

# 19:44A-11.8

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2004                    **CHAPTER:** 28

**NJSA:** 19:44A-11.8 (Campaign contributions to be reported to ELEC)

**BILL NO:** A5 (Substituted for S5)

**SPONSOR(S):** Voss and others

**DATE INTRODUCED:** May 17, 2004

**COMMITTEE:**            **ASSEMBLY:** State Government

**SENATE:** ----

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**            **ASSEMBLY:** May 24, 2004

**SENATE:** June 10, 2004

**DATE OF APPROVAL:** June 16, 2004

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (1<sup>st</sup> reprint enacted)

**A5**

**[SPONSOR'S STATEMENT:](#)** (Begins on page 19 original bill)            [Yes](#)

**COMMITTEE STATEMENT:**                                    **[ASSEMBLY:](#)**            [Yes](#)

**SENATE:**            No

**FLOOR AMENDMENT STATEMENT:**                                    No

**LEGISLATIVE FISCAL ESTIMATE:**                                    No

**S5**

**[SPONSOR'S STATEMENT:](#)** (Begins on page 19 of bill)            [Yes](#)

Bill and Sponsors Statement identical to A5

**COMMITTEE STATEMENT:**                                    **ASSEMBLY:**            No

**[SENATE:](#)**            [Yes](#)  
Identical Assembly Statement to A5

**FLOOR AMENDMENT STATEMENT:**                                    No

**LEGISLATIVE FISCAL ESTIMATE:**                                    No

**VETO MESSAGE:**                                    No

**[GOVERNOR'S PRESS RELEASE ON SIGNING:](#)**                                    [Yes](#)

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

Yes

For clippings see legislative history of 2004 c.19

P.L. 2004, CHAPTER 28, *approved June 16, 2004*

Assembly, No. 5 (*First Reprint*)

1 **AN ACT** concerning the reporting requirements for campaign  
2 contributions, amending and supplementing P.L.1973, c.83  
3 (C.19:44A-1 et seq.) and amending P.L.1993, c.65.

4

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

7

8 1. (New section) Any candidate, candidate committee, joint  
9 candidates committee, political committee, continuing political  
10 committee, political party committee, legislative leadership committee,  
11 or other person or group required to report a contribution to the  
12 commission pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) shall, in  
13 addition to the reporting requirements set forth in that act, unless  
14 specifically required in another provision of that act, file a report with  
15 the commission on any contribution accepted in currency, regardless  
16 of the amount of that contribution. The report shall be in the manner  
17 required by the commission. Such report shall include the name and  
18 mailing address of each contributor, the occupation of the contributor  
19 and the amount of the currency contribution, <sup>1</sup>[including the  
20 contributor's signature]<sup>1</sup> and the name and mailing address of the  
21 contributor's employer. If the currency is contributed in response to  
22 a public solicitation, such report shall also include the name and  
23 mailing address of each individual that contributed currency to the  
24 solicitation, the occupation of the individual and the amount of the  
25 contribution, <sup>1</sup>[including the individual's signature]<sup>1</sup> and the name and  
26 mailing address of the individual's employer.

27

28 2. Section 22 of P.L.1993, c.65 (C.19:44A-7.2) is amended to read  
29 as follows:

30 22. a. Not later than December 1 of each year preceding any year  
31 in which a general election is to be held to fill the office of Governor  
32 for a four-year term, the Election Law Enforcement Commission shall  
33 adjust the amounts, set forth in subsection b. of this section, which  
34 shall be applicable under P.L.1973, c.83 (C.19:44A-1 et al.) to primary  
35 and general elections for any public office other than the office of  
36 Governor, to limitations on contributions to and from political  
37 committees, continuing political committees, candidate committees,  
38 joint candidates committees, political party committees and legislative  
39 leadership committees and to other amounts, at a percentage which

**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:

<sup>1</sup> Assembly ASG committee amendments adopted May 20, 2004.

1 shall be the same as the percentage of change that the commission  
2 applies to the amounts used for the primary and general elections for  
3 the office of Governor held in the third year preceding the year in  
4 which that December 1 occurs, pursuant to section 19 of P.L.1980,  
5 c.74 (C.19:44A-7.1), and any amount so adjusted shall be rounded in  
6 the same manner as provided in that section.

7 b. The amounts subject to adjustment as provided under this  
8 section shall be:

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

15 (2) [the minimum amount of a contribution to a political  
16 committee, continuing political committee, legislative leadership  
17 committee or political party committee which triggers an obligation to  
18 report that contribution to the commission pursuant to section 8 of  
19 P.L.1973, c.83 (C.19:44A-8), and the minimum amount of a  
20 contribution to a candidate, candidate committee or joint candidates  
21 committee which triggers an obligation to report that contribution to  
22 the commission pursuant to section 16 of P.L.1973, c.83  
23 (C.19:44A-16)] (deleted by amendment, P.L. , c. )(now pending  
24 before the Legislature as this bill) ;

25 (3) the minimum amount of a contribution to a political committee,  
26 continuing political committee, legislative leadership committee or a  
27 political party committee received during the period between the 13th  
28 day prior to the election and the date of the election, the minimum  
29 amount of an expenditure by a political committee during that period,  
30 and the minimum amount of an expenditure by a continuing political  
31 committee during the period beginning after March 31 and ending on  
32 the date of the primary election and the period beginning after  
33 September 30 and ending on the date of the general election which  
34 triggers an obligation to report that contribution to the commission  
35 pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8), and the  
36 minimum amount of a contribution to a candidate, candidate  
37 committee or joint candidates committee received during the period  
38 between the 13th day prior to the election and the date of the election  
39 which triggers an obligation to report that contribution to the  
40 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

41 (4) the maximum amount which may be expended by the campaign  
42 organizations of two or more candidates forming a joint candidates  
43 committee without being required to file contribution reports, pursuant  
44 to section 8 of P.L.1973, c.83 (C.19:44A-8);

45 (5) the maximum amount that a person, not acting in concert with  
46 any other person or group, may spend to support or defeat a candidate

1 or to aid the passage or defeat of a public question without being  
2 required to report all such expenditures and expenses to the  
3 commission pursuant to section 11 of P.L.1973, c.83 (C.19:44A-11)  
4 and the maximum amount that a person, not acting in concert with any  
5 other person or group, may raise through a public solicitation and  
6 expend to finance any lawful activity in support of or in opposition to  
7 any candidate or public question or to seek to influence the content,  
8 introduction, passage or defeat of legislation pursuant to section 19 of  
9 P.L.1973, c.83 (C.19:44A-19);

10 (6) the maximum amount that may be expended, in the aggregate,  
11 on behalf of a candidate without requiring that candidate to file  
12 contribution reports with the commission and the maximum amount  
13 that may be expended, in the aggregate, on behalf of a candidate  
14 seeking election to a public office of a school district, without  
15 requiring that candidate to file contribution reports with the  
16 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

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

22 (8) the maximum amount of penalty which may be imposed by the  
23 commission on any corporation or labor organization which provides  
24 any of its employees any additional increment of salary for the express  
25 purpose of making a contribution to a candidate, candidate committee,  
26 joint candidates committee, political party committee, legislative  
27 leadership committee, political committee or continuing political  
28 committee for a first or a second and subsequent offenses, pursuant to  
29 section 15 of P.L.1993, c.65 (C.19:44A-20.1);

30 (9) the maximum amount of contributions permitted to be made by  
31 an individual, a corporation or labor organization to a candidate,  
32 candidate committee or joint candidates committee, the maximum  
33 amount of contributions permitted to be made by a political committee  
34 or a continuing political committee to a candidate, candidate  
35 committee or joint candidates committee other than the committee of  
36 a candidate for nomination or election to the office of Governor and  
37 the maximum amount of contributions permitted to be made by one  
38 candidate, candidate committee or joint candidates committee, other  
39 than the committee of a candidate for nomination or election to the  
40 office of Governor, to another candidate, candidate committee or joint  
41 candidates committee other than the committee of a candidate for  
42 nomination or election to the office of Governor pursuant to section  
43 18 of P.L.1993, c.65 (C.19:44A-11.3);

44 (10) the maximum amount of contributions permitted to be made  
45 by an individual, corporation, labor organization, political committee,  
46 continuing political committee, candidate committee or joint

1 candidates committee or any other group to any political party  
2 committee or any legislative leadership committee pursuant to section  
3 19 of P.L.1993, c.65 (C.19:44A-11.4);

4 (11) the maximum amount of contributions permitted to be made  
5 by a candidate, candidate committee or joint candidates committee to  
6 a political committee or a continuing political committee and the  
7 maximum amount of contributions permitted to be made by one  
8 political committee or continuing political committee to another  
9 political committee or continuing political committee pursuant to  
10 section 20 of P.L.1993, c.65 (C.19:44A-11.5).

11 (12) the amount of filing fees which may be collected from a  
12 candidate committee, a joint candidates committee, a continuing  
13 political committee, a political party committee, a legislative leadership  
14 committee, or any other person pursuant to section 6 of P.L.1973,  
15 c.83 (C.19:44A-6) (as that section shall have been amended by  
16 P.L.1983 , c.579).

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

26 (cf. P.L.1993, c.65, s.22)

27

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

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

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

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

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

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

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

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

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

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

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

44 Each continuing political committee shall provide immediate written  
45 notification to each candidate of all expenditures made or authorized  
46 on behalf of the candidate.



