

ASSEMBLY, No. 4372

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 20, 2022

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

SYNOPSIS

Establishes “Elections Transparency Act;” requires independent expenditure committees report campaign contributions exceeding \$1000; increases contribution limits; changes reporting and other requirements; concerns certain business entity contributions and certain local provisions.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing “The Elections Transparency Act,” concerning
2 campaign contribution limits and reporting requirements,
3 amending various parts of the statutory law, supplementing
4 P.L.1973, c.83 (19:44A-1 et seq.), and repealing section 1 of
5 P.L.2005, c.271.

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

9
10 1. Section 22 of P.L.1993, c.65 (C.19:44A-7.2) is amended to
11 read as follows:

12 22. a. Not later than December 1 of each year **[**preceding any
13 year in which a general election is to be held to fill the offices of
14 Governor and Lieutenant Governor for a four-year term**]**, the
15 Election Law Enforcement Commission shall adjust the amounts,
16 set forth in subsection b. of this section, which shall be applicable
17 under P.L.1973, c.83 (C.19:44A-1 et al.) to primary and general
18 elections for any public office other than the offices of Governor
19 and Lieutenant Governor at a percentage which shall be **[the same]**
20 calculated in the same manner as the percentage of change that the
21 commission applies to the amounts used for the primary election for
22 the office of Governor and the general election for the offices of
23 Governor and Lieutenant Governor **[**held in the third year
24 preceding the year in which that December 1 occurs**]**, pursuant to
25 section 19 of P.L.1980, c.74 (C.19:44A-7.1), and any amount so
26 adjusted shall be rounded in the same manner as provided in that
27 section.

28 b. The amounts subject to adjustment as provided under this
29 section shall be:

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

36 (2) (Deleted by amendment, P.L.2004, c.28);

37 (3) the minimum amount of a contribution to a political
38 committee, continuing political committee, legislative leadership
39 committee or a political party committee received during the period
40 between the 13th day prior to the election and the date of the
41 election, the minimum amount of an expenditure by a political
42 committee during that period, and the minimum amount of an
43 expenditure by a continuing political committee during the period
44 beginning after March 31 and ending on the date of the primary
45 election and the period beginning after September 30 and ending on

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 the date of the general election which triggers an obligation to
2 report that contribution to the commission pursuant to section 8 of
3 P.L.1973, c.83 (C.19:44A-8), and the minimum amount of a
4 contribution to a candidate, candidate committee or joint candidates
5 committee received during the period between the 13th day prior to
6 the election and the date of the election which triggers an obligation
7 to report that contribution to the commission pursuant to section 16
8 of P.L.1973, c.83 (C.19:44A-16);

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

13 (5) the maximum amount that a person, not acting in concert
14 with any other person or group, may spend to support or defeat a
15 candidate or to aid the passage or defeat of a public question
16 without being required to report all such expenditures and expenses
17 to the commission pursuant to section 11 of P.L.1973, c.83
18 (C.19:44A-11) and the maximum amount that a person, not acting
19 in concert with any other person or group, may raise through a
20 public solicitation and expend to finance any lawful activity in
21 support of or in opposition to any candidate or public question or to
22 seek to influence the content, introduction, passage or defeat of
23 legislation pursuant to section 19 of P.L.1973, c.83 (C.19:44A-19);

24 (6) the maximum amount that may be expended, in the
25 aggregate, on behalf of a candidate without requiring that candidate
26 to file contribution reports with the commission and the maximum
27 amount that may be expended, in the aggregate, on behalf of a
28 candidate seeking election to a public office of a school district,
29 without requiring that candidate to file contribution reports with the
30 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-
31 16);

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

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

46 (9) (Deleted by amendment, P.L.2004, c.174);

47 (10) (Deleted by amendment, P.L.2004, c.174);

48 (11) (Deleted by amendment, P.L.2004, c.174);

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

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

18 d. Notwithstanding the provisions of any other law, rule, or
19 regulation to the contrary, the adjustment of limits under this
20 section shall be conducted annually with respect to limits applicable
21 to candidates and committees for the office of Member of the
22 General Assembly, and shall be conducted annually in the first two
23 years of each decade and every two years thereafter with respect to
24 limits applicable to candidates and committees for the office of
25 Member of the Senate, provided that such limits shall be applicable
26 for each primary election and each general election separately.
27 (cf: P.L.2009, c.66, s.9)

28
29 2. Section 2 of P.L.2004, c.174 (C.19:44A-7.3) is amended to
30 read as follows:

31 2. a. No later than July 1 of each year **【preceding any year in**
32 which a general election is to be held to fill the offices of Governor
33 and Lieutenant Governor for a four-year term**】**, the commission
34 shall issue a report setting forth its recommendations for the
35 adjustment of the amounts, set forth in subsection b. of this section
36 and applicable to P.L.1973, c.83 (C.19:44A-1 et seq.), to primary
37 and general elections for any public office other than the offices of
38 Governor and Lieutenant Governor, to limitations on contributions
39 to and from political committees, continuing political committees,
40 candidate committees, joint candidates committees, political party
41 committees and legislative leadership committees and to other
42 amounts, at a percentage which shall be **【the same】** calculated in
43 the same manner as the percentage of change that the commission
44 applies to the amounts used for the primary election for the office of
45 Governor and the general election for the offices of Governor and
46 Lieutenant Governor **【held in the third year preceding the year in**
47 which that December 1 occurs**】**, pursuant to section 19 of P.L.1980,

1 c.74 (C.19:44A-7.1). Any amount so recommended for adjustment
2 shall be rounded in the same manner as provided in that section.

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

5 (1) the maximum amount of contributions permitted to be made
6 by an individual, a corporation or labor organization to a candidate,
7 candidate committee or joint candidates committee, the maximum
8 amount of contributions permitted to be made by a political
9 committee or a continuing political committee to a candidate,
10 candidate committee or joint candidates committee other than the
11 committee of a candidate for nomination for the office of Governor
12 or the committee of candidates for election to the offices of
13 Governor and Lieutenant Governor and the maximum amount of
14 contributions permitted to be made by one candidate, candidate
15 committee or joint candidates committee, other than the committee
16 of a candidate for nomination for the office of Governor or the
17 committee for election to the offices of Governor and Lieutenant
18 Governor, to another candidate, candidate committee or joint
19 candidates committee other than the committee of a candidate for
20 nomination for the office of Governor or the committee for election
21 to the offices of Governor and Lieutenant Governor pursuant to
22 section 18 of P.L.1993, c.65 (C.19:44A-11.3);

23 (2) the maximum amount of contributions permitted to be made
24 by an individual, corporation, labor organization, political
25 committee, continuing political committee, candidate committee or
26 joint candidates committee or any other group to any political party
27 committee or any legislative leadership committee pursuant to
28 section 19 of P.L.1993, c.65 (C.19:44A-11.4); and

29 (3) the maximum amount of contributions permitted to be made
30 by a candidate, candidate committee or joint candidates committee
31 to a political committee or a continuing political committee and the
32 maximum amount of contributions permitted to be made by one
33 political committee or continuing political committee to another
34 political committee or continuing political committee pursuant to
35 section 20 of P.L.1993, c.65 (C.19:44A-11.5).

