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 <sup>4</sup>, or in the case  
16 of a joint candidates committee <sup>5</sup>when that is the only  
17 committee established by the candidates<sup>5</sup>, \$25,000 per year per  
18 candidate in the joint candidates committee<sup>4</sup> <sup>5</sup>, 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.<sup>5</sup>

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.<sup>5</sup>

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 <sup>1</sup>[and doing business in  
35 this State]<sup>1</sup>, no labor organization of any kind which exists or is  
36 constituted for the purpose <sup>1</sup>[of]<sup>1</sup>, 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 <sup>3</sup>[\$10,000] \$25,000<sup>3</sup> per year <sup>4</sup>, or in the case  
45 of a joint candidates committee <sup>5</sup>when that is the only  
46 committee established by the candidates<sup>5</sup>, \$25,000 per year per  
47 candidate in the joint candidates committee<sup>4</sup> <sup>5</sup>, 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 candidate<sup>5</sup>. 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 <sup>3</sup>[\$10,000]  
9 ~~\$25,000<sup>3</sup>~~ per year <sup>4</sup>, or in the case of a joint candidates  
10 committee <sup>5</sup>when that is the only committee established by the  
11 candidates<sup>5</sup>, \$25,000 per year per candidate in the joint  
12 candidates committee<sup>4</sup> <sup>5</sup>, 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 candidate<sup>5</sup>.

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 <sup>1</sup>[and doing business in  
18 this State]<sup>1</sup>, no labor organization of any kind which exists or is  
19 constituted for the purpose <sup>1</sup>[of]<sup>1</sup>, 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 <sup>4</sup>, or in the case of a joint  
28 candidates committee <sup>5</sup>when that is the only committee  
29 established by the candidates<sup>5</sup>, \$5,000 per year per candidate in  
30 the joint candidates committee<sup>4</sup> <sup>5</sup>, 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 candidate<sup>5</sup>. 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 <sup>1</sup>[and doing business in this State]<sup>1</sup>, a labor organization of any  
39 kind which exists or is constituted for the purpose <sup>1</sup>[of]<sup>1</sup>, 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 <sup>4</sup>, or in the case of a joint candidates committee <sup>5</sup>when that  
48 is the only committee established by the candidates<sup>5</sup>, \$5,000 per  
49 year per candidate in the joint candidates committee<sup>4</sup> <sup>5</sup>, 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 candidate<sup>5</sup>.

53 <sup>4</sup>No 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.<sup>4</sup>

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.<sup>5</sup>

18      3[20.] 4[19.3] 20.<sup>4</sup> (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]<sup>1</sup>, and no  
22      labor organization of any kind which exists or is constituted for  
23      the purpose 1[of]<sup>1</sup>, 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, 1~~or any other group~~<sup>1</sup>, 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] \$3,000<sup>2</sup> 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]<sup>1</sup>, or a labor organization of any kind  
34      which exists or is constituted for the purpose 1[of]<sup>1</sup>, 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      1~~or any other group~~<sup>1</sup> any contribution of money or other thing of  
39      value which in the aggregate exceeds 2[\$1,500] \$3,000<sup>2</sup> 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]<sup>1</sup>, and no labor organization of any kind which exists or  
44      is constituted for the purpose 1[of]<sup>1</sup>, 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, 1~~or any~~<sup>1</sup>  
48      ~~other group~~<sup>1</sup> 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 <sup>1</sup>[and doing business in this State]<sup>1</sup>,  
5 or a labor organization of any kind which exists or is constituted  
6 for the purpose of <sup>1</sup>[of]<sup>1</sup> , 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, <sup>1</sup>or any  
10 other group,<sup>1</sup> any contribution of money or other thing of value  
11 which in the aggregate exceeds \$1,500 per election.

12 c.<sup>1</sup> No candidate <sup>4</sup>who has established <sup>5</sup>only<sup>5</sup> a candidate  
13 committee<sup>4</sup>, his campaign treasurer, deputy treasurer<sup>4</sup>[.] or<sup>4</sup>  
14 candidate committee <sup>4</sup>[or joint candidates committee]<sup>1</sup><sup>4</sup> 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, <sup>1</sup>in the case of such  
20 a political committee, \$5,000 per election, or in the case of a  
21 continuing political committee, \$5,000 per year <sup>4</sup>, and no  
22 candidates who have established <sup>5</sup>only<sup>5</sup> 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<sup>4</sup> <sup>5</sup>, 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 candidate<sup>5</sup>. 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 <sup>4</sup>who has established <sup>5</sup>only<sup>5</sup> a candidate  
41 committee<sup>4</sup>, his campaign treasurer, deputy treasurer<sup>4</sup>[.] or<sup>4</sup>  
42 candidate committee <sup>4</sup>[or joint candidates committee]<sup>4</sup>, any  
43 contribution of money or other thing of value which in the  
44 aggregate exceeds, <sup>1</sup>in 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<sup>1</sup> <sup>4</sup>, and no such political committee  
47 or continuing political committee shall knowingly accept from  
48 candidates who have established <sup>5</sup>only<sup>5</sup> 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<sup>4</sup> <sup>5</sup>, 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 committee<sup>5</sup>.