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

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

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

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

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

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

25 d. In any report filed pursuant to the provisions of this section the  
26 organization or committee reporting may exclude from the report the  
27 name of and other information relating to any contributor whose  
28 contributions during the period covered by the report did not exceed  
29 <sup>1</sup>[\$200] \$300<sup>1</sup>, provided, however, that (1) such exclusion is unlawful  
30 if any person responsible for the preparation or filing of the report  
31 knew 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 aggregate, in combination with the  
34 contribution in respect of which such exclusion is made, more than  
35 <sup>1</sup>[\$200] \$300<sup>1</sup> and (2) any person who knowingly prepares, assists in  
36 preparing, files or acquiesces in the filing of any report from which the  
37 identification of a contributor has been excluded contrary to the  
38 provisions of this section is subject to the provisions of section 21 of  
39 this act, but (3) nothing in this proviso shall be construed as requiring  
40 any committee or organization reporting pursuant to this act to report  
41 the amounts, dates or other circumstantial data regarding contributions  
42 made to any other organization or political committee, political party  
43 committee or campaign organization of a candidate.

44 Any report filed pursuant to the provisions of this section shall  
45 include an itemized accounting of all receipts and expenditures relative  
46 to any testimonial affairs held since the date of the most recent report

1 filed, which accounting shall include the name and mailing address of  
2 each contributor in excess of <sup>1</sup>[\$200] \$300<sup>1</sup> to such testimonial affair  
3 and the amount contributed by each; in the case of an individual  
4 contributor, the occupation of the individual and the name and mailing  
5 address of the individual's employer; the expenses incurred; and the  
6 disposition of the proceeds of such testimonial affair.

7 <sup>1</sup>[Adjustments to the \$200 limits established in this subsection  
8 which have been made by the Election Law Enforcement Commission,  
9 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
10 effective date of P.L. , c. (now pending before the Legislature as  
11 this bill) are rescinded.]<sup>1</sup> The <sup>1</sup>[\$200] \$300<sup>1</sup> limits established in this  
12 subsection shall remain as stated in this subsection without further  
13 adjustment by the commission in the manner prescribed by section 22  
14 of P.L.1993, c.65 (C.19:44A-7.2).

15 e. A political committee shall be exempt from any requirement to  
16 file reports pursuant to this section of contributions received or  
17 expenditures made in behalf of two or more joint candidates in any  
18 election if the committee files with the Election Law Enforcement  
19 Commission a sworn statement to the effect that the total amount to  
20 be expended on behalf of their candidacies shall not exceed \$4,000.00;  
21 provided, that if a committee which has filed such a sworn statement  
22 receives contributions from any one source aggregating more than  
23 <sup>1</sup>[\$200.00] \$300<sup>1</sup> , it shall forthwith report that fact, including the  
24 name and mailing address of the source; where the source is an  
25 individual, the occupation of the individual and the name and mailing  
26 address of the individual's employer; and the aggregate total of  
27 contributions from the source to the commission. Any sworn statement  
28 under this subsection may be filed with the notice of designation by a  
29 political committee of a campaign treasurer and campaign depository  
30 under section 10 of P.L.1973, c.83 (C.19:44A-10), if that committee  
31 knows or has reason to believe, at the time when the notice of  
32 designation is given, that the total amount to be so expended shall not  
33 exceed \$4,000.00.

34 <sup>1</sup>[Adjustments to the \$200 limit established in this subsection which  
35 have been made by the Election Law Enforcement Commission,  
36 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
37 effective date of P.L. , c. (now pending before the Legislature as  
38 this bill) are rescinded.]<sup>1</sup> The <sup>1</sup>[\$200] \$300<sup>1</sup> limit established in this  
39 subsection shall remain as stated in this subsection without further  
40 adjustment by the commission in the manner prescribed by section 22  
41 of P.L.1993, c.65 (C.19:44A-7.2).

42 (cf: P.L.1993, c.65, s.3)

43  
44 4. Section 11 of P.L.1973, c.83 (C.19:44A-11) is amended to read  
45 as follows:

46 11. No contribution of money or other thing of value, nor

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

8 a. The duly appointed campaign treasurer or deputy campaign  
9 treasurers of the candidate committee or joint candidates committee;

10 b. The duly appointed organizational treasurer or deputy  
11 organizational treasurers of a political party committee or a continuing  
12 political committee;

13 c. The duly appointed campaign treasurer or deputy campaign  
14 treasurers of a political committee; or

15 d. The duly appointed organizational treasurer or deputy  
16 organizational treasurer of a legislative leadership committee.

17 It shall be lawful, however, for any person, not acting in concert  
18 with any other person or group, to expend personally from his own  
19 funds a sum which is not to be repaid to him for any purpose not  
20 prohibited by law, or to contribute his own personal services and  
21 personal traveling expenses, to support or defeat a candidate or to aid  
22 the passage or defeat of a public question; provided, however, that any  
23 person making such expenditure shall be required to report his or her  
24 name and mailing address and the amount of all such expenditures and  
25 expenses, except personal traveling expenses, if the total of the money  
26 so expended, exclusive of such traveling expenses, exceeds \$500, and  
27 also, where the person is an individual, to report the individual's  
28 occupation and the name and mailing address of the individual's  
29 employer, to the Election Law Enforcement Commission at the same  
30 time and in the same manner as a political committee subject to the  
31 provisions of section 8 of this act.

32 No contribution of money shall be made in currency, except  
33 contributions in response to a public solicitation, provided that  
34 cumulative currency contributions of up to \$200 may be made to a  
35 candidate committee or joint candidates committee, a political  
36 committee, a continuing political committee, a legislative leadership  
37 committee or a political party committee if the contributor submits  
38 with the currency contribution a written statement of a form as  
39 prescribed by the commission, indicating the contributor's name,  
40 mailing address and occupation and the amount of the contribution,  
41 including the contributor's signature and the name and mailing address  
42 of the contributor's employer. Adjustments to the \$200 limit  
43 established in this paragraph which have been made by the Election  
44 Law Enforcement Commission, pursuant to section 22 of P.L.1993,  
45 c.65 (C.19:44A-7.2), prior to the effective date of P.L. , c. (now  
46 pending before the Legislature as this bill) are rescinded. The \$200

1 limit established in this paragraph shall remain as stated in this  
2 paragraph without further adjustment by the commission in the manner  
3 prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

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

8 No person, partnership or association, either directly or through an  
9 agent, shall make any loan or advance, the proceeds of which that  
10 person, partnership or association knows or has reason to know or  
11 believe are intended to be used by the recipient thereof to make a  
12 contribution or expenditure, except by check or money order  
13 identifying the name, mailing address and occupation or business of  
14 the maker of the loan, and, if the maker is an individual, the name and  
15 mailing address of that individual's employer; provided, however, that  
16 such loans or advances to a single individual, up to a cumulative  
17 amount of \$50 in any calendar year, may be made in currency.

18 (cf: P.L.1995, c.391, s.3)

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

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

1 and the candidate or several candidates shall certify the correctness of  
2 the report.

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

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

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

1 date and commencing on January 1 of that calendar year or, in the case  
2 of the cumulative quarterly report to be filed not later than January 15,  
3 of the previous calendar year, and all expenditures made, incurred, or  
4 authorized by it or the candidate or candidates during the period,  
5 whether or not such expenditures were made, incurred or authorized  
6 in furtherance of the election or defeat of any candidate, or in aid of  
7 the passage or defeat of any public question or to provide information  
8 on any candidate or public question. The commission may by  
9 regulation require any such candidate committee or joint candidates  
10 committee to file during any calendar year one or more additional  
11 cumulative reports of such contributions received and expenditures  
12 made as may be necessary to ensure that no more than five months  
13 shall elapse between the last day of a period covered by one such  
14 report and the last day of the period covered by the next such report.

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

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

43 c. In the case of an election of a candidate for an office elected by  
44 a municipal or countywide constituency or a school district a duplicate  
45 copy of the campaign treasurer's report, duly certified, shall be filed at  
46 the same time with the county clerk of the county in which the

1 candidate resides and the county clerk shall retain a written record of  
2 that filing for a period of not less than four years following the date of  
3 the election.

4 d. There shall be no obligation to file the reports required by this  
5 section on behalf of a candidate if such candidate files with the  
6 Election Law Enforcement Commission a sworn statement to the  
7 effect that the total amount to be expended in behalf of his candidacy  
8 by the candidate committee, by any political party committee, by any  
9 political committee, or by any person shall not in the aggregate exceed  
10 \$2,000.00 or \$4,000 for any joint candidates committee containing  
11 two candidates or \$6,000 for any joint candidates committee  
12 containing three or more candidates. The sworn statement may be  
13 submitted at the time when the name and address of the campaign  
14 treasurer and depository is filed with the Election Law Enforcement  
15 Commission, provided that in any case the sworn statement is filed no  
16 later than the 29th day before an election. If a candidate who has filed  
17 such a sworn statement receives contributions from any one source  
18 aggregating more than <sup>1</sup>[\$200] \$300<sup>1</sup> he shall forthwith make report  
19 of the same, including the name and mailing address of the source and  
20 the aggregate total of contributions therefrom, and where the source  
21 is an individual, the occupation of the individual and the name and  
22 mailing address of the individual's employer, to the Election Law  
23 Enforcement Commission. <sup>1</sup>[Adjustments to the \$200 limit  
24 established in this subsection which have been made by the Election  
25 Law Enforcement Commission, pursuant to section 22 of P.L.1993,  
26 c.65 (C.19:44A-7.2), prior to the effective date of P.L. , c. (now  
27 pending before the Legislature as this bill) are rescinded.]<sup>1</sup> The  
28 <sup>1</sup>[\$200] \$300<sup>1</sup> limit established in this subsection shall remain as  
29 stated in this subsection without further adjustment by the commission  
30 in the manner prescribed by section 22 of P.L.1993, c.65  
31 (C.19:44A-7.2).