36 c. No later than July 15 of each year [preceding any year in
37 which a general election is to be held to fill the offices of Governor
38 and Lieutenant Governor for a four-year term], the commission
39 shall transmit a copy of its report to each member of the Legislature
40 and make public its recommended adjustment of limits pursuant to
41 this section. The Legislature shall have the option of adopting all or
42 part of the recommended adjustments by the passage of appropriate
43 legislation.

44 d. Notwithstanding the provisions of any other law, rule, or
45 regulation to the contrary, the adjustment of limits under this
46 section shall be conducted annually with respect to limits applicable
47 to candidates and committees for the office of Member of the
48 General Assembly, and shall be conducted annually in the first two
49 years of each decade and every two years thereafter with respect to

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1 limits applicable to candidates and committees for the office of
2 Member of the Senate, provided that such limits shall be applicable
3 for each primary election and each general election separately.
4 (cf: P.L.2009, c.66, s.10)

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

8 8. a. (1) Each political committee shall make a **【full】** cumulative
9 quarterly report each calendar year, upon a form prescribed by the
10 Election Law Enforcement Commission, of all contributions in the
11 form of moneys, loans, paid personal services, or other things of
12 value made to it and all expenditures made, incurred, or authorized
13 by it in furtherance of the nomination, election, or defeat of any
14 candidate, or in aid of the passage or defeat of any public question,
15 or to provide political information on any candidate or public
16 question, during the period ending 48 hours preceding the date of
17 the report and beginning on the date on which the first of those
18 contributions was received or the first of those expenditures was
19 made, whichever occurred first. The cumulative quarterly report,
20 except as hereinafter provided, shall contain the name and mailing
21 address of each person or group from whom moneys, loans, paid
22 personal services or other things of value have been contributed
23 since 48 hours preceding the date on which the previous such report
24 was made and the amount contributed by each person or group, and
25 where the contributor is an individual, the report shall indicate the
26 occupation of the individual and the name and mailing address of
27 the individual's employer. In the case of any loan reported pursuant
28 to this subsection, the report shall contain the name and mailing
29 address of each person who has cosigned such loan since 48 hours
30 preceding the date on which the previous such report was made, and
31 where an individual has cosigned such loans, the report shall
32 indicate the occupation of the individual and the name and mailing
33 address of the individual's employer. The cumulative quarterly
34 report shall also contain the name and address of each person, firm
35 or organization to whom expenditures have been paid since 48
36 hours preceding the date on which the previous such report was
37 made and the amount and purpose of each such expenditure. The
38 cumulative quarterly report shall be filed with the Election Law
39 Enforcement Commission on the dates designated in section 16
40 hereof.

41 The campaign treasurer of the political committee reporting shall
42 certify to the correctness of each report.

43 Each campaign treasurer of a political committee shall file
44 written notice with the commission of a contribution in excess of
45 \$500 received during the period between the 13th day prior to the
46 election and the date of the election, and of an expenditure of
47 money or other thing of value in excess of \$500 made, incurred or
48 authorized by the political committee to support or defeat a
49 candidate in an election, or to aid the passage or defeat of any

1 public question, during the period between the 13th day prior to the
2 election and the date of the election. The notice of a contribution
3 shall be filed in writing or by electronic transmission within 48
4 hours of the receipt of the contribution and shall set forth the
5 amount and date of the contribution, the name and mailing address
6 of the contributor, and where the contributor is an individual, the
7 individual's occupation and the name and mailing address of the
8 individual's employer. The notice of an expenditure shall be filed
9 in writing or by electronic transmission within 48 hours of the
10 making, incurring or authorization of the expenditure and shall set
11 forth the name and mailing address of the person, firm or
12 organization to whom or which the expenditure was paid and the
13 amount and purpose of the expenditure.

14 (2) When a political committee or an individual seeking party
15 office makes or authorizes an expenditure on behalf of a candidate,
16 it shall provide immediate written notification to the candidate of
17 the expenditure.

18 (3) In addition to reporting contributions in the cumulative
19 quarterly report as required under this subsection, each campaign
20 treasurer of a political committee shall file written notice with the
21 commission of a contribution in excess of \$2,000 within 96 hours of
22 receiving the contribution.

23 b. (1) A group of two or more persons acting jointly, or any
24 corporation, partnership, or any other incorporated or
25 unincorporated association including a political club, political
26 action committee, civic association or other organization, which in
27 any calendar year contributes or expects to contribute at least
28 \$2,500.00 to the aid or promotion of the candidacy of an individual,
29 or of the candidacies of individuals, for elective public office or the
30 passage or defeat of a public question or public questions and which
31 expects to make contributions toward such aid or promotion, or
32 toward such passage or defeat, during a subsequent election shall
33 certify that fact to the commission, and the commission, upon
34 receiving that certification and on the basis of any information as it
35 may require of the group, corporation, partnership, association or
36 other organization, shall determine whether the group, corporation,
37 partnership, association or other organization is a continuing
38 political committee for the purposes of this act. If the commission
39 determines that the group, corporation, partnership, association or
40 other organization is a continuing political committee, it shall so
41 notify that continuing political committee.

42 No person serving as the chairman of a political party committee
43 or a legislative leadership committee shall be eligible to be
44 appointed or to serve as the chairman of a continuing political
45 committee.

46 (2) A continuing political committee shall file with the Election
47 Law Enforcement Commission, not later than April 15, July 15,
48 October 15 and January 15 of each calendar year, a cumulative
49 quarterly report of all moneys, loans, paid personal services or other

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

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

27 Each continuing political committee shall provide immediate
28 written notification to each candidate of all expenditures made or
29 authorized on behalf of the candidate.

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

1 expenditure to the commission within 48 hours of the making,
2 authorizing or incurring thereof.