13   <sup>4[d.] b.<sup>4</sup> 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 <sup>1</sup>, in the case of a recipient continuing  
22   political committee, \$5,000 per year, or in the case of a recipient  
23   political committee,<sup>1</sup> \$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 <sup>1</sup>is<sup>1</sup> 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 <sup>1</sup>, in the case of a recipient continuing  
33   political committee, \$5,000 per year, or in the case of a recipient  
34   political committee,<sup>1</sup> \$5,000 per election.</sup>

35   <sup>3[21.] 4[20.3]</sup> 21.<sup>4</sup> (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 <sup>4[committees]</sup>  
40   committee<sup>4</sup> 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 committee<sup>3[</sup>,  
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 committee<sup>3</sup>;

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 paragraph<sup>4</sup> within three days of the  
32 ~~4[occurrence]~~ occurrence<sup>4</sup> 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]~~ to<sup>1</sup>  
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 <sup>1</sup>[is] shall be<sup>1</sup> the same as the percentage of  
38 change that the commission <sup>1</sup>[will adjust] applies to<sup>1</sup> the amounts  
39 <sup>1</sup>[to be]<sup>1</sup> 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)<sup>1</sup>, and any amount so adjusted shall be rounded in  
43 the same manner as provided in that section<sup>1</sup>.

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 <sup>1</sup>[reporting of] an obligation to report<sup>1</sup> 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 <sup>1</sup>[reporting of] an obligation to report<sup>1</sup> 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 <sup>1</sup>[in excess of \$500]<sup>1</sup>  
11 received during the period between the 13th day prior to the  
12 election and the date of the election <sup>4</sup>, 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 election<sup>4</sup>  
18 <sup>1</sup>which triggers an obligation to report that contribution to the  
19 commission<sup>1</sup> 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 <sup>1</sup>[in excess of \$500]<sup>1</sup> received during the period between the 13th  
23 day prior to the election and the date of the election <sup>1</sup>which  
24 triggers an obligation to report that contribution to the  
25 commission<sup>1</sup> pursuant to section 16 of P.L.1973, c.83  
26 (C.19:44A-16);

27 (4) the maximum amount which may be <sup>1</sup>[raised] expended<sup>1</sup> by  
28 the campaign organizations of <sup>4</sup>[at least]<sup>4</sup> two <sup>4</sup>[but not] or<sup>4</sup>  
29 more <sup>4</sup>[than three]<sup>4</sup> 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 <sup>1</sup>report<sup>1</sup> all such expenditures and  
36 expenses to the commission pursuant to section 11 of P.L.1973,  
37 c.83 (C.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 <sup>1</sup>in<sup>1</sup> 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 <sup>4</sup>(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 <sup>3</sup>[, 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]<sup>3</sup>  
4 degree pursuant to section 21 of P.L.1973, c.83 (C.19:44A-21);

5 (8)] (7)<sup>4</sup> 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);

10 4(8) the maximum amount of penalty which may be imposed by  
11 the commission on any corporation or labor organization which  
12 provides any of its employees any additional increment of salary  
13 for the express purpose of making a contribution to a candidate,  
14 candidate committee, joint candidates committee, political party  
15 committee, legislative leadership committee, political committee  
16 or continuing political committee for a first or a second and  
17 subsequent offenses, pursuant to section 15 of P.L. , c.  
18 (C. ) (now pending before the Legislature as this bill);<sup>4</sup>

19 (9) 3[the maximum amount of penalty which may be imposed  
20 by the commission on any corporation or labor organization which  
21 provides any of its employees any additional increment of salary  
22 for the express purpose of making a contribution to a candidate,  
23 candidate committee, joint candidates committee, political party  
24 committee, legislative leadership committee, political committee  
25 or continuing political committee for a first or a second and  
26 subsequent offenses, pursuant to section 15 of P.L. , c.  
27 (C. ) (now pending before the Legislature as this bill);

28 (10)]<sup>3</sup> the maximum amount of contributions permitted to be  
29 made by an individual, a corporation or labor organization to a  
30 candidate, candidate committee or joint candidates committee,  
31 the maximum amount of contributions permitted to be made by a  
32 political committee or a continuing political committee to a  
33 candidate, candidate committee or joint candidates committee  
34 other than the committee of a candidate for nomination or  
35 election to the office of Governor and the maximum amount of  
36 contributions permitted to be made by one candidate, candidate  
37 committee or joint candidates committee, other than the  
38 committee of a candidate for nomination or election to the office  
39 of Governor, to another candidate, candidate committee or joint  
40 candidates committee other than the committee of a candidate  
41 for nomination or election to the office of Governor pursuant to  
42 section 3[18] 4[17<sup>3</sup>] 18<sup>4</sup> of P.L. , c. (C. ) (now pending  
43 before the Legislature as this bill);