32 e. There shall be no obligation imposed upon a candidate seeking  
33 election to a public office of a school district to file either the reports  
34 required under subsection b. of this section or the sworn statement  
35 referred to in subsection d. of this section, if the total amount  
36 expended and to be expended in behalf of his candidacy by the  
37 candidate committee, any political committee, any continuing political  
38 committee, or a political party committee or by any person, does not  
39 in the aggregate exceed \$2,000.00 per election or \$4,000 for any joint  
40 candidates committee containing two candidates or \$6,000 for any  
41 joint candidates committee containing three or more candidates;  
42 provided, that if such candidate receives contributions from any one  
43 source aggregating more than <sup>1</sup>[\$200] \$300<sup>1</sup>, he shall forthwith make  
44 a report of the same, including the name and mailing address of the  
45 source, the aggregate total of contributions therefrom, and where the  
46 source is an individual, the occupation of the individual and the name



1 and mailing address of the individual's employer, to the commission.

2 <sup>1</sup>[Adjustments to the \$200 limit established in this subsection which  
3 have been made by the Election Law Enforcement Commission,  
4 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
5 effective date of P.L. , c. (now pending before the Legislature as  
6 this bill) are rescinded.]<sup>1</sup> The <sup>1</sup>[\$200] ~~\$300~~<sup>1</sup> limit established in this  
7 subsection shall remain as stated in this subsection without further  
8 adjustment by the commission in the manner prescribed by section 22  
9 of P.L.1993, c.65 (C.19:44A-7.2).

10 f. In any report filed pursuant to the provisions of this section, the  
11 names and addresses of contributors whose contributions during the  
12 period covered by the report did not exceed <sup>1</sup>[\$200] ~~\$300~~<sup>1</sup> may be  
13 excluded; provided, however, that (1) such exclusion is unlawful if any  
14 person responsible for the preparation or filing of the report knew that  
15 such exclusion was made with respect to any person whose total  
16 contributions relating to the same election and made to the reporting  
17 candidate or to an allied campaign organization or organizations  
18 aggregate, in combination with the total contributions in respect of  
19 which such exclusion is made, more than <sup>1</sup>[\$200] ~~\$300~~<sup>1</sup>, and (2) any  
20 person who knowingly prepares, assists in preparing, files or  
21 acquiesces in the filing of any report from which the identity of any  
22 contributor has been excluded contrary to the provisions of this  
23 section is subject to the provisions of section 21 of this act, but (3)  
24 nothing in this proviso shall be construed as requiring any candidate  
25 committee or joint candidates committee reporting pursuant to this act  
26 to report the amounts, dates or other circumstantial data regarding  
27 contributions made to any other candidate committee, joint candidates  
28 committee, political committee, continuing political committee,  
29 political party committee or legislative leadership committee.

30 <sup>1</sup>[Adjustments to the \$200 limit established in this subsection which  
31 have been made by the Election Law Enforcement Commission,  
32 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
33 effective date of P.L. , c. (now pending before the Legislature as  
34 this bill) are rescinded.]<sup>1</sup> The <sup>1</sup>[\$200] ~~\$300~~<sup>1</sup> limit established in this  
35 subsection shall remain as stated in this subsection without further  
36 adjustment by the commission in the manner prescribed by section 22  
37 of P.L.1993, c.65 (C.19:44A-7.2).

38 g. Any report filed pursuant to the provisions of this section shall  
39 include an itemized accounting of all receipts and expenditures relative  
40 to any testimonial affair held since the date of the most recent report  
41 filed, which accounting shall include the name and mailing address of  
42 each contributor in excess of <sup>1</sup>[\$200] ~~\$300~~<sup>1</sup> to such testimonial affair  
43 and the amount contributed by each; in the case of any individual  
44 contributor, the occupation of the individual and the name and mailing  
45 address of the individual's employer; the expenses incurred; and the  
46 disposition of the proceeds of such testimonial affair. <sup>1</sup>[Adjustments

1 to the \$200 limit established in this subsection which have been made  
2 by the Election Law Enforcement Commission, pursuant to section 22  
3 of P.L.1993, c.65 (C.19:44A-7.2), prior to the effective date of P.L.,  
4 c. (now pending before the Legislature as this bill) are rescinded.]<sup>1</sup>  
5 The <sup>1</sup>[\$200] \$300<sup>1</sup> limit established in this subsection shall remain as  
6 stated in this subsection without further adjustment by the commission  
7 in the manner prescribed by section 22 of P.L.1993, c.65  
8 (C.19:44A-7.2).

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

10 i. Each campaign treasurer of a candidate committee or joint  
11 candidates committee shall file written notice with the commission of  
12 a contribution in excess of \$500 received during the period between  
13 the 13th day prior to the election and the date of the election. The  
14 notice shall be filed in writing or by telegram within 48 hours of the  
15 receipt of the contribution and shall set forth the amount and date of  
16 the contribution, the name and mailing address of the contributor, and  
17 where the contributor is an individual, the occupation of the individual  
18 and the name and mailing address of the individual's employer.  
19 (cf: P.L.1993, c.65, s.9)

20

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

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

38 b. Whenever a public solicitation has been authorized by a  
39 treasurer during a period covered by a report required to be filed  
40 under sections 8 and 16 of this act, there shall be filed with such report  
41 and as a part thereof an itemized report on any such solicitation of  
42 which the net proceeds exceed \$200, in such form and detail as  
43 required by the rules of the Election Law Enforcement Commission,  
44 which report shall include:

45 (1) The name and mailing address of the person authorized to  
46 conduct such solicitation, the method of solicitation and, where the

1 person is an individual, the occupation of the individual and the name  
2 and mailing address of the individual's employer;

3 (2) The gross receipts and expenses involved in the solicitation  
4 including the actual amount paid for any items purchased for resale in  
5 connection with the solicitation, or, if such items or any portion of the  
6 cost thereof was donated, the estimated actual value thereof and the  
7 actual amount paid therefor, and the names and addresses of any such  
8 donors. If it is not practicable for such itemized report to be  
9 completed in time to be included with the report due under sections 8  
10 and 16 of this act for the period during which such solicitation was  
11 held, then such itemized report may be omitted from said report and  
12 if so omitted shall be included in the report for the next succeeding  
13 period.

14 Adjustments to the \$200 limit established in this subsection which  
15 have been made by the Election Law Enforcement Commission,  
16 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
17 effective date of P.L. , c. (now pending before the Legislature as  
18 this bill) are rescinded. The \$200 limit established in this subsection  
19 shall remain as stated in this subsection without further adjustment by  
20 the commission in the manner prescribed by section 22 of P.L.1993,  
21 c.65 (C.19:44A-7.2).

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

46 Such report shall be made to the Election Law Enforcement

1 Commission at the same time and in the same manner as a political  
2 committee, continuing political committee, political party committee  
3 or a legislative leadership committee subject to the provisions of  
4 section 8 of this act.

5 d. Contributions or purchases made in response to a public  
6 solicitation conducted in conformity with the requirements and  
7 conditions of this act shall not be deemed anonymous within the  
8 meaning of sections 11 and 20 of this act.

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

13 (cf: P.L.1993, c.65, s.10)

14

15 7. This act shall take effect on January 1 following enactment.

16

17

18

19

20 Changes minimum amount of campaign contribution which triggers  
21 obligation to report that contribution to ELEC to \$300; requires  
22 reporting of all cash contributions.

# ASSEMBLY, No. 5

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MAY 17, 2004

**Sponsored by:**  
**Assemblywoman JOAN VOSS**  
**District 38 (Bergen)**

### **SYNOPSIS**

Changes minimum amount of campaign contribution which triggers obligation to report that contribution to ELEC to \$200; requires reporting of all cash contributions.

### **CURRENT VERSION OF TEXT**

As introduced.



A5 VOSS

2

1 AN ACT concerning the reporting requirements for campaign  
2 contributions, amending and supplementing P.L.1973, c.83  
3 (C.19:44A-1 et seq.) and amending P.L.1993, c.65.

4

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

7

8 1. (New section) Any candidate, candidate committee, joint  
9 candidates committee, political committee, continuing political  
10 committee, political party committee, legislative leadership committee,  
11 or other person or group required to report a contribution to the  
12 commission pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) shall, in  
13 addition to the reporting requirements set forth in that act, unless  
14 specifically required in another provision of that act, file a report with  
15 the commission on any contribution accepted in currency, regardless  
16 of the amount of that contribution. The report shall be in the manner  
17 required by the commission. Such report shall include the name and  
18 mailing address of each contributor, the occupation of the contributor  
19 and the amount of the currency contribution, including the  
20 contributor's signature and the name and mailing address of the  
21 contributor's employer. If the currency is contributed in response to  
22 a public solicitation, such report shall also include the name and  
23 mailing address of each individual that contributed currency to the  
24 solicitation, the occupation of the individual and the amount of the  
25 contribution, including the individual's signature and the name and  
26 mailing address of the individual's employer.

27

28 2. Section 22 of P.L.1993, c.65 (C.19:44A-7.2) is amended to read  
29 as follows:

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

**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 c.74 (C.19:44A-7.1), and any amount so adjusted shall be rounded in  
2 the same manner as provided in that section.