3 A continuing political committee which ceases making
4 contributions toward the aiding or promoting of the candidacy of an
5 individual, or of the candidacies of individuals, for elective public
6 office in this State or the passage or defeat of a public question or
7 public questions in this State shall certify that fact in writing to the
8 commission, and that certification shall be accompanied by a final
9 accounting of any fund relating to such aiding or promoting
10 including the final disposition of any balance in such fund at the
11 time of dissolution. Until that certification has been filed, the
12 committee shall continue to file the quarterly reports as provided
13 under this subsection.

14 (3) In addition to reporting contributions in the cumulative
15 quarterly report as required under this subsection, each treasurer of
16 a continuing political committee shall file written notice with the
17 commission of a contribution in excess of \$2,000 within 96 hours of
18 receiving the contribution.

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

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

1 (2) In addition to reporting contributions in the cumulative
2 quarterly report as required under this subsection, each campaign
3 treasurer of a political party committee and of a legislative
4 leadership committee shall file written notice with the commission
5 of a contribution in excess of \$2,000 within 96 hours of receiving
6 the contribution.

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

43 (2) An independent expenditure committee shall disclose all
44 expenditures made by it in excess of ~~[\$3,000]~~ \$1,000, including,
45 but not limited to, for electioneering communications, voter
46 registration, get-out-the-vote efforts, polling, and research. The
47 disclosures required by this paragraph shall be reported to the
48 Election Law Enforcement Commission on the same schedule as

1 required for continuing political committees pursuant to this
2 section.

3 The treasurer of the reporting independent expenditure
4 committee shall certify the correctness of each report and shall
5 maintain all records of contributions and expenditures for a period
6 of not less than four years.

7 The **[\$10,000]** \$1,000 contribution amount and the **[\$3,000]**
8 \$1,000 expenditure amount established in this subsection shall
9 remain as stated in this subsection without further adjustment by the
10 commission pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
11 7.2).

12 e. When a political party committee, legislative leadership
13 committee or independent expenditure committee receives a
14 contribution from a single source of more than \$500 after the final
15 day of a quarterly reporting period and on or before a primary,
16 general, municipal, school, or special election which occurs after
17 that final day but prior to the final day of the next reporting period
18 it shall, in writing or by electronic transmission, report that
19 contribution to the commission within 48 hours of the receipt
20 thereof, including in that report the amount and date of the
21 contribution; the name and mailing address of the contributor; and
22 where the contributor is an individual, the individual's occupation
23 and the name and mailing address of the individual's employer.
24 When a political party committee, legislative leadership committee,
25 or an independent expenditure committee makes or authorizes an
26 expenditure of money or other thing of value in excess of \$800, or
27 incurs any obligation therefor, to support or defeat a candidate in an
28 election, or to aid the passage or defeat of any public question, or to
29 aid the passage or defeat of legislation or regulation in the case of
30 an independent expenditure committee, after March 31 and on or
31 before the day of the primary election, or after September 30 and on
32 or before the day of the general election, it shall, in writing or by
33 electronic transmission, report that expenditure to the commission
34 within 48 hours of the making, authorizing or incurring thereof.

35 f. In any report filed pursuant to the provisions of this section
36 the organization or committee reporting may exclude from the
37 report the name of and other information relating to any contributor
38 whose contributions during the period covered by the report did not
39 exceed \$300, provided, however, that (1) such exclusion is unlawful
40 if any person responsible for the preparation or filing of the report
41 knew that it was made with respect to any person whose
42 contributions relating to the same election or issue and made to the
43 reporting organization or committee aggregate, in combination with
44 the contribution in respect of which such exclusion is made, more
45 than \$300 and (2) any person who knowingly prepares, assists in
46 preparing, files or acquiesces in the filing of any report from which
47 the identification of a contributor has been excluded contrary to the
48 provisions of this section is subject to the provisions of section 21
49 of P.L.1973, c.83 (C.19:44A-21), but (3) nothing in this proviso

1 shall be construed as requiring any committee or organization
2 reporting pursuant to this act to report the amounts, dates or other
3 circumstantial data regarding contributions made to any other
4 organization or political committee, political party committee or
5 campaign organization of a candidate.

6 g. Any report filed pursuant to the provisions of this section
7 shall include an itemized accounting of all receipts and
8 expenditures relative to any testimonial affairs held since the date
9 of the most recent report filed, which accounting shall include the
10 name and mailing address of each contributor in excess of \$300 to
11 such testimonial affair and the amount contributed by each; in the
12 case of an individual contributor, the occupation of the individual
13 and the name and mailing address of the individual's employer; the
14 expenses incurred; and the disposition of the proceeds of such
15 testimonial affair.

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

20 (cf: P.L.2019, c.124, s.2)

21

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

24 18. a. No individual, other than an individual who is a candidate,
25 no corporation of any kind organized and incorporated under the
26 laws of this State or any other state or any country other than the
27 United States, no labor organization of any kind which exists or is
28 constituted for the purpose, in whole or in part, of collective
29 bargaining, or of dealing with employers concerning the grievances,
30 terms or conditions of employment, or of other mutual aid or
31 protection in connection with employment, or any group shall: (1)
32 pay or make any contribution of money or other thing of value to a
33 candidate who has established only a candidate committee, his
34 campaign treasurer, deputy campaign treasurer or candidate
35 committee which in the aggregate exceeds ~~【\$2,600】~~ \$5,200 per
36 election, or (2) pay or make any contribution of money or other
37 thing of value to candidates who have established only a joint
38 candidates committee, their campaign treasurer, deputy campaign
39 treasurer, or joint candidates committee, which in the aggregate
40 exceeds ~~【\$2,600】~~ \$5,200 per election per candidate, or (3) pay or
41 make any contribution of money or other thing of value to a
42 candidate who has established both a candidate committee and a
43 joint candidates committee, the campaign treasurers, deputy
44 campaign treasurers, or candidate committee or joint candidates
45 committee, which in the aggregate exceeds ~~【\$2,600】~~ \$5,200 per
46 election. No candidate who has established only a candidate
47 committee, his campaign treasurer, deputy campaign treasurer or
48 candidate committee shall knowingly accept from an individual,
49 other than an individual who is a candidate, a corporation of any

1 kind organized and incorporated under the laws of this State or any
2 other state or any country other than the United States, a labor
3 organization of any kind which exists or is constituted for the
4 purpose, in whole or in part, of collective bargaining, or of dealing
5 with employers concerning the grievances, terms or conditions of
6 employment, or of other mutual aid or protection in connection with
7 employment, or any group any contribution of money or other thing
8 of value which in the aggregate exceeds ~~【\$2,600】~~ \$5,200 per
9 election, and no candidates who have established only a joint
10 candidates committee, or their campaign treasurer, deputy campaign
11 treasurer, or joint candidates committee, shall knowingly accept
12 from any such source any contribution of money or other thing of
13 value which in the aggregate exceeds ~~【\$2,600】~~ \$5,200 per election
14 per candidate, and no candidate who has established both a
15 candidate committee and a joint candidates committee, the
16 campaign treasurers, deputy campaign treasurers, or candidate
17 committee or joint candidates committee shall knowingly accept
18 from any such source any contribution of money or other thing of
19 value which in the aggregate exceeds ~~【\$2,600】~~ \$5,200 per election.

