

**19:44A-11.2**  
**LEGISLATIVE HISTORY CHECKLIST**

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**LAWS OF:** 2020                    **CHAPTER:** 102

**NJSA:** 19:44A-11.2 (Allows public office holder or candidate to use political contributions to pay for child care expenses related to office or campaign activities.)

**BILL NO:** S698                    (Substituted for A2060)

**SPONSOR(S)** M. Teresa Ruiz and others

**DATE INTRODUCED:** 1/14/2020

**COMMITTEE:**                    **ASSEMBLY:** State & Local Government

**SENATE:** ---

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**                    **ASSEMBLY:** 8/27/2020

**SENATE:** 2/10/2020

**DATE OF APPROVAL:** 10/8/2020

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Introduced bill enacted) Yes

**S698**

**INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT):** Yes

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

**SENATE:** No

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

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**A2060**

**INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT):** Yes

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

**SENATE:** No

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

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

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

**FOLLOWING WERE PRINTED:**

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

**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"Governor repeals family cap welfare law." The Times, (Trenton, NJ), October 1, 2020: 006.

"NEW JERSEY CANDIDATES CAN USE CAMPAIGN FUNDS FOR CHILD CARE." The Record (Hackensack, NJ), October 10, 2020: A3.

RWH/CL

P.L. 2020, CHAPTER 102, *approved October 8, 2020*  
Senate, No. 698

1 AN ACT concerning the use of campaign funds and amending  
2 P.L.1993, c.65.

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

6  
7 1. Section 17 of P.L.1993, c.65 (C.19:44A-11.2) is amended to  
8 read as follows:

9 17. a. All contributions received by a candidate, candidate  
10 committee, a joint candidates committee or a legislative leadership  
11 committee shall be used only for the following purposes:

12 (1) the payment of campaign expenses;

13 (2) contributions to any charitable organization described in  
14 section 170(c) of the Internal Revenue Code of 1954, as amended or  
15 modified, or nonprofit organization which is exempt from taxation  
16 under section 501(c) of the Internal Revenue Code of 1954, except  
17 any charitable organization of which the candidate or a member of  
18 the candidate's immediate family is a paid officer, director or  
19 employee or receives compensation for goods or services provided  
20 to the organization;

21 (3) transmittal to another candidate, candidate committee, or  
22 joint candidates committee, or to a political committee, continuing  
23 political committee, legislative leadership committee or political  
24 party committee, for the lawful use by such other candidate or  
25 committee;

26 (4) the payment of the overhead and administrative expenses  
27 related to the operation of the candidate committee or joint  
28 candidates committee of a candidate or a legislative leadership  
29 committee;

30 (5) the pro rata repayment of contributors; or

31 (6) the payment of ordinary and necessary expenses of holding  
32 public office.

33 As used in this subsection, "campaign expenses" means any  
34 expense incurred or expenditure made by a candidate, candidate  
35 committee, joint candidates committee or legislative leadership  
36 committee for the purpose of paying for or leasing items or services  
37 used in connection with an election campaign, other than those  
38 items or services which may reasonably be considered to be for the  
39 personal use of the candidate, any person associated with the  
40 candidate or any of the members of a legislative leadership  
41 committee; and "member of the candidate's immediate family"

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

Matter underlined thus is new matter.

1 means the candidate's spouse, child, parent, or sibling, and the  
2 child, parent, or sibling of the candidate's spouse.

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

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

14 d. Expenses incurred by the holder of a public office or a  
15 candidate for child care may be paid from campaign contributions  
16 received pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) only if the  
17 expenses are for providing care for the well-being and protection of  
18 the child outside of the home, in a child care facility, or in the home  
19 of the office holder or candidate. Eligible expenses shall be those  
20 that result directly from activities in which the office holder or  
21 candidate engages for the purposes of holding public office or of a  
22 campaign for public office, and would not have otherwise been  
23 incurred but for those activities. Child care expenses shall not  
24 include payments to a member of the office holder's or candidate's  
25 household.

26 The Election Law Enforcement Commission shall promulgate  
27 regulations regarding eligible expenses and shall provide written  
28 guidance upon request from an office holder or candidate prior to  
29 the expense being incurred or after the expense is incurred.

30 (cf: P.L.2007, c.202, s.1)

31

32 2. This act shall take effect immediately.

33

34

35

36

37 Allows public office holder or candidate to use political  
38 contributions to pay for child care expenses related to office or  
39 campaign activities.