3 b. The amounts subject to adjustment as provided under this  
4 section shall be:

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

11 (2) [the minimum amount of a contribution to a political  
12 committee, continuing political committee, legislative leadership  
13 committee or political party committee which triggers an obligation to  
14 report that contribution to the commission pursuant to section 8 of  
15 P.L.1973, c.83 (C.19:44A-8), and the minimum amount of a  
16 contribution to a candidate, candidate committee or joint candidates  
17 committee which triggers an obligation to report that contribution to  
18 the commission pursuant to section 16 of P.L.1973, c.83  
19 (C.19:44A-16)] (deleted by amendment, P.L. , c. )(now pending  
20 before the Legislature as this bill) ;

21 (3) the minimum amount of a contribution to a political committee,  
22 continuing political committee, legislative leadership committee or a  
23 political party committee received during the period between the 13th  
24 day prior to the election and the date of the election, the minimum  
25 amount of an expenditure by a political committee during that period,  
26 and the minimum amount of an expenditure by a continuing political  
27 committee during the period beginning after March 31 and ending on  
28 the date of the primary election and the period beginning after  
29 September 30 and ending on the date of the general election which  
30 triggers an obligation to report that contribution to the commission  
31 pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8), and the  
32 minimum amount of a contribution to a candidate, candidate  
33 committee or joint candidates committee received during the period  
34 between the 13th day prior to the election and the date of the election  
35 which triggers an obligation to report that contribution to the  
36 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

37 (4) the maximum amount which may be expended by the campaign  
38 organizations of two or more candidates forming a joint candidates  
39 committee without being required to file contribution reports, pursuant  
40 to section 8 of P.L.1973, c.83 (C.19:44A-8);

41 (5) the maximum amount that a person, not acting in concert with  
42 any other person or group, may spend to support or defeat a candidate  
43 or to aid the passage or defeat of a public question without being  
44 required to report all such expenditures and expenses to the  
45 commission pursuant to section 11 of P.L.1973, c.83 (C.19:44A-11)  
46 and the maximum amount that a person, not acting in concert with any

1 other person or group, may raise through a public solicitation and  
2 expend to finance any lawful activity in support of or in opposition to  
3 any candidate or public question or to seek to influence the content,  
4 introduction, passage or defeat of legislation pursuant to section 19 of  
5 P.L.1973, c.83 (C.19:44A-19);

6 (6) the maximum amount that may be expended, in the aggregate,  
7 on behalf of a candidate without requiring that candidate to file  
8 contribution reports with the commission and the maximum amount  
9 that may be expended, in the aggregate, on behalf of a candidate  
10 seeking election to a public office of a school district, without  
11 requiring that candidate to file contribution reports with the  
12 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

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

18 (8) the maximum amount of penalty which may be imposed by the  
19 commission on any corporation or labor organization which provides  
20 any of its employees any additional increment of salary for the express  
21 purpose of making a contribution to a candidate, candidate committee,  
22 joint candidates committee, political party committee, legislative  
23 leadership committee, political committee or continuing political  
24 committee for a first or a second and subsequent offenses, pursuant to  
25 section 15 of P.L.1993, c.65 (C.19:44A-20.1);

26 (9) the maximum amount of contributions permitted to be made by  
27 an individual, a corporation or labor organization to a candidate,  
28 candidate committee or joint candidates committee, the maximum  
29 amount of contributions permitted to be made by a political committee  
30 or a continuing political committee to a candidate, candidate  
31 committee or joint candidates committee other than the committee of  
32 a candidate for nomination or election to the office of Governor and  
33 the maximum amount of contributions permitted to be made by one  
34 candidate, candidate committee or joint candidates committee, other  
35 than the committee of a candidate for nomination or election to the  
36 office of Governor, to another candidate, candidate committee or joint  
37 candidates committee other than the committee of a candidate for  
38 nomination or election to the office of Governor pursuant to section  
39 18 of P.L.1993, c.65 (C.19:44A-11.3);

40 (10) the maximum amount of contributions permitted to be made  
41 by an individual, corporation, labor organization, political committee,  
42 continuing political committee, candidate committee or joint  
43 candidates committee or any other group to any political party  
44 committee or any legislative leadership committee pursuant to section  
45 19 of P.L.1993, c.65 (C.19:44A-11.4);

46 (11) the maximum amount of contributions permitted to be made



1 by a candidate, candidate committee or joint candidates committee to  
2 a political committee or a continuing political committee and the  
3 maximum amount of contributions permitted to be made by one  
4 political committee or continuing political committee to another  
5 political committee or continuing political committee pursuant to  
6 section 20 of P.L.1993, c.65 (C.19:44A-11.5).

7 (12) the amount of filing fees which may be collected from a  
8 candidate committee, a joint candidates committee, a continuing  
9 political committee, a political party committee, a legislative leadership  
10 committee, or any other person pursuant to section 6 of P.L.1973,  
11 c.83 (C.19:44A-6) (as that section shall have been amended by  
12 P.L.1983 , c.579).

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

22 (cf. P.L.1993, c.65, s.22)

23

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

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

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

11 The campaign treasurer of the political committee reporting shall  
12 certify to the correctness of each report.

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

32 (2) When a political committee or an individual seeking party office  
33 makes or authorizes an expenditure on behalf of a candidate, it shall  
34 provide immediate written notification to the candidate of the  
35 expenditure.

36 b. (1) A group of two or more persons acting jointly, or any  
37 corporation, partnership, or any other incorporated or unincorporated  
38 association including a political club, political action committee, civic  
39 association or other organization, which in any calendar year  
40 contributes or expects to contribute at least \$2,500.00 to the aid or  
41 promotion of the candidacy of an individual, or of the candidacies of  
42 individuals, for elective public office or the passage or defeat of a  
43 public question or public questions and which expects to make  
44 contributions toward such aid or promotion, or toward such passage  
45 or defeat, during a subsequent election shall certify that fact to the  
46 commission, and the commission, upon receiving that certification and

1 on the basis of any information as it may require of the group,  
2 corporation, partnership, association or other organization, shall  
3 determine whether the group, corporation, partnership, association or  
4 other organization is a continuing political committee for the purposes  
5 of this act. If the commission determines that the group, corporation,  
6 partnership, association or other organization is a continuing political  
7 committee, it shall so notify that continuing political committee.

8 No person serving as the chairman of a political party committee or  
9 a legislative leadership committee shall be eligible to be appointed or  
10 to serve as the chairman of a continuing political committee.

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

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

40 Each continuing political committee shall provide immediate written  
41 notification to each candidate of all expenditures made or authorized  
42 on behalf of the candidate.

43 If any continuing political committee submitting cumulative  
44 quarterly reports as provided under this subsection receives a  
45 contribution from a single source of more than \$500 after the final day  
46 of a quarterly reporting period and on or before a primary, general,

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

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

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

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

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

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

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

40 Any report filed pursuant to the provisions of this section shall  
41 include an itemized accounting of all receipts and expenditures relative  
42 to any testimonial affairs held since the date of the most recent report  
43 filed, which accounting shall include the name and mailing address of  
44 each contributor in excess of \$200 to such testimonial affair and the  
45 amount contributed by each; in the case of an individual contributor,  
46 the occupation of the individual and the name and mailing address of

1 the individual's employer; the expenses incurred; and the disposition  
2 of the proceeds of such testimonial affair.

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

11 e. A political committee shall be exempt from any requirement to  
12 file reports pursuant to this section of contributions received or  
13 expenditures made in behalf of two or more joint candidates in any  
14 election if the committee files with the Election Law Enforcement  
15 Commission a sworn statement to the effect that the total amount to  
16 be expended on behalf of their candidacies shall not exceed \$4,000.00;  
17 provided, that if a committee which has filed such a sworn statement  
18 receives contributions from any one source aggregating more than  
19 \$200.00, it shall forthwith report that fact, including the name and  
20 mailing address of the source; where the source is an individual, the  
21 occupation of the individual and the name and mailing address of the  
22 individual's employer; and the aggregate total of contributions from  
23 the source to the commission. Any sworn statement under this  
24 subsection may be filed with the notice of designation by a political  
25 committee of a campaign treasurer and campaign depository under  
26 section 10 of P.L.1973, c.83 (C.19:44A-10), if that committee knows  
27 or has reason to believe, at the time when the notice of designation is  
28 given, that the total amount to be so expended shall not exceed  
29 \$4,000.00.

30 Adjustments to the \$200 limit established in this subsection which  
31 have been made by the Election Law Enforcement Commission,  
32 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
33 effective date of P.L. , c. (now pending before the Legislature as  
34 this bill) are rescinded. The \$200 limit established in this subsection  
35 shall remain as stated in this subsection without further adjustment by  
36 the commission in the manner prescribed by section 22 of P.L.1993,  
37 c.65 (C.19:44A-7.2).

38 (cf: P.L.1993, c.65, s.3)

39

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

42 11. No contribution of money or other thing of value, nor  
43 obligation therefor, including but not limited to contributions, loans or  
44 obligations of a candidate himself or of his family, shall be made or  
45 received, and no expenditure of money or other thing of value, nor  
46 obligation therefor, including expenditures, loans or obligations of a

1 candidate himself or of his family, shall be made or incurred, directly  
2 or indirectly, to support or defeat a candidate in any election, or to aid  
3 the passage or defeat of any public question, except through:

4 a. The duly appointed campaign treasurer or deputy campaign  
5 treasurers of the candidate committee or joint candidates committee;

6 b. The duly appointed organizational treasurer or deputy  
7 organizational treasurers of a political party committee or a continuing  
8 political committee;

9 c. The duly appointed campaign treasurer or deputy campaign  
10 treasurers of a political committee; or

11 d. The duly appointed organizational treasurer or deputy  
12 organizational treasurer of a legislative leadership committee.