20 b. (1) No political committee or continuing political committee
21 shall: (a) pay or make any contribution of money or other thing of
22 value to a candidate who has established only a candidate
23 committee, his campaign treasurer, deputy campaign treasurer or
24 candidate committee, other than a candidate for nomination for
25 election for the office of Governor or candidates for election for the
26 offices of Governor and Lieutenant Governor, which in the
27 aggregate exceeds ~~【\$8,200】~~ \$16,400 per election, or (b) pay or
28 make any contribution of money or other thing of value to
29 candidates who have established only a joint candidates committee,
30 their campaign treasurer or deputy campaign treasurer, or the joint
31 candidates committee, which in the aggregate exceeds ~~【\$8,200】~~
32 \$16,400 per election per candidate, or (c) pay or make any
33 contribution of money or other thing of value to a candidate who
34 has established both a candidate committee and a joint candidates
35 committee, the campaign treasurers, deputy campaign treasurers, or
36 candidate committee or joint candidates committee, which in the
37 aggregate exceeds ~~【\$8,200】~~ \$16,400 per election. No candidate
38 who has established only a candidate committee, his campaign
39 treasurer, deputy campaign treasurer or candidate committee, other
40 than a candidate for nomination for election for the office of
41 Governor or candidates for election for the offices of Governor and
42 Lieutenant Governor, shall knowingly accept from any political
43 committee or continuing political committee any contribution of
44 money or other thing of value which in the aggregate exceeds
45 ~~【\$8,200】~~ \$16,400 per election, and no candidates who have
46 established only a joint candidates committee, their campaign
47 treasurer, deputy campaign treasurer, or joint candidates committee,
48 shall knowingly accept from any such source any contribution of

1 money or other thing of value which in the aggregate exceeds
2 ~~【\$8,200】~~ \$16,400 per election per candidate, and no candidate who
3 has established both a candidate committee and a joint candidates
4 committee, the campaign treasurers, deputy campaign treasurers, or
5 candidate committee or joint candidates committee shall knowingly
6 accept from any such source any contribution of money or other
7 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$16,400 per
8 election.

9 (2) The limitation upon the knowing acceptance by a candidate,
10 campaign treasurer, deputy campaign treasurer, candidate
11 committee or joint candidates committee of any contribution of
12 money or other thing of value from a political committee or
13 continuing political committee under the provisions of paragraph
14 (1) of this subsection shall also be applicable to the knowing
15 acceptance of any such contribution from the county committee of a
16 political party by a candidate or the campaign treasurer, deputy
17 campaign treasurer, candidate committee or joint candidates
18 committee of a candidate for any elective public office in another
19 county or, in the case of a candidate for nomination for election or
20 for election to the office of member of the Legislature, in a
21 legislative district in which, according to the federal decennial
22 census upon the basis of which legislative districts shall have been
23 established, less than 20% of the population resides within the
24 county of that county committee. In addition, all contributor
25 reporting requirements and other restrictions and regulations
26 applicable to a contribution of money or other thing of value by a
27 political committee or continuing political committee under the
28 provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be
29 applicable to the making or payment of such a contribution by such
30 a county committee.

31 The limitation upon the knowing acceptance by a candidate,
32 campaign treasurer, deputy campaign treasurer, candidate
33 committee or joint candidates committee of any contribution of
34 money or other thing of value from a political committee or
35 continuing political committee under the provisions of paragraph
36 (1) of this subsection, except that the amount of any contribution of
37 money or other thing of value shall be in an amount which in the
38 aggregate does not exceed ~~【\$25,000】~~ \$50,000, shall also be
39 applicable to the knowing acceptance of any such contribution from
40 the county committee of a political party by a candidate, or the
41 campaign treasurer, deputy campaign treasurer, candidate
42 committee or joint candidates committee of a candidate, for
43 nomination for election or for election to the office of member of
44 the Legislature in a legislative district in which, according to the
45 federal decennial census upon the basis of which legislative districts
46 shall have been established, at least 20% but less than 40% of the
47 population resides within the county of that county committee. In
48 addition, all contributor reporting requirements and other
49 restrictions and regulations applicable to a contribution of money or

1 other thing of value by a political committee or continuing political
2 committee under the provisions of P.L.1973, c.83 (C.19:44A-1 et
3 al.) shall likewise be applicable to the making or payment of such a
4 contribution by such a county committee.

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

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

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

16 (c) Furthermore, the risk of actual or perceived corruption is
17 raised by the potential for contributors to circumvent limits on
18 contributions to candidates by funneling money to candidates
19 through county committees;

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

25 (e) It is, therefore, reasonable for the State to promote this
26 compelling interest by limiting the amount a county committee may
27 give to a legislative candidate based upon the degree to which the
28 population of the legislative district overlaps with the population of
29 that county.

30 c. (1) No candidate who has established only a candidate
31 committee, his campaign treasurer, deputy treasurer or candidate
32 committee shall (a) pay or make any contribution of money or other
33 thing of value to another candidate who has established only a
34 candidate committee, his campaign treasurer, deputy campaign
35 treasurer or candidate committee, other than a candidate for
36 nomination for election for the office of Governor or candidates for
37 election for the offices of Governor and Lieutenant Governor,
38 which in the aggregate exceeds ~~【\$8,200】~~ \$16,400 per election, or
39 (b) pay or make any contribution of money or other thing of value
40 to candidates who have established only a joint candidates
41 committee, their campaign treasurer, deputy campaign treasurer, or
42 joint candidates committee, which in the aggregate exceeds
43 ~~【\$8,200】~~ \$16,400 per election per candidate in the recipient
44 committee, or (c) pay or make any contribution of money or other
45 thing of value to a candidate who has established both a candidate
46 committee and a joint candidates committee, the campaign
47 treasurers, deputy campaign treasurers, or candidate committee or
48 joint candidates committee, which in the aggregate exceeds
49 ~~【\$8,200】~~ \$16,400 per election. No candidate who has established

1 only a candidate committee, his campaign treasurer, deputy
2 campaign treasurer or candidate committee, other than a candidate
3 for nomination for election for the office of Governor or candidates
4 for election to the offices of the Governor and Lieutenant Governor,
5 shall knowingly accept from another candidate who has established
6 only a candidate committee, his campaign treasurer, deputy
7 campaign treasurer or candidate committee, any contribution of
8 money or other thing of value which in the aggregate exceeds
9 **[\$8,200]** \$16,400 per election, and no candidates who have
10 established only a joint candidates committee, their campaign
11 treasurer, deputy campaign treasurer, or joint candidates committee,
12 shall knowingly accept from any such source any contribution of
13 money or other thing of value which in the aggregate exceeds
14 **[\$8,200]** \$16,400 per election per candidate in the recipient
15 committee, and no candidate who has established both a candidate
16 committee and a joint candidates committee, the campaign
17 treasurers, deputy campaign treasurers, or candidate committee or
18 joint candidates committee, shall knowingly accept from any such
19 source any contribution of money or other thing of value which in
20 the aggregate exceeds **[\$8,200]** \$16,400 per election.