# SENATE, No. 698

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**Co-Sponsored by:**

**Senators Cryan, Gopal and Turner**

**SYNOPSIS**

Allows public office holder or candidate to use political contributions to pay for child care expenses related to office or campaign activities.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/10/2020)**

S698 RUIZ, SCUTARI

2

1 AN ACT concerning the use of campaign funds and amending  
2 P.L.1993, c.65.

3

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

6

7 1. Section 17 of P.L.1993, c.65 (C.19:44A-11.2) is amended to  
8 read as follows:

9 17. a. All contributions received by a candidate, candidate  
10 committee, a joint candidates committee or a legislative leadership  
11 committee shall be used only for the following purposes:

12 (1) the payment of campaign expenses;

13 (2) contributions to any charitable organization described in  
14 section 170(c) of the Internal Revenue Code of 1954, as amended or  
15 modified, or nonprofit organization which is exempt from taxation  
16 under section 501(c) of the Internal Revenue Code of 1954, except  
17 any charitable organization of which the candidate or a member of  
18 the candidate's immediate family is a paid officer, director or  
19 employee or receives compensation for goods or services provided  
20 to the organization;

21 (3) transmittal to another candidate, candidate committee, or  
22 joint candidates committee, or to a political committee, continuing  
23 political committee, legislative leadership committee or political  
24 party committee, for the lawful use by such other candidate or  
25 committee;

26 (4) the payment of the overhead and administrative expenses  
27 related to the operation of the candidate committee or joint  
28 candidates committee of a candidate or a legislative leadership  
29 committee;

30 (5) the pro rata repayment of contributors; or

31 (6) the payment of ordinary and necessary expenses of holding  
32 public office.

33 As used in this subsection, "campaign expenses" means any  
34 expense incurred or expenditure made by a candidate, candidate  
35 committee, joint candidates committee or legislative leadership  
36 committee for the purpose of paying for or leasing items or services  
37 used in connection with an election campaign, other than those  
38 items or services which may reasonably be considered to be for the  
39 personal use of the candidate, any person associated with the  
40 candidate or any of the members of a legislative leadership  
41 committee; and "member of the candidate's immediate family"  
42 means the candidate's spouse, child, parent, or sibling, and the  
43 child, parent, or sibling of the candidate's spouse.

44 b. No contribution received by a candidate or by the candidate  
45 committee or joint candidates committee of a candidate may be

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

Matter underlined thus is new matter.

1 used for the payment of the expenses arising from the furnishing,  
2 staffing or operation of an office used in connection with that  
3 person's official duties as an elected public official.

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

10 d. Expenses incurred by the holder of a public office or a  
11 candidate for child care may be paid from campaign contributions  
12 received pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) only if the  
13 expenses are for providing care for the well-being and protection of  
14 the child outside of the home, in a child care facility, or in the home  
15 of the office holder or candidate. Eligible expenses shall be those  
16 that result directly from activities in which the office holder or  
17 candidate engages for the purposes of holding public office or of a  
18 campaign for public office, and would not have otherwise been  
19 incurred but for those activities. Child care expenses shall not  
20 include payments to a member of the office holder's or candidate's  
21 household.

22 The Election Law Enforcement Commission shall promulgate  
23 regulations regarding eligible expenses and shall provide written  
24 guidance upon request from an office holder or candidate prior to  
25 the expense being incurred or after the expense is incurred.

26 (cf: P.L.2007, c.202, s.1)

27

28 2. This act shall take effect immediately.

29

30

31

## STATEMENT

32

33 This bill permits the use of campaign funds to pay for child care  
34 expenses incurred by a candidate or the holder of a public office.

35 Under the bill, expenses incurred by the holder of a public office  
36 or a candidate for child care may be paid from campaign  
37 contributions only if the expenses are for providing care for the  
38 well-being and protection of the child outside of the home, in a  
39 child care facility, or in the home of the office holder or candidate.  
40 Eligible expenses will be those that result directly from activities in  
41 which the office holder or candidate engage for the purposes of  
42 holding office or a campaign for public office, and would not have  
43 otherwise been incurred but for those activities. Child care  
44 expenses will not include payments to a member of the office  
45 holder's or candidate's household.

46 The Election Law Enforcement Commission must promulgate  
47 regulations regarding eligible expenses and must provide written

**S698 RUIZ, SCUTARI**

4

1 guidance upon request from an office holder or candidate prior to  
2 the expense being incurred or after the expense is incurred.

3 Current law permits the use of campaign contributions to pay for  
4 campaign expenses, make a charitable contribution, contribute to  
5 another campaign committee, pay for committee overhead and  
6 administrative expenses, repay contributions, and pay for the  
7 ordinary and necessary expenses of holding public office.



ASSEMBLY STATE AND LOCAL GOVERNMENT  
COMMITTEE

STATEMENT TO

**SENATE, No. 698**

**STATE OF NEW JERSEY**

DATED: AUGUST 13, 2020

The Assembly State and Local Government Committee reports favorably Senate Bill No. 698.