13 It shall be lawful, however, for any person, not acting in concert  
14 with any other person or group, to expend personally from his own  
15 funds a sum which is not to be repaid to him for any purpose not  
16 prohibited by law, or to contribute his own personal services and  
17 personal traveling expenses, to support or defeat a candidate or to aid  
18 the passage or defeat of a public question; provided, however, that any  
19 person making such expenditure shall be required to report his or her  
20 name and mailing address and the amount of all such expenditures and  
21 expenses, except personal traveling expenses, if the total of the money  
22 so expended, exclusive of such traveling expenses, exceeds \$500, and  
23 also, where the person is an individual, to report the individual's  
24 occupation and the name and mailing address of the individual's  
25 employer, to the Election Law Enforcement Commission at the same  
26 time and in the same manner as a political committee subject to the  
27 provisions of section 8 of this act.

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

46 Any anonymous contribution received by a campaign treasurer or

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

4 No person, partnership or association, either directly or through an  
5 agent, shall make any loan or advance, the proceeds of which that  
6 person, partnership or association knows or has reason to know or  
7 believe are intended to be used by the recipient thereof to make a  
8 contribution or expenditure, except by check or money order  
9 identifying the name, mailing address and occupation or business of  
10 the maker of the loan, and, if the maker is an individual, the name and  
11 mailing address of that individual's employer; provided, however, that  
12 such loans or advances to a single individual, up to a cumulative  
13 amount of \$50 in any calendar year, may be made in currency.

14 (cf: P.L.1995, c.391, s.3)

15  
16 5. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to read  
17 as follows:

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

45 b. During the period between the appointment of the campaign  
46 treasurer and the election with respect to which contributions are



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

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

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

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

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

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

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

46 d. There shall be no obligation to file the reports required by this

1 section on behalf of a candidate if such candidate files with the  
2 Election Law Enforcement Commission a sworn statement to the  
3 effect that the total amount to be expended in behalf of his candidacy  
4 by the candidate committee, by any political party committee, by any  
5 political committee, or by any person shall not in the aggregate exceed  
6 \$2,000.00 or \$4,000 for any joint candidates committee containing  
7 two candidates or \$6,000 for any joint candidates committee  
8 containing three or more candidates. The sworn statement may be  
9 submitted at the time when the name and address of the campaign  
10 treasurer and depository is filed with the Election Law Enforcement  
11 Commission, provided that in any case the sworn statement is filed no  
12 later than the 29th day before an election. If a candidate who has filed  
13 such a sworn statement receives contributions from any one source  
14 aggregating more than \$200 he shall forthwith make report of the  
15 same, including the name and mailing address of the source and the  
16 aggregate total of contributions therefrom, and where the source is an  
17 individual, the occupation of the individual and the name and mailing  
18 address of the individual's employer, to the Election Law Enforcement  
19 Commission. Adjustments to the \$200 limit established in this  
20 subsection which have been made by the Election Law Enforcement  
21 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2),  
22 prior to the effective date of P.L. , c. (now pending before the  
23 Legislature as this bill) are rescinded. The \$200 limit established in  
24 this subsection shall remain as stated in this subsection without further  
25 adjustment by the commission in the manner prescribed by section 22  
26 of P.L.1993, c.65 (C.19:44A-7.2).

27 e. There shall be no obligation imposed upon a candidate seeking  
28 election to a public office of a school district to file either the reports  
29 required under subsection b. of this section or the sworn statement  
30 referred to in subsection d. of this section, if the total amount  
31 expended and to be expended in behalf of his candidacy by the  
32 candidate committee, any political committee, any continuing political  
33 committee, or a political party committee or by any person, does not  
34 in the aggregate exceed \$2,000.00 per election or \$4,000 for any joint  
35 candidates committee containing two candidates or \$6,000 for any  
36 joint candidates committee containing three or more candidates;  
37 provided, that if such candidate receives contributions from any one  
38 source aggregating more than \$200, he shall forthwith make a report  
39 of the same, including the name and mailing address of the source, the  
40 aggregate total of contributions therefrom, and where the source is an  
41 individual, the occupation of the individual and the name and mailing  
42 address of the individual's employer, to the commission.

43 Adjustments to the \$200 limit established in this subsection which  
44 have been made by the Election Law Enforcement Commission,  
45 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
46 effective date of P.L. , c. (now pending before the Legislature as

1 this bill) are rescinded. The \$200 limit established in this subsection  
2 shall remain as stated in this subsection without further adjustment by  
3 the commission in the manner prescribed by section 22 of P.L.1993,  
4 c.65 (C.19:44A-7.2).

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

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

33 g. Any report filed pursuant to the provisions of this section shall  
34 include an itemized accounting of all receipts and expenditures relative  
35 to any testimonial affair held since the date of the most recent report  
36 filed, which accounting shall include the name and mailing address of  
37 each contributor in excess of \$200 to such testimonial affair and the  
38 amount contributed by each; in the case of any individual contributor,  
39 the occupation of the individual and the name and mailing address of  
40 the individual's employer; the expenses incurred; and the disposition  
41 of the proceeds of such testimonial affair. Adjustments to the \$200  
42 limit established in this subsection which have been made by the  
43 Election Law Enforcement Commission, pursuant to section 22 of  
44 P.L.1993, c.65 (C.19:44A-7.2), prior to the effective date of P.L. ,  
45 c. (now pending before the Legislature as this bill) are rescinded.  
46 The \$200 limit established in this subsection shall remain as stated in

1 this subsection without further adjustment by the commission in the  
2 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

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

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

13 (cf: P.L.1993, c.65, s.9)

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

17 19. a. No person shall conduct any public solicitation as defined  
18 in this act except (1) upon written authorization of the campaign or  
19 organizational treasurer of the candidate committee or joint candidates  
20 committee, political committee, continuing political committee,  
21 political party committee or legislative leadership committee on whose  
22 behalf such solicitation is conducted, or (2) in accordance with the  
23 provisions of subsection c. of this section. A person with such written  
24 authorization may employ and accept the services of others as  
25 solicitors, and shall be responsible for reporting to the treasurer the  
26 information required under subsection b. of this section and for  
27 delivery to the treasurer the net proceeds of such solicitation in  
28 compliance with section 11 of this act. A contribution made through  
29 donation or purchase in response to a public solicitation conducted  
30 pursuant to written authorization of a treasurer shall be deemed to  
31 have been made through such 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 report  
35 and as a part thereof an itemized report on any such solicitation of  
36 which the net proceeds exceed \$200, in such form and detail as  
37 required by the rules of the Election Law Enforcement Commission,  
38 which report shall include:

39 (1) The name and mailing address of the person authorized to  
40 conduct such solicitation, the method of solicitation and, where the  
41 person is an individual, the occupation of the individual and the name  
42 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 resale in  
45 connection with the solicitation, or, if such items or any portion of the  
46 cost thereof was donated, the estimated actual value thereof and the

1 actual amount paid therefor, and the names and addresses of any such  
2 donors. If it is not practicable for such itemized report to be  
3 completed in time to be included with the report due under sections 8  
4 and 16 of this act for the period during which such solicitation was  
5 held, then such itemized report may be omitted from said report and  
6 if so omitted shall be included in the report for the next succeeding  
7 period.

8 Adjustments to the \$200 limit established in this subsection which  
9 have been made by the Election Law Enforcement Commission,  
10 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
11 effective date of P.L. , c. (now pending before the Legislature as  
12 this bill) are rescinded. The \$200 limit established in this subsection  
13 shall remain as stated in this subsection without further adjustment by  
14 the commission in the manner prescribed by section 22 of P.L.1993,  
15 c.65 (C.19:44A-7.2).

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

40 Such report shall be made to the Election Law Enforcement  
41 Commission at the same time and in the same manner as a political  
42 committee, continuing political committee, political party committee  
43 or a legislative leadership committee subject to the provisions of  
44 section 8 of this act.

45 d. Contributions or purchases made in response to a public  
46 solicitation conducted in conformity with the requirements and

1 conditions of this act shall not be deemed anonymous within the  
2 meaning of sections 11 and 20 of this act.

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

7 (cf: P.L.1993, c.65, s.10)

8

9 7. This act shall take effect on January 1 following enactment.

10

11

12

### STATEMENT

13

14 Under current law, the minimum amount of a campaign contribution  
15 which triggers an obligation to report that contribution to the Election  
16 Law Enforcement Commission (ELEC) is adjusted by ELEC every  
17 four years. Currently, the minimum amount which triggers an  
18 obligation to report is \$400. This bill would instead set that amount at  
19 \$200 by rescinding all adjustments to increase that amount that have  
20 been made pursuant law, so that any contribution greater than \$200  
21 would trigger an obligation to report that contribution to ELEC. The  
22 bill removes the authority of ELEC to increase this amount.

23 Additionally, the bill would change the amount of campaign  
24 contributions collected as a result of a public solicitation which trigger  
25 an obligation to report to ELEC to \$200.

26 The bill would also require the reporting of all cash contributions  
27 to ELEC, regardless of the amount of the contribution. The report  
28 would include the name and mailing address of each contributor, the  
29 occupation of the contributor and the amount of the cash contribution,  
30 including the contributor's signature and the name and mailing address  
31 of the contributor's employer. If the cash is contributed in response to  
32 a public solicitation, the report would also include the name and  
33 mailing address of each individual that contributed cash to the  
34 solicitation, the occupation of the individual and the amount of the  
35 contribution, including the individual's signature and the name and  
36 mailing address of the individual's employer.

# ASSEMBLY STATE GOVERNMENT COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 5**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 20, 2004

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 5.

This bill changes the minimum amount of a campaign contribution which triggers an obligation to report that contribution to the Election Law Enforcement Commission (ELEC). Under current law, the minimum amount is adjusted by ELEC every four years; presently, it is \$400. The bill sets that minimum amount at \$300, and removes the authority of ELEC to increase the amount. The bill sets at \$200 the amount of campaign contributions collected as a result of a public solicitation which triggers an obligation to report to ELEC.