21 (2) No candidates who have established only a joint candidates
22 committee, their campaign treasurer, deputy campaign treasurer, or
23 joint candidates committee shall (a) pay or make any contribution
24 of money or other thing of value to another candidate who has
25 established only a candidate committee, his campaign treasurer,
26 deputy campaign treasurer or candidate committee, other than a
27 candidate for nomination for election for the office of Governor or
28 candidates for election for the offices of Governor and Lieutenant
29 Governor, which in the aggregate exceeds, on the basis of each
30 candidate in the contributing joint candidates committee, **[\$8,200]**
31 \$16,400 per election, or (b) pay or make any contribution of money
32 or other thing of value to candidates who have established only a
33 joint candidates committee, their campaign treasurer, deputy
34 campaign treasurer or joint candidates committee, which in the
35 aggregate exceeds, on the basis of each candidate in the
36 contributing joint candidates committee, **[\$8,200]** \$16,400 per
37 election per candidate in the recipient joint candidates committee,
38 or (c) pay or make any contribution of money or other thing of
39 value to a candidate who has established both a candidate
40 committee and a joint candidates committee, the campaign
41 treasurers, deputy campaign treasurers or candidate committee or
42 joint candidates committee, which in the aggregate exceeds, on the
43 basis of each candidate in the contributing joint candidates
44 committee, **[\$8,200]** \$16,400 per election. No candidate who has
45 established only a candidate committee, his campaign treasurer,
46 deputy campaign treasurer, or candidate committee, other than a
47 candidate for nomination for election for the office of Governor or
48 candidates for election for the offices of Governor and Lieutenant

1 Governor, shall knowingly accept from other candidates who have
2 established only a joint candidates committee, their campaign
3 treasurer, deputy campaign treasurer or joint candidates committee,
4 any contribution of money or other thing of value which in the
5 aggregate exceeds, on the basis of each candidate in the
6 contributing committee, ~~[\$8,200]~~ \$16,400 per election, and no
7 candidates who have established only a joint candidates committee,
8 their campaign treasurer, deputy campaign treasurer, or joint
9 candidates committee, shall knowingly accept from any such source
10 any contribution of money or other thing of value which in the
11 aggregate exceeds, on the basis of each candidate in the
12 contributing joint candidates committee, ~~[\$8,200]~~ \$16,400 per
13 election per candidate in the recipient joint candidates committee,
14 and no candidate who has established both a candidate committee
15 and a joint candidates committee, the campaign treasurers, deputy
16 campaign treasurers, or candidate committee or joint candidates
17 committee, shall knowingly accept from any such source any
18 contribution of money or other thing of value which in the
19 aggregate exceeds, on the basis of each candidate in the
20 contributing joint candidates committee, ~~[\$8,200]~~ \$16,400 per
21 election.

22 (3) No candidate who has established both a candidate
23 committee and a joint candidates committee, the campaign
24 treasurers, deputy campaign treasurers, or candidate committee or
25 joint candidates committee shall (a) pay or make any contribution
26 of money or other thing of value to another candidate who has
27 established only a candidate committee, his campaign treasurer,
28 deputy campaign treasurer or candidate committee, other than a
29 candidate for nomination for election for the office of Governor or
30 candidates for election for the offices of Governor and Lieutenant
31 Governor, which in the aggregate exceeds ~~[\$8,200]~~ \$16,400 per
32 election, or (b) pay or make any contribution of money or other
33 thing of value to candidates who have established only a joint
34 candidates committee, their campaign treasurer, deputy campaign
35 treasurer or joint candidates committee, which in the aggregate
36 exceeds ~~[\$8,200]~~ \$16,400 per election per candidate in the
37 recipient joint candidates committee, or (c) pay or make any
38 contribution of money or other thing of value to a candidate who
39 has established both a candidate committee and a joint candidates
40 committee, the campaign treasurers, deputy campaign treasurers, or
41 candidate committee or joint candidates committee, which in the
42 aggregate exceeds ~~[\$8,200]~~ \$16,400 per election. No candidate
43 who has established only a candidate committee, his campaign
44 treasurer, deputy campaign treasurer, or candidate committee, other
45 than a candidate for nomination for election for the office of
46 Governor or candidates for election for the offices of Governor and
47 Lieutenant Governor, shall knowingly accept from a candidate who
48 has established both a candidate committee and a joint candidates

1 committee, the campaign treasurers, deputy campaign treasurers, or
2 candidate committee or joint candidates committee, any
3 contribution of money or other thing of value which in the
4 aggregate exceeds ~~【\$8,200】~~ \$16,400 per election, and no
5 candidates who have established only a joint candidates committee,
6 their campaign treasurer, deputy campaign treasurer, or joint
7 candidates committee, shall knowingly accept from any such source
8 any contribution of money or other thing of value which in the
9 aggregate exceeds ~~【\$8,200】~~ \$16,400 per election per candidate in
10 the recipient joint candidates committee, and no candidate who has
11 established both a candidate committee and a joint candidates
12 committee, the campaign treasurers, deputy campaign treasurers, or
13 candidate committee or joint candidates committee shall knowingly
14 accept from any such source any contribution of money or other
15 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$16,400 per
16 election.

17 (4) Expenditures by a candidate for nomination for election or
18 for election to the office of member of the Legislature or to an
19 office of a political subdivision of the State, or by the campaign
20 treasurer, deputy treasurer, candidate committee or joint candidates
21 committee of such a candidate, which are made in furtherance of the
22 nomination or election, respectively, of another candidate for the
23 same office in the same legislative district or the same political
24 subdivision shall not be construed to be subject to any limitation
25 under this subsection; for the purposes of this sentence, the offices
26 of member of the State Senate and member of the General
27 Assembly shall be deemed to be the same office.