This bill permits the use of campaign funds to pay for child care expenses incurred by a candidate or the holder of a public office.

Under the bill, expenses incurred by the holder of a public office or a candidate for child care may be paid from campaign contributions only if the expenses are for providing care for the well-being and protection of the child outside of the home, in a child care facility, or in the home of the office holder or candidate. Eligible expenses will be those that result directly from activities in which the office holder or candidate engage for the purposes of holding office or a campaign for public office, and would not have otherwise been incurred but for those activities. Child care expenses will not include payments to a member of the office holder's or candidate's household.

The Election Law Enforcement Commission must promulgate regulations regarding eligible expenses and must provide written guidance upon request from an office holder or candidate prior to the expense being incurred or after the expense is incurred.

Current law permits the use of campaign contributions to pay for campaign expenses, make a charitable contribution, contribute to another campaign committee, pay for committee overhead and administrative expenses, repay contributions, and pay for the ordinary and necessary expenses of holding public office.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

# ASSEMBLY, No. 2060

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblywoman ELIANA PINTOR MARIN**

**District 29 (Essex)**

**Assemblywoman NANCY F. MUNOZ**

**District 21 (Morris, Somerset and Union)**

**Assemblyman GARY S. SCHAER**

**District 36 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblywoman Reynolds-Jackson, Assemblyman Calabrese,**

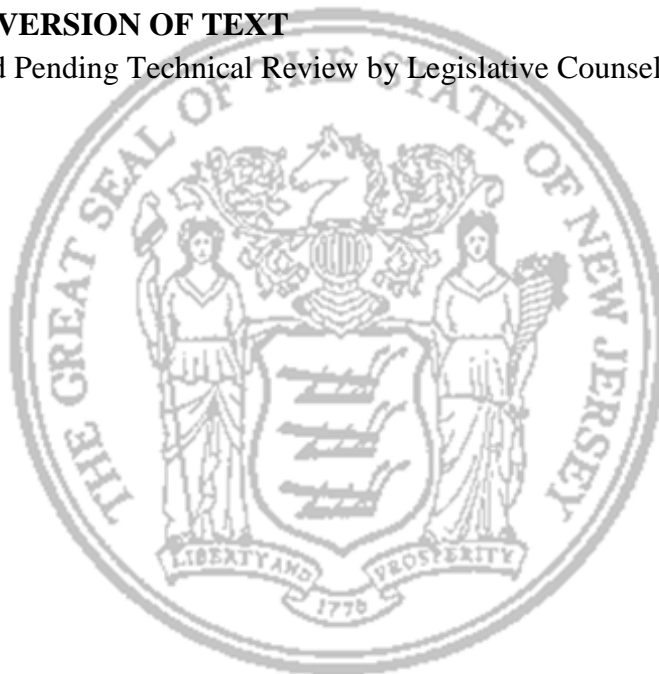
**Assemblywomen Downey and Vainieri Huttle**

**SYNOPSIS**

Allows public office holder or candidate to use political contributions to pay for child care expenses related to office or campaign activities.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 3/16/2020)**

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7 purposes established in subsection a. of this section by the  
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25 the expense being incurred or after the expense is incurred.

26 (cf: P.L.2007, c.202, s.1)

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28 2. This act shall take effect immediately.

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**A2060 PINTOR MARIN, N.MUNOZ**

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5 another campaign committee, pay for committee overhead and  
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7 ordinary and necessary expenses of holding public office.

ASSEMBLY STATE AND LOCAL GOVERNMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2060**

**STATE OF NEW JERSEY**

DATED: AUGUST 13, 2020

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 2060.

This bill permits the use of campaign funds to pay for child care expenses incurred by a candidate or the holder of a public office.

Under the bill, expenses incurred by the holder of a public office or a candidate for child care may be paid from campaign contributions only if the expenses are for providing care for the well-being and protection of the child outside of the home, in a child care facility, or in the home of the office holder or candidate. Eligible expenses will be those that result directly from activities in which the office holder or candidate engage for the purposes of holding office or a campaign for public office, and would not have otherwise been incurred but for those activities. Child care expenses will not include payments to a member of the office holder's or candidate's household.

The Election Law Enforcement Commission must promulgate regulations regarding eligible expenses and must provide written guidance upon request from an office holder or candidate prior to the expense being incurred or after the expense is incurred.