The bill requires the reporting of all cash contributions to ELEC, regardless of the amount of the contribution. Under the bill, the report will include the name and mailing address of each contributor, the occupation of the contributor and the amount of the cash contribution, and the name and mailing address of the contributor's employer. If the cash is contributed in response to a public solicitation, the report will include also the name and mailing address of each individual that contributed cash to the solicitation, the occupation of the individual and the amount of the contribution, and the name and mailing address of the individual's employer.

#### COMMITTEE AMENDMENTS

The committee amended the bill to (1) increase from \$200 to \$300 the minimum amount of a campaign contribution which triggers an obligation to report to ELEC and (2) eliminate the requirement for a contributor's signature in reports of cash contributions.



# SENATE, No. 5

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MAY 20, 2004

**Sponsored by:**

**Senator ELLEN KARCHER**

**District 12 (Mercer and Monmouth)**

**SYNOPSIS**

Changes minimum amount of campaign contribution which triggers obligation to report that contribution to ELEC to \$200; requires reporting of all cash contributions.

**CURRENT VERSION OF TEXT**

As introduced.



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2

1 AN ACT concerning the reporting requirements for campaign  
2 contributions, amending and supplementing P.L.1973, c.83  
3 (C.19:44A-1 et seq.) and amending P.L.1993, c.65.

4

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

7

8 1. (New section) Any candidate, candidate committee, joint  
9 candidates committee, political committee, continuing political  
10 committee, political party committee, legislative leadership committee,  
11 or other person or group required to report a contribution to the  
12 commission pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) shall, in  
13 addition to the reporting requirements set forth in that act, unless  
14 specifically required in another provision of that act, file a report with  
15 the commission on any contribution accepted in currency, regardless  
16 of the amount of that contribution. The report shall be in the manner  
17 required by the commission. Such report shall include the name and  
18 mailing address of each contributor, the occupation of the contributor  
19 and the amount of the currency contribution, including the  
20 contributor's signature and the name and mailing address of the  
21 contributor's employer. If the currency is contributed in response to  
22 a public solicitation, such report shall also include the name and  
23 mailing address of each individual that contributed currency to the  
24 solicitation, the occupation of the individual and the amount of the  
25 contribution, including the individual's signature and the name and  
26 mailing address of the individual's employer.

27

28 2. Section 22 of P.L.1993, c.65 (C.19:44A-7.2) is amended to read  
29 as follows:

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

**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 c.74 (C.19:44A-7.1), and any amount so adjusted shall be rounded in  
2 the same manner as provided in that section.

3 b. The amounts subject to adjustment as provided under this  
4 section shall be:

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

11 (2) [the minimum amount of a contribution to a political  
12 committee, continuing political committee, legislative leadership  
13 committee or political party committee which triggers an obligation to  
14 report that contribution to the commission pursuant to section 8 of  
15 P.L.1973, c.83 (C.19:44A-8), and the minimum amount of a  
16 contribution to a candidate, candidate committee or joint candidates  
17 committee which triggers an obligation to report that contribution to  
18 the commission pursuant to section 16 of P.L.1973, c.83  
19 (C.19:44A-16)] (deleted by amendment, P.L. , c. )(now pending  
20 before the Legislature as this bill) ;

21 (3) the minimum amount of a contribution to a political committee,  
22 continuing political committee, legislative leadership committee or a  
23 political party committee received during the period between the 13th  
24 day prior to the election and the date of the election, the minimum  
25 amount of an expenditure by a political committee during that period,  
26 and the minimum amount of an expenditure by a continuing political  
27 committee during the period beginning after March 31 and ending on  
28 the date of the primary election and the period beginning after  
29 September 30 and ending on the date of the general election which  
30 triggers an obligation to report that contribution to the commission  
31 pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8), and the  
32 minimum amount of a contribution to a candidate, candidate  
33 committee or joint candidates committee received during the period  
34 between the 13th day prior to the election and the date of the election  
35 which triggers an obligation to report that contribution to the  
36 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

37 (4) the maximum amount which may be expended by the campaign  
38 organizations of two or more candidates forming a joint candidates  
39 committee without being required to file contribution reports, pursuant  
40 to section 8 of P.L.1973, c.83 (C.19:44A-8);

41 (5) the maximum amount that a person, not acting in concert with  
42 any other person or group, may spend to support or defeat a candidate  
43 or to aid the passage or defeat of a public question without being  
44 required to report all such expenditures and expenses to the  
45 commission pursuant to section 11 of P.L.1973, c.83 (C.19:44A-11)

1 and the maximum amount that a person, not acting in concert with any  
2 other person or group, may raise through a public solicitation and  
3 expend to finance any lawful activity in support of or in opposition to  
4 any candidate or public question or to seek to influence the content,  
5 introduction, passage or defeat of legislation pursuant to section 19 of  
6 P.L.1973, c.83 (C.19:44A-19);

7 (6) the maximum amount that may be expended, in the aggregate,  
8 on behalf of a candidate without requiring that candidate to file  
9 contribution reports with the commission and the maximum amount  
10 that may be expended, in the aggregate, on behalf of a candidate  
11 seeking election to a public office of a school district, without  
12 requiring that candidate to file contribution reports with the  
13 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-16);

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

19 (8) the maximum amount of penalty which may be imposed by the  
20 commission on any corporation or labor organization which provides  
21 any of its employees any additional increment of salary for the express  
22 purpose of making a contribution to a candidate, candidate committee,  
23 joint candidates committee, political party committee, legislative  
24 leadership committee, political committee or continuing political  
25 committee for a first or a second and subsequent offenses, pursuant to  
26 section 15 of P.L.1993, c.65 (C.19:44A-20.1);

27 (9) the maximum amount of contributions permitted to be made by  
28 an individual, a corporation or labor organization to a candidate,  
29 candidate committee or joint candidates committee, the maximum  
30 amount of contributions permitted to be made by a political committee  
31 or a continuing political committee to a candidate, candidate  
32 committee or joint candidates committee other than the committee of  
33 a candidate for nomination or election to the office of Governor and  
34 the maximum amount of contributions permitted to be made by one  
35 candidate, candidate committee or joint candidates committee, other  
36 than the committee of a candidate for nomination or election to the  
37 office of Governor, to another candidate, candidate committee or joint  
38 candidates committee other than the committee of a candidate for  
39 nomination or election to the office of Governor pursuant to section  
40 18 of P.L.1993, c.65 (C.19:44A-11.3);

41 (10) the maximum amount of contributions permitted to be made  
42 by an individual, corporation, labor organization, political committee,  
43 continuing political committee, candidate committee or joint  
44 candidates committee or any other group to any political party  
45 committee or any legislative leadership committee pursuant to section  
46 19 of P.L.1993, c.65 (C.19:44A-11.4);

1 (11) the maximum amount of contributions permitted to be made  
2 by a candidate, candidate committee or joint candidates committee to  
3 a political committee or a continuing political committee and the  
4 maximum amount of contributions permitted to be made by one  
5 political committee or continuing political committee to another  
6 political committee or continuing political committee pursuant to  
7 section 20 of P.L.1993, c.65 (C.19:44A-11.5).

8 (12) the amount of filing fees which may be collected from a  
9 candidate committee, a joint candidates committee, a continuing  
10 political committee, a political party committee, a legislative leadership  
11 committee, or any other person pursuant to section 6 of P.L.1973,  
12 c.83 (C.19:44A-6) (as that section shall have been amended by  
13 P.L.1983, c.579).

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

23 (cf. P.L.1993, c.65, s.22)

24  
25 3. Section 8 of P.L.1973, c.83 (C.19:44A-8) is amended to read as  
26 follows:

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

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

12 The campaign treasurer of the political committee reporting shall  
13 certify to the correctness of each report.

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

33 (2) When a political committee or an individual seeking party office  
34 makes or authorizes an expenditure on behalf of a candidate, it shall  
35 provide immediate written notification to the candidate of the  
36 expenditure.

37 b. (1) A group of two or more persons acting jointly, or any  
38 corporation, partnership, or any other incorporated or unincorporated  
39 association including a political club, political action committee, civic  
40 association or other organization, which in any calendar year  
41 contributes or expects to contribute at least \$2,500.00 to the aid or  
42 promotion of the candidacy of an individual, or of the candidacies of  
43 individuals, for elective public office or the passage or defeat of a  
44 public question or public questions and which expects to make  
45 contributions toward such aid or promotion, or toward such passage  
46 or defeat, during a subsequent election shall certify that fact to the

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1 commission, and the commission, upon receiving that certification and  
2 on the basis of any information as it may require of the group,  
3 corporation, partnership, association or other organization, shall  
4 determine whether the group, corporation, partnership, association or  
5 other organization is a continuing political committee for the purposes  
6 of this act. If the commission determines that the group, corporation,  
7 partnership, association or other organization is a continuing political  
8 committee, it shall so notify that continuing political committee.

9 No person serving as the chairman of a political party committee or  
10 a legislative leadership committee shall be eligible to be appointed or  
11 to serve as the chairman of a continuing political committee.

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

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

41 Each continuing political committee shall provide immediate written  
42 notification to each candidate of all expenditures made or authorized  
43 on behalf of the candidate.