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

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

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

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

41 19. a. (1) Except as otherwise provided in paragraph (2) of this
42 subsection, no individual, no corporation of any kind organized and
43 incorporated under the laws of this State or any other state or any
44 country other than the United States, no labor organization of any
45 kind which exists or is constituted for the purpose, in whole or in
46 part, of collective bargaining, or of dealing with employers
47 concerning the grievances, terms or conditions of employment, or
48 of other mutual aid or protection in connection with employment,
49 no political committee, continuing political committee, candidate

1 committee or joint candidates committee or any other group, shall
2 pay or make any contribution of money or other thing of value to
3 the campaign treasurer, deputy treasurer or other representative of
4 the State committee of a political party or the campaign treasurer,
5 deputy campaign treasurer or other representative of any legislative
6 leadership committee, which in the aggregate exceeds **[\$25,000]**
7 \$50,000 per year, or in the case of a joint candidates committee
8 when that is the only committee established by the candidates,
9 **[\$25,000]** \$50,000 per year per candidate in the joint candidates
10 committee, or in the case of a candidate committee and a joint
11 candidates committee when both are established by a candidate,
12 **[\$25,000]** \$50,000 per year from that candidate. No campaign
13 treasurer, deputy campaign treasurer or other representative of the
14 State committee of a political party or campaign treasurer, deputy
15 campaign treasurer or other representative of any legislative
16 leadership committee shall knowingly accept from an individual, a
17 corporation of any kind organized and incorporated under the laws
18 of this State or any other state or any country other than the United
19 States, a labor organization of any kind which exists or is
20 constituted for the purpose, in whole or in part, of collective
21 bargaining, or of dealing with employers concerning the grievances,
22 terms or conditions of employment, or of other mutual aid or
23 protection in connection with employment, a political committee, a
24 continuing political committee, a candidate committee or a joint
25 candidates committee or any other group, any contribution of
26 money or other thing of value which in the aggregate exceeds
27 **[\$25,000]** \$50,000 per year, or in the case of a joint candidates
28 committee when that is the only committee established by the
29 candidates, **[\$25,000]** \$50,000 per year per candidate in the joint
30 candidates committee, or in the case of a candidate committee and a
31 joint candidates committee when both are established by a
32 candidate, **[\$25,000]** \$50,000 per year from that candidate.

33 (2) No national committee of a political party shall pay or make
34 any contribution of money or other thing of value to the campaign
35 treasurer, deputy treasurer or other representative of the State
36 committee of a political party which in the aggregate exceeds
37 **[\$72,000]** \$144,000 per year, and no campaign treasurer, deputy
38 campaign treasurer or other representative of the State committee of
39 a political party shall knowingly accept from the national committee
40 of a political party any contribution of money or other thing of
41 value which in the aggregate exceeds **[\$72,000]** \$144,000 per year.

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

1 no political committee, continuing political committee, candidate
2 committee or joint candidates committee or any other group, shall
3 pay or make any contribution of money or other thing of value to
4 any county committee of a political party, which in the aggregate
5 exceeds **[\$37,000]** \$74,000 per year, or in the case of a joint
6 candidates committee when that is the only committee established
7 by the candidates, **[\$37,000]** \$74,000 per year per candidate in the
8 joint candidates committee, or in the case of a candidate committee
9 and a joint candidates committee when both are established by a
10 candidate, **[\$37,000]** \$74,000 per year from that candidate. No
11 campaign treasurer, deputy campaign treasurer or other
12 representative of a county committee of a political party shall
13 knowingly accept from an individual, a corporation of any kind
14 organized and incorporated under the laws of this State or any other
15 state or any country other than the United States, a labor
16 organization of any kind which exists or is constituted for the
17 purpose, in whole or in part, of collective bargaining, or of dealing
18 with employers concerning the grievances, terms or conditions of
19 employment, or of other mutual aid or protection in connection with
20 employment, a political committee, a continuing political
21 committee, a candidate committee or a joint candidates committee
22 or any other group, any contribution of money or other thing of
23 value which in the aggregate exceeds **[\$37,000]** \$74,000 per year,
24 or in the case of a joint candidates committee when that is the only
25 committee established by the candidates, **[\$37,000]** \$74,000 per
26 year per candidate in the joint candidates committee, or in the case
27 of a candidate committee and a joint candidates committee when
28 both are established by a candidate, **[\$37,000]** \$74,000 per year
29 from that candidate.

30 c. No individual, no corporation of any kind organized and
31 incorporated under the laws of this State or any other state or any
32 country other than the United States, no labor organization of any
33 kind which exists or is constituted for the purpose, in whole or in
34 part, of collective bargaining, or of dealing with employers
35 concerning the grievances, terms or conditions of employment, or
36 of other mutual aid or protection in connection with employment,
37 no political committee, continuing political committee, candidate
38 committee or joint candidates committee or any other group shall
39 pay or make any contribution of money or other thing of value to
40 any municipal committee of a political party, which in the aggregate
41 exceeds **[\$7,200]** \$14,400 per year, or in the case of a joint
42 candidates committee when that is the only committee established
43 by the candidates, **[\$7,200]** \$14,400 per year per candidate in the
44 joint candidates committee, or in the case of a candidate committee
45 and a joint candidates committee when both are established by a
46 candidate, **[\$7,200]** \$14,400 per year from that candidate. No
47 campaign treasurer, deputy campaign treasurer or other
48 representative of a municipal committee of a political party shall

1 knowingly accept from an individual, a corporation of any kind
2 organized and incorporated under the laws of this State or any other
3 state or any country other than the United States, a labor
4 organization of any kind which exists or is constituted for the
5 purpose, in whole or in part, of collective bargaining, or of dealing
6 with employers concerning the grievances, terms or conditions of
7 employment, or of other mutual aid or protection in connection with
8 employment, a political committee, a continuing political
9 committee, a candidate committee or a joint candidates committee
10 or any other group, any contribution of money or other thing of
11 value which in the aggregate exceeds ~~[\$7,200]~~ \$14,400 per year, or
12 in the case of a joint candidates committee when that is the only
13 committee established by the candidates, ~~[\$7,200]~~ \$14,400 per year
14 per candidate in the joint candidates committee, or in the case of a
15 candidate committee and a joint candidates committee when both
16 are established by a candidate, ~~[\$7,200]~~ \$14,400 per year from that
17 candidate.