44 3[(11)] (10)<sup>3</sup> the maximum amount of contributions permitted  
45 to be made by an individual, corporation, labor organization,  
46 political committee, continuing political committee, candidate  
47 committee or joint candidates committee or any other group to  
48 any political party committee or any legislative leadership  
49 committee pursuant to section 3[19] 4[18<sup>3</sup>] 19<sup>4</sup> of P.L. , c.  
50 (C. ) (now pending before the Legislature as this bill);

51 3[(12)] (11)<sup>3</sup> the maximum amount of contributions permitted  
52 to be made by 4[an individual, corporation 3[or]<sup>3</sup>, labor  
53 organization<sup>3</sup>,] a<sup>4</sup> candidate, candidate committee or joint  
candidates committee<sup>3</sup> 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[19<sup>3</sup>] 20<sup>4</sup> 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  
candidate committee, a joint candidates committee, a continuing  
political committee, a political party committee, a legislative  
leadership committee, or any other person pursuant to section 6  
of P.L.1973, c.83 (C.19:44A-6) (as that section shall have been  
amended by P.L. , c. , now pending before the Legislature  
as Senate Committee Substitute for Senate, No. 70 (1R))<sup>4</sup>.

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.<sup>4</sup> (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 42. (New section) If a political committee or continuing  
political committee, having been established or consisting of  
members or having received contributions in violation of this act,  
shall have made any contribution or expenditure in opposition to,  
or in furtherance of the defeat of, a candidate, that candidate  
may, in a summary action in the Superior Court, apply for an  
order directing that political committee or continuing political  
committee to show cause why the court should not grant such  
injunctive relief as the candidate may seek. The court shall  
decide the application within 48 hours of the filing thereof and,  
upon a proper demonstration of the candidate's entitlement  
thereto, shall grant appropriate injunctive relief against that  
political committee or continuing political committee.

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.<sup>4</sup>

23      <sup>4</sup>25. (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 excss 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.<sup>4</sup>

36      5[<sup>4</sup>26. 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.<sup>4</sup>

2     (cf: R.S.19:34-45)]<sup>5</sup>

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, 848, 859 and  
9        869) and may employ such personnel as are necessary to  
10      implement that statute.]<sup>4</sup><sup>5</sup>

11        5[428.] 26.<sup>5</sup> (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.<sup>4</sup>

27        5[429. R.S.19:34-32 is repealed.]<sup>4</sup><sup>5</sup>

28        4[3]24. This] 23. If enacted on or before January 1, 1993, this<sup>3</sup>  
29      act shall take effect on <sup>3</sup>[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, 1994.<sup>3</sup>]

38        5[30.] 27.<sup>5</sup> 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.<sup>4</sup>

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48

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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#### STATEMENT

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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 quadriennally.

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.

1 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.

1

2

3 Revises "The New Jersey Campaign Contributions and  
4 Expenditures Reporting Act;" restricts contributions by  
5 individuals, corporations, unions, political committees and  
6 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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#### 15 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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53

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.

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

## **STATEMENT**

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 presentation 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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#### 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.

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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.

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

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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 <sup>1[or]</sup><sup>1</sup>, 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, <sup>1</sup>or any other group,<sup>1</sup> 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 exceeds<sup>1</sup>, in the case of such a political committee, \$5,000 per election, or in the case of a continuing political committee,<sup>1</sup> \$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 exceeds<sup>1</sup>, in the case of such a political committee, \$5,000 per election, or in the case of a continuing political committee,<sup>1</sup> \$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 exceeds<sup>1</sup>, in the case of a recipient continuing political committee, \$5,000 per year, or in the case of a recipient political committee,<sup>1</sup> \$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 exceeds<sup>1</sup>, in the case of a recipient continuing political committee, \$5,000 per year, or in the case of a recipient political committee,<sup>1</sup> \$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.

**ASSEMBLY Amendments to  
ASSEMBLY COMMITTEE SUBSTITUTE for  
ASSEMBLY, Nos. 100, 195, 196, 646, 659 and 869 (2R)**  
**Page 21**

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 its 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<sup>1</sup> or legislative leadership committee<sup>1</sup> 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<sup>1</sup> or legislative leadership committee<sup>1</sup>, 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.<sup>4</sup>

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.<sup>5</sup>

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.19:34-32<sup>4</sup>] and amending P.L.1974, c.26<sup>6</sup>.

a.6 PL. 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

Contact:

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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.