44 If any continuing political committee submitting cumulative  
45 quarterly reports as provided under this subsection receives a  
46 contribution from a single source of more than \$500 after the final day

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

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

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

40 The cumulative quarterly report shall contain the name and mailing  
41 address of each person or group from whom moneys, loans, paid  
42 personal services or other things of value have been contributed and  
43 the amount contributed by each person or group, and where an  
44 individual has made such contributions, the report shall indicate the  
45 occupation of the individual and the name and mailing address of the  
46 individual's employer. In the case of any loan reported pursuant to this



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

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

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

41 Any report filed pursuant to the provisions of this section shall  
42 include an itemized accounting of all receipts and expenditures relative  
43 to any testimonial affairs held since the date of the most recent report  
44 filed, which accounting shall include the name and mailing address of  
45 each contributor in excess of \$200 to such testimonial affair and the  
46 amount contributed by each; in the case of an individual contributor,

1 the occupation of the individual and the name and mailing address of  
2 the individual's employer; the expenses incurred; and the disposition  
3 of the proceeds of such testimonial affair.

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

12 e. A political committee shall be exempt from any requirement to  
13 file reports pursuant to this section of contributions received or  
14 expenditures made in behalf of two or more joint candidates in any  
15 election if the committee files with the Election Law Enforcement  
16 Commission a sworn statement to the effect that the total amount to  
17 be expended on behalf of their candidacies shall not exceed \$4,000.00;  
18 provided, that if a committee which has filed such a sworn statement  
19 receives contributions from any one source aggregating more than  
20 \$200.00, it shall forthwith report that fact, including the name and  
21 mailing address of the source; where the source is an individual, the  
22 occupation of the individual and the name and mailing address of the  
23 individual's employer; and the aggregate total of contributions from  
24 the source to the commission. Any sworn statement under this  
25 subsection may be filed with the notice of designation by a political  
26 committee of a campaign treasurer and campaign depository under  
27 section 10 of P.L.1973, c.83 (C.19:44A-10), if that committee knows  
28 or has reason to believe, at the time when the notice of designation is  
29 given, that the total amount to be so expended shall not exceed  
30 \$4,000.00.

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

39 (cf: P.L.1993, c.65, s.3)

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

43 11. No contribution of money or other thing of value, nor  
44 obligation therefor, including but not limited to contributions, loans or  
45 obligations of a candidate himself or of his family, shall be made or  
46 received, and no expenditure of money or other thing of value, nor

1 obligation therefor, including expenditures, loans or obligations of a  
2 candidate himself or of his family, shall be made or incurred, directly  
3 or indirectly, to support or defeat a candidate in any election, or to aid  
4 the passage or defeat of any public question, except through:

5 a. The duly appointed campaign treasurer or deputy campaign  
6 treasurers of the candidate committee or joint candidates committee;

7 b. The duly appointed organizational treasurer or deputy  
8 organizational treasurers of a political party committee or a continuing  
9 political committee;

10 c. The duly appointed campaign treasurer or deputy campaign  
11 treasurers of a political committee; or

12 d. The duly appointed organizational treasurer or deputy  
13 organizational treasurer of a legislative leadership committee.

14 It shall be lawful, however, for any person, not acting in concert  
15 with any other person or group, to expend personally from his own  
16 funds a sum which is not to be repaid to him for any purpose not  
17 prohibited by law, or to contribute his own personal services and  
18 personal traveling expenses, to support or defeat a candidate or to aid  
19 the passage or defeat of a public question; provided, however, that any  
20 person making such expenditure shall be required to report his or her  
21 name and mailing address and the amount of all such expenditures and  
22 expenses, except personal traveling expenses, if the total of the money  
23 so expended, exclusive of such traveling expenses, exceeds \$500, and  
24 also, where the person is an individual, to report the individual's  
25 occupation and the name and mailing address of the individual's  
26 employer, to the Election Law Enforcement Commission at the same  
27 time and in the same manner as a political committee subject to the  
28 provisions of section 8 of this act.

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

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

5 No person, partnership or association, either directly or through an  
6 agent, shall make any loan or advance, the proceeds of which that  
7 person, partnership or association knows or has reason to know or  
8 believe are intended to be used by the recipient thereof to make a  
9 contribution or expenditure, except by check or money order  
10 identifying the name, mailing address and occupation or business of  
11 the maker of the loan, and, if the maker is an individual, the name and  
12 mailing address of that individual's employer; provided, however, that  
13 such loans or advances to a single individual, up to a cumulative  
14 amount of \$50 in any calendar year, may be made in currency.

15 (cf: P.L.1995, c.391, s.3)

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

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

46 b. During the period between the appointment of the campaign

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

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

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

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

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

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

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

1 d. There shall be no obligation to file the reports required by this  
2 section on behalf of a candidate if such candidate files with the  
3 Election Law Enforcement Commission a sworn statement to the  
4 effect that the total amount to be expended in behalf of his candidacy  
5 by the candidate committee, by any political party committee, by any  
6 political committee, or by any person shall not in the aggregate exceed  
7 \$2,000.00 or \$4,000 for any joint candidates committee containing  
8 two candidates or \$6,000 for any joint candidates committee  
9 containing three or more candidates. The sworn statement may be  
10 submitted at the time when the name and address of the campaign  
11 treasurer and depository is filed with the Election Law Enforcement  
12 Commission, provided that in any case the sworn statement is filed no  
13 later than the 29th day before an election. If a candidate who has filed  
14 such a sworn statement receives contributions from any one source  
15 aggregating more than \$200 he shall forthwith make report of the  
16 same, including the name and mailing address of the source and the  
17 aggregate total of contributions therefrom, and where the source is an  
18 individual, the occupation of the individual and the name and mailing  
19 address of the individual's employer, to the Election Law Enforcement  
20 Commission. Adjustments to the \$200 limit established in this  
21 subsection which have been made by the Election Law Enforcement  
22 Commission, pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2),  
23 prior to the effective date of P.L. , c. (now pending before the  
24 Legislature as this bill) are rescinded. The \$200 limit established in  
25 this subsection shall remain as stated in this subsection without further  
26 adjustment by the commission in the manner prescribed by section 22  
27 of P.L.1993, c.65 (C.19:44A-7.2).

28 e. There shall be no obligation imposed upon a candidate seeking  
29 election to a public office of a school district to file either the reports  
30 required under subsection b. of this section or the sworn statement  
31 referred to in subsection d. of this section, if the total amount  
32 expended and to be expended in behalf of his candidacy by the  
33 candidate committee, any political committee, any continuing political  
34 committee, or a political party committee or by any person, does not  
35 in the aggregate exceed \$2,000.00 per election or \$4,000 for any joint  
36 candidates committee containing two candidates or \$6,000 for any  
37 joint candidates committee containing three or more candidates;  
38 provided, that if such candidate receives contributions from any one  
39 source aggregating more than \$200, he shall forthwith make a report  
40 of the same, including the name and mailing address of the source, the  
41 aggregate total of contributions therefrom, and where the source is an  
42 individual, the occupation of the individual and the name and mailing  
43 address of the individual's employer, to the commission.

44 Adjustments to the \$200 limit established in this subsection which  
45 have been made by the Election Law Enforcement Commission,  
46 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the

1 effective date of P.L. , c. (now pending before the Legislature as  
2 this bill) are rescinded. The \$200 limit established in this subsection  
3 shall remain as stated in this subsection without further adjustment by  
4 the commission in the manner prescribed by section 22 of P.L.1993,  
5 c.65 (C.19:44A-7.2).

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

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

34 g. Any report filed pursuant to the provisions of this section shall  
35 include an itemized accounting of all receipts and expenditures relative  
36 to any testimonial affair held since the date of the most recent report  
37 filed, which accounting shall include the name and mailing address of  
38 each contributor in excess of \$200 to such testimonial affair and the  
39 amount contributed by each; in the case of any individual contributor,  
40 the occupation of the individual and the name and mailing address of  
41 the individual's employer; the expenses incurred; and the disposition  
42 of the proceeds of such testimonial affair. Adjustments to the \$200  
43 limit established in this subsection which have been made by the  
44 Election Law Enforcement Commission, pursuant to section 22 of  
45 P.L.1993, c.65 (C.19:44A-7.2), prior to the effective date of P.L. ,  
46 c. (now pending before the Legislature as this bill) are rescinded. The



1 \$200 limit established in this subsection shall remain as stated in this  
2 subsection without further adjustment by the commission in the  
3 manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2).

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

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

14 (cf: P.L.1993, c.65, s.9)

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

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

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

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

44 (2) The gross receipts and expenses involved in the solicitation  
45 including the actual amount paid for any items purchased for resale in  
46 connection with the solicitation, or, if such items or any portion of the

1 cost thereof was donated, the estimated actual value thereof and the  
2 actual amount paid therefor, and the names and addresses of any such  
3 donors. If it is not practicable for such itemized report to be  
4 completed in time to be included with the report due under sections 8  
5 and 16 of this act for the period during which such solicitation was  
6 held, then such itemized report may be omitted from said report and  
7 if so omitted shall be included in the report for the next succeeding  
8 period.

9 Adjustments to the \$200 limit established in this subsection which  
10 have been made by the Election Law Enforcement Commission,  
11 pursuant to section 22 of P.L.1993, c.65 (C.19:44A-7.2), prior to the  
12 effective date of P.L. , c. (now pending before the Legislature as  
13 this bill) are rescinded. The \$200 limit established in this subsection  
14 shall remain as stated in this subsection without further adjustment by  
15 the commission in the manner prescribed by section 22 of P.L.1993,  
16 c.65 (C.19:44A-7.2).

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

41 Such report shall be made to the Election Law Enforcement  
42 Commission at the same time and in the same manner as a political  
43 committee, continuing political committee, political party committee  
44 or a legislative leadership committee subject to the provisions of  
45 section 8 of this act.

46 d. Contributions or purchases made in response to a public

1 solicitation conducted in conformity with the requirements and  
2 conditions of this act shall not be deemed anonymous within the  
3 meaning of sections 11 and 20 of this act.

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

8 (cf: P.L.1993, c.65, s.10)

9

10 7. This act shall take effect on January 1 following enactment.