18 No county committee of a political party in any county shall pay
19 or make any contribution of money or other thing of value to a
20 municipal committee of a political party in a municipality not
21 located in that county which in the aggregate exceeds the amount of
22 aggregate contributions which, under this subsection, a continuing
23 political committee is permitted to pay or make to a municipal
24 committee of a political party. No campaign treasurer, deputy
25 campaign treasurer or other representative of a municipal committee
26 of a political party in any municipality shall knowingly accept from
27 any county committee of a political party in any county other than
28 the county in which the municipality is located any contribution of
29 money or other thing of value which in the aggregate exceeds the
30 amount of contributions permitted to be so paid or made under that
31 subsection.

32 d. For the purpose of determining the amount of a contribution
33 to be attributed as given by each candidate in a joint candidates
34 committee, the amount of the contribution by such a committee
35 shall be divided equally among all the candidates in the committee.

36 (cf: P.L.2004, c.174, s.4)

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

39 20. a. No candidate who has established only a candidate
40 committee, his campaign treasurer, deputy treasurer or candidate
41 committee shall pay or make any contribution of money or other
42 thing of value to a political committee, other than a political
43 committee which is organized to, or does, aid or promote the
44 passage or defeat of a public question in any election, or a
45 continuing political committee, which in the aggregate exceeds, in
46 the case of such a political committee, ~~[\$7,200]~~ \$14,400 per
47 election, or in the case of a continuing political committee,
48 ~~[\$7,200]~~ \$14,400 per year, and no candidates who have established

1 only a joint candidates committee, their campaign treasurer, deputy
2 campaign treasurer or joint candidates committee shall pay or make
3 any contribution of money or other thing of value to such a political
4 committee or continuing political committee which in the aggregate
5 exceeds, in the case of such a political committee, **[\$7,200]**
6 \$14,400 per election per candidate in the joint candidates
7 committee, or in the case of a continuing political committee,
8 **[\$7,200]** \$14,400 per year per candidate in the joint candidates
9 committee, and no candidate who has established both a candidate
10 committee and a joint candidates committee shall pay or make any
11 contribution of money or other thing of value which in the
12 aggregate exceeds, in the case of such a political committee,
13 **[\$7,200]** \$14,400 per election from that candidate, or in the case of
14 a continuing political committee, **[\$7,200]** \$14,400 per year from
15 that candidate. No political committee, other than a political
16 committee which is organized to, or does, aid or promote the
17 passage or defeat of a public question in any election, or a
18 continuing political committee, shall knowingly accept from a
19 candidate who has established only a candidate committee, his
20 campaign treasurer, deputy treasurer or candidate committee, any
21 contribution of money or other thing of value which in the
22 aggregate exceeds, in the case of such a political committee,
23 **[\$7,200]** \$14,400 per election, or in the case of a continuing
24 political committee, **[\$7,200]** \$14,400 per year, and no such
25 political committee or continuing political committee shall
26 knowingly accept from candidates who have established only a joint
27 candidates committee, their campaign treasurer, deputy campaign
28 treasurer, or joint candidates committee, any contribution of money
29 or other thing of value which in the aggregate exceeds, in the case
30 of such a political committee, **[\$7,200]** \$14,400 per election per
31 candidate in the joint candidates committee, or in the case of a
32 continuing political committee, **[\$7,200]** \$14,400 per year per
33 candidate in the joint candidates committee, and no such political
34 committee or continuing political committee shall knowingly accept
35 from a candidate who has established both a candidate committee
36 and a joint candidates committee any contribution of money or
37 other thing of value which in the aggregate exceeds, in the case of
38 such a political committee, **[\$7,200]** \$14,400 per election from that
39 candidate, or in the case of a continuing political committee,
40 **[\$7,200]** \$14,400 per year from that candidate. For the purpose of
41 determining the amount of a contribution to be attributed as given
42 by each candidate in a joint candidates committee, the amount of
43 the contribution by such a committee shall be divided equally
44 among all the candidates in the committee.

45 b. No political committee, other than a political committee
46 which is organized to, or does, aid or promote the passage or defeat
47 of a public question in any election, and no continuing political
48 committee shall pay or make any contribution of money or other

1 thing of value to another political committee, other than a political
2 committee which is organized to, or does, aid or promote the
3 passage or defeat of a public question in any election, or another
4 continuing political committee which in the aggregate exceeds, in
5 the case of a recipient continuing political committee, **[\$7,200]**
6 \$14,400 per year, or in the case of a recipient political committee,
7 **[\$7,200]** \$14,400 per election. No political committee, other than
8 a political committee which is organized to, or does, aid or promote
9 the passage or defeat of a public question in any election, and no
10 continuing political committee shall knowingly accept from another
11 political committee, other than a political committee which is
12 organized to, or does, aid or promote the passage or defeat of a
13 public question in any election, or another continuing political
14 committee any contribution of money or other thing of value which
15 in the aggregate exceeds, in the case of a recipient continuing
16 political committee, **[\$7,200]** \$14,400 per year, or in the case of a
17 recipient political committee, **[\$7,200]** \$14,400 per election.

18 c. No individual, no corporation of any kind organized and
19 incorporated under the laws of this State or any other state or any
20 country other than the United States, no labor organization of any
21 kind which exists or is constituted for the purpose, in whole or in
22 part, of collective bargaining, or of dealing with employees
23 concerning the grievances, terms or conditions of employment, or
24 of other mutual aid or protection in connection with employment,
25 nor any other group, shall pay or make any contribution of money
26 or other thing of value to a political committee, other than a
27 political committee which is organized to, or does, aid or promote
28 the passage or defeat of a public question in any election, or a
29 continuing political committee, which in the aggregate exceeds, in
30 the case of such a political committee, **[\$7,200]** \$14,400 per
31 election, or in the case of a continuing political committee,
32 **[\$7,200]** \$14,400 per year, and no such political committee or
33 continuing political committee shall knowingly accept any
34 contribution in excess of those amounts from an individual or from
35 such corporation, labor organization, or other group.