Current law permits the use of campaign contributions to pay for campaign expenses, make a charitable contribution, contribute to another campaign committee, pay for committee overhead and administrative expenses, repay contributions, and pay for the ordinary and necessary expenses of holding public office.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

# Governor Murphy Signs Legislation Allowing Public Office Holders and Candidates for Public Office to Use Campaign Funds for Related Child Care Expenses

10/8/2020

**TRENTON** – Governor Phil Murphy today signed legislation (S698) allowing public office holders and candidates for public office to use political contributions to pay for child care expenses related to official or campaign activities.

“Public office holders and candidates often juggle parenting, their full-time careers, and their work in office and on the campaign trail,” **said Governor Murphy**. “No one should be excluded from running for or serving in office because they cannot find or afford child care. I am proud to sign this legislation that will allow those looking to serve our state to use campaign contributions for child care.”

Primary sponsors of S698 include Senators M. Teresa Ruiz, Nicholas P. Scutari, and Sandra B. Cunningham, and Assemblymembers Eliana Pintor Marin, Nancy F. Munoz, and Gary S. Schaer.

“This law will help parents avoid the difficult situation of juggling childcare and running for public office with hopes of serving their communities,” **said Senator Ruiz**. “With this change parents, and especially women who are traditionally the main caretaker, will have the support they deserve to make the dream of running for office a reality. It is an honor to sponsor legislation removing an obstacle that impedes some women from running for office and I am grateful Governor Murphy saw the value in it as well. The more inclusive and diverse the individuals sitting around our policy decision-making tables, the better the outcomes are for the public.”

“Campaign funds are spent on a myriad of items that are necessary to support a candidate’s efforts while running for public office,” **said Senator Scutari**. “This signing authorizes an expenditure that will greatly help candidates on the campaign trail and will encourage many more members of our communities to run for office without having to choose between serving their community and caring for their children.”

“When the people crafting our laws are able to accurately reflect the people they represent, the outcomes are better for everyone involved. For many working class New Jerseyans, especially women, running for office is simply not financially feasible,” **said Senator Cunningham**. “This law will ease the burden, enabling more people to pursue their dreams of running for office.”

“Having a family should not prevent women from a rewarding career as an elected official,” **said Assemblywoman Pintor Marin**. “Campaigning for office is time consuming and costly. Making childcare more affordable for all candidates gives those seeking public office an opportunity to be true public servants. I thank Governor Murphy for signing this bill into law.”

“The problem has never been that women don’t win; it’s that women don’t run,” **said Assemblywoman Munoz**. “Working together and across the aisle, we are collectively trying to remove the impediments to women running for office. I am glad Governor Murphy is signing this bill. It will help many more women enter politics when they thought it wasn’t a possibility before.”

“Childcare expenses can often be too burdensome for candidates to bear forcing them to forego campaigning for public office,” **said Assemblyman Schaer**. “Allowing the use of campaign funds for campaign-related childcare expenses levels the playing field and will open doors for more women to enter politics. This is an important step forward for New Jersey.”

Under S698, expenses incurred by the holder of a public office or a candidate for child care may be paid from campaign contributions only if the expenses are for providing care for the well-being and protection of the child outside of the home, in a child care facility, or in the home of the office holder or candidate. Eligible expenses will be those that result directly from activities in which the office holder or candidate engage for the purposes of holding office or a campaign for public office, and would not have otherwise been incurred but for those activities. Child care expenses will not include payments to a member of the office holder's or candidate's household.

"Running for office takes a huge toll on a family's budget, especially while raising children. Campaign funds for child care will remove a major financial obstacle for working families and mothers at a time when women are increasingly considering elected office," **said Liuba Grechen Shirley, Founder and CEO of Vote Mama PAC and the Vote Mama Foundation, which is working to pass campaign funds for child care in all 50 states by 2023.** "We desperately need working women in office who understand family needs firsthand, and I trust that this will expand and diversify the ranks of future candidates in New Jersey. Thank you to Christine Clarke, whose candidacy Vote Mama was proud to support, Sen. Sandra Cunningham, Sen. Teresa Ruiz, Sen. Nicholas Scutari, and Governor Murphy for your leadership in getting this vitally important law passed."

"We commend Governor Murphy and the members of our legislature for this legislation, which removes a significant barrier to elective office for many parents, particularly those with less disposable income, and for women, who disproportionately bear the burden of child care," **said Jean Sinzdek, Associate Director of the Center for American Women and Politics at Rutgers University.** "Only a handful of states have passed similar laws, and New Jersey's goes further by including officeholders in addition to candidates, making the Garden State a model for the nation in promoting access to public service for all."

"As a working-class mother of four young children who lived the need for this important bill during my 2019 campaign for state office, I can attest personally to what this means for New Jersey women. Thank you to the Governor and the New Jersey Legislature for this critical step to level the playing field for moms seeking entry into politics," **said Christine Clarke, environmental advocate and recent Assembly candidate in LD26.**