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12

13

### STATEMENT

14

15 Under current law, the minimum amount of a campaign contribution  
16 which triggers an obligation to report that contribution to the Election  
17 Law Enforcement Commission (ELEC) is adjusted by ELEC every  
18 four years. Currently, the minimum amount which triggers an  
19 obligation to report is \$400. This bill would instead set that amount at  
20 \$200 by rescinding all adjustments to increase that amount that have  
21 been made pursuant law, so that any contribution greater than \$200  
22 would trigger an obligation to report that contribution to ELEC. The  
23 bill removes the authority of ELEC to increase this amount.

24 Additionally, the bill would change the amount of campaign  
25 contributions collected as a result of a public solicitation which trigger  
26 an obligation to report to ELEC to \$200.

27 The bill would also require the reporting of all cash contributions  
28 to ELEC, regardless of the amount of the contribution. The report  
29 would include the name and mailing address of each contributor, the  
30 occupation of the contributor and the amount of the cash contribution,  
31 including the contributor's signature and the name and mailing address  
32 of the contributor's employer. If the cash is contributed in response to  
33 a public solicitation, the report would also include the name and  
34 mailing address of each individual that contributed cash to the  
35 solicitation, the occupation of the individual and the amount of the  
36 contribution, including the individual's signature and the name and  
37 mailing address of the individual's employer.

# SENATE STATE GOVERNMENT COMMITTEE

## STATEMENT TO

### **SENATE, No. 5**

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 3, 2004

The Senate State Government Committee reports favorably and with committee amendments Senate, No. 5.

This bill changes the minimum amount of a campaign contribution which triggers an obligation to report that contribution to the Election Law Enforcement Commission (ELEC). Under current law, the minimum amount is adjusted by ELEC every four years; presently, it is \$400. The bill sets that minimum amount at \$300, and removes the authority of ELEC to increase the amount. The bill sets at \$200 the amount of campaign contributions collected as a result of a public solicitation which triggers an obligation to report to ELEC.

The bill requires the reporting of all cash contributions to ELEC, regardless of the amount of the contribution. Under the bill, the report will include the name and mailing address of each contributor, the occupation of the contributor and the amount of the cash contribution, and the name and mailing address of the contributor's employer. If the cash is contributed in response to a public solicitation, the report will include also the name and mailing address of each individual that contributed cash to the solicitation, the occupation of the individual and the amount of the contribution, and the name and mailing address of the individual's employer.

The committee amended the bill to (1) increase from \$200 to \$300 the minimum amount of a campaign contribution which triggers an obligation to report to ELEC and (2) eliminate the requirement for a contributor's signature in reports of cash contributions.

As amended, this bill is identical to Assembly, No. 5 (1R) of 2004.

## Office of the Governor

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Contact: Micah Rasmussen  
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RELEASE: June 16, 2004

### McGreevey Signs Landmark Ethics Reform Legislation

#### *Bills Provide A More Accountable and Transparent Government*

(TRENTON) – Governor James E. McGreevey today signed into law the strongest ethics and campaign finance reform package in the history of New Jersey – and one of the strongest in the nation.

“Today is a good day for government and a victory for our citizens,” said Governor McGreevey. “From the stronger penalties, to the increased disclosure, to the end of the influence of campaign contributions on no-bid contracts, this reform package provides a more accountable and more transparent government for all. I want to congratulate the citizens, the State Legislature, and the numerous advocacy groups who helped make these reforms a reality.”

The legislation is the most comprehensive ethics and campaign finance reform initiative the State has embarked upon in more than 30 years and makes New Jersey only the fourth state in the entire country to enact a “pay-to-play” ban.

"The numerous positive achievements in this legislation clearly demonstrate how Democrats have seized the initiative on ethics reform," said Senate Majority Leader Bernard F. Kenny Jr. (D-Hudson). "As the Majority Party, Democrats have acted to put us in the right direction after years of inaction by the Republicans. The reforms enacted today are long overdue, but they mark the beginning - not the end - of our commitment to eliminate any perception that those who give the most to political campaigns get favored treatment in the form of lucrative State contracts."

Among the reforms the package are: prohibiting anyone who receives a no-bid contract from making certain political contributions; strengthening legislative ethics; enhancing reporting of legislators' financial disclosure requirements, hidden financial interests, and

conflicts of interests; increasing penalties for ethics and campaign finance violations and for illegally soliciting campaign contributions; and expanding the definition of lobbyist and legislative agent, ensuring that all parties who seeks to influence government are properly disclosed.

One of the main components of the ethics reform package is S-2/A-2, which prohibits state, county or local government officials from awarding no-bid contracts to their campaign contributors and prohibits no-bid contract holders from contributing to officials holding office at the government level in which the contract is in effect.

“This has been a long and winding journey, but today New Jersey sets an unprecedented standard for disclosure and transparency, and takes significant steps to reduce the influence of money in politics,” said Governor McGreevey. “We should be proud of the example New Jersey has set for the rest of the nation, but we must also continue to work together to uphold the highest standards of ethical conduct.”

The ethics reform package signed into law today includes:

- **S-2** -- Prohibits campaign contributions by certain business entities performing State, county and local contracts, as well as prohibits certain contributions by county committee of political party.
- **S-4** -- Extends certain financial disclosure requirements to lobbying conducted through advertisements and direct mail to general public.
- **A-5** -- Change the minimum contribution that needs to be reported to the Election Law Enforcement Commission (ELEC) from \$400 to \$300 and requires the reporting of all cash campaign contributions.
- **A-6** -- Requires professional campaign fundraisers to register and file quarterly reports with ELEC.
- **A-7** -- Expands campaign communications require identification to include telephone calls featuring recorded messages made in regard to candidates and public questions. The message or call would clearly state the name of business or address of the committee, group or person that financed the communication.

"Just as voters have a right to know who is sending them campaign literature, New Jerseyans should see who is behind commercials or advertisements calling for action on a specific bill or regulation under consideration," said Assemblywoman Linda Greenstein (D-Mercer/Middlesex). "Issue ads are nothing more than thinly-veiled political campaign commercials, and all money spent on them should be publicly disclosed."

- **S-8** -- Prohibits the solicitation or making of political contributions on state property by state officeholders or their representatives.

- **A-9** -- Requires Election Law Enforcement Commission (ELEC) to assess its Internet site and recommend improvements for the site's format and content. ELEC) would evaluate the presentation, accessibility, convenience, and usefulness of its Web site and recommend upgrades.
- **S-10** -- Requires certain campaign and organizational treasurers to be trained by ELEC. It also requires ELEC to make the training program available over its Internet site within one year of the bill's enactment.
- **A-11** -- Increases the maximum fines for violating campaign contribution and expenditure limit, reporting requirements and payment restrictions. The bill doubles the maximum fines that may be imposed for a variety of violations.
- **A-12** -- Requires certain election committees/ joint candidates committees to file a report with ELEC within 48 hours of making certain expenditures in excess of \$800 during certain periods of an election cycle.
- **A-14** -- Blocks legislators, Governor and department heads from lobbying activities for one year after leaving office.

"The strong link between government service and private lobbying creates - at a minimum - an appearance of impropriety in the eyes of the public," said Assemblyman Michael J. Panter (D-Monmouth/Mercer). "It also creates the very real possibility that the judgment of an elected or appointed official could be affected by their own financial concerns rather than the public's best interest. The signing of this bill today represents a new era in New Jersey politics, and a step in the right direction toward good government."

- **A-15** – Prohibits employment or assignment of relatives of certain employees of the Executive Branch, independent authorities, and interstate agencies to specific positions. Expands upon last year's nepotism ban by extending the definition of immediate family and including certain Executive Branch departments and commissions.
- **S-16** – Bans any member of the Legislature from acting on legislation in which they or their family member has a personal interest. The bill eliminates the option of filing a personal interest statement and instead prohibits the member from acting on legislation that they have a personal interest.
- **S-17**-- Changes memberships of Executive Commission on Ethical Standards and Joint Legislative Committee on Ethical Standards. The changes equalize the number of public and governmental official members.
- **S-18** -- Increases monetary penalties for violations of "New Jersey Conflicts of Interest Law." The bill increases the fine for civil violations of the conflict of interest laws to between \$500 and \$10,000 for State officers and employees or

members of the Legislature.

- **S-19**-- Requires candidates seeking office of Governor or legislator to disclose prior conviction for criminal offense. Candidates would be required to file a form setting out whether they have been convicted of an indictable crime.

"As legislators, we often consider measures that would require members of the public to undergo criminal background checks or disclose criminal histories prior to consideration for employment," said Assemblyman Jeff Van Drew (D-Cape May). "However, current state law fails to require state elected officials to disclose similar backgrounds. This is more than a statutory anomaly. It is an error in need of immediate correction."

- **S-22** -- Expands the definition of lobbyist and legislative agent to include those who influence the governmental process and actions in the Executive Branch, agency, or instrumentality.
- **A-23** -- Requires ELEC to conduct random audits of records kept by legislative agents. Currently, ELEC has the authority to conduct such audits, but this bill would require them to do so.
- **A-24** -- Directs ELEC to collect \$100 annual fee from legislative agents. The fee would be deposited in the general fund to be appropriated to ELEC. The fee would offset the costs of ELEC's new responsibilities.
- **A-25** -- Prohibits legislative agents from accepting contingency fees to influence legislation or regulations. This bill amends the existing law by eliminating the ability of a legislative agent to enter into a contingency fee agreement with a client. The legislative agent's reimbursement could not be dependent upon the whether or not he or she was successful in trying to influence legislation or regulation.

State of New Jersey Governor's Office

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