36 (cf: P.L.2001, c.384, s.3)

37

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

40 16. a. The campaign treasurer of each candidate committee and
41 joint candidates committee shall make a **[full]** cumulative quarterly
42 report, upon a form prescribed by the Election Law Enforcement
43 Commission, of all contributions in the form of moneys, loans, paid
44 personal services or other things of value, made to him or to the
45 deputy campaign treasurers of the candidate committee or joint
46 candidates committee, and all expenditures paid out of the election
47 fund of the candidate or candidates, during the period ending with
48 the second day preceding the date of the cumulative quarterly report

1 and beginning on the date of the first of those contributions, the
2 date of the first of those expenditures, or the date of the
3 appointment of the campaign treasurer, whichever occurred first.
4 The report shall also contain the name and mailing address of each
5 person or group from whom moneys, loans, paid personal services
6 or other things of value were contributed after the second day
7 preceding the date of the previous cumulative quarterly report and
8 the amount contributed by each person or group, and where an
9 individual has made such contributions, the report shall indicate the
10 occupation of the individual and the name and mailing address of
11 the individual's employer. In the case of any loan reported pursuant
12 to this section, the report shall further contain the name and mailing
13 address of each person who cosigns such loan, the occupation of the
14 person and the name and mailing address of the person's employer.
15 If no moneys, loans, paid personal services or other things of value
16 were contributed, the report shall so indicate, and if no expenditures
17 were paid or incurred, the report shall likewise so indicate. The
18 campaign treasurer and the candidate or several candidates shall
19 certify the correctness of the report.

20 b. During the period between the appointment of the campaign
21 treasurer and the election with respect to which contributions are
22 accepted or expenditures made by him, the campaign treasurer shall
23 file his cumulative campaign quarterly report (1) on the 29th day
24 preceding the election, and (2) on the 11th day preceding the
25 election; and after the election he shall file his report on the 20th
26 day following such election. Concurrent with the report filed on the
27 20th day following an election, or at any time thereafter, the
28 campaign treasurer of a candidate committee or joint candidates
29 committee may certify to the Election Law Enforcement
30 Commission that the election fund of such candidate committee or
31 joint candidates committee has wound up its business and been
32 dissolved, or that business regarding the late election has been
33 wound up but the candidate committee or joint candidates
34 committee will continue for the deposit and use of contributions in
35 accordance with section 17 of P.L.1993, c.65 (C.19:44A-11.2).
36 Certification shall be accompanied by a final accounting of such
37 election fund, or of the transactions relating to such election,
38 including the final disposition of any balance remaining in such
39 fund at the time of dissolution or the arrangements which have been
40 made for the discharge of any obligations remaining unpaid at the
41 time of dissolution. Until the candidate committee or joint
42 candidates committee is dissolved, each such treasurer shall
43 continue to file reports in the form and manner herein prescribed.

44 The Election Law Enforcement Commission shall promulgate
45 regulations providing for the termination of post-election campaign
46 reporting requirements applicable to political committees, candidate
47 committees and joint candidates committees. The requirements to
48 file quarterly reports after the first post-election report may be
49 waived by the commission, notwithstanding that the certification

1 has not been filed, if the commission determines under any
2 regulations so promulgated that the outstanding obligations of the
3 political committee, candidate committee or joint candidates
4 committee do not exceed 10% of the expenditures of the campaign
5 fund with respect to the election or \$1,000.00, whichever is less, or
6 are likely to be discharged or forgiven.

7 A candidate committee or joint candidates committee shall file
8 with the Election Law Enforcement Commission, not later than
9 April 15, July 15, October 15 of each calendar year in which the
10 candidate or candidates in control of the committee does or do not
11 run for election or reelection and January 15 of each calendar year
12 in which the candidate or candidates does or do run for election or
13 reelection, a cumulative quarterly report of all moneys, loans, paid
14 personal services or other things of value contributed to it or to the
15 candidate or candidates during the period ending on the 15th day
16 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 or the candidate or
20 candidates during the period, whether or not such expenditures were
21 made, incurred or authorized in furtherance of the election or defeat
22 of any candidate, or in aid of the passage or defeat of any public
23 question or to provide information on any candidate or public
24 question. The commission may by regulation require any such
25 candidate committee or joint candidates committee to file during
26 any calendar year one or more additional cumulative reports of such
27 contributions received and expenditures made as may be necessary
28 to ensure that no more than five months shall elapse between the
29 last day of a period covered by one such report and the last day of
30 the period covered by the next such report.

31 The commission, on any form it shall prescribe for the reporting
32 of expenditures by a candidate committee or joint candidates
33 committee, shall provide for the grouping together of all
34 expenditures under the category of "campaign expenses" under
35 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
36 identified as such, and for the grouping together, separately, of all
37 other expenditures under the categories prescribed by paragraphs
38 (2) through (6) of that subsection. The cumulative quarterly report
39 due on April 15 in a year immediately after the year in which the
40 candidate or candidates does or do run for election or reelection
41 shall contain a report of all of the contributions received and
42 expenditures made by the candidate or candidates since the 18th day
43 after that election.

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

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

12 In addition to reporting contributions in the cumulative quarterly
13 report as required under this subsection, each campaign treasurer of
14 a candidate committee or joint candidates committee shall file
15 written notice with the commission of a contribution in excess of
16 \$2,000 within 96 hours of receiving the contribution.

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

20 d. There shall be no obligation to file the reports required by
21 this section on behalf of a candidate if such candidate files with the
22 Election Law Enforcement Commission a sworn statement to the
23 effect that the total amount to be expended in behalf of his
24 candidacy by the candidate committee, by any political party
25 committee, by any political committee, or by any person shall not in
26 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
27 committee containing two candidates or \$6,000 for any joint
28 candidates committee containing three or more candidates. The
29 sworn statement may be submitted at the time when the name and
30 address of the campaign treasurer and depository is filed with the
31 Election Law Enforcement Commission, provided that in any case
32 the sworn statement is filed no later than the 29th day before an
33 election. If a candidate who has filed such a sworn statement
34 receives contributions from any one source aggregating more than
35 \$300 he shall forthwith make report of the same, including the name
36 and mailing address of the source and the aggregate total of
37 contributions therefrom, and where the source is an individual, the
38 occupation of the individual and the name and mailing address of
39 the individual's employer, to the Election Law Enforcement
40 Commission. The \$300 limit established in this subsection shall
41 remain as stated in this subsection without further adjustment by the
42 commission in the manner prescribed by section 22 of P.L.1993,
43 c.65 (C.19:44A-7.2).

44 e. There shall be no obligation imposed upon a candidate
45 seeking election to a public office of a school district to file either
46 the reports required under subsection b. of this section or the sworn
47 statement referred to in subsection d. of this section, if the total
48 amount expended and to be expended in behalf of his candidacy by
49 the candidate committee, any political committee, any continuing

1 political committee, or a political party committee or by any person,
2 does not in the aggregate exceed \$2,000.00 per election or \$4,000
3 for any joint candidates committee containing two candidates or
4 \$6,000 for any joint candidates committee containing three or more
5 candidates; provided, that if such candidate receives contributions
6 from any one source aggregating more than \$300, he shall forthwith
7 make a report of the same, including the name and mailing address
8 of the source, the aggregate total of contributions therefrom, and
9 where the source is an individual, the occupation of the individual
10 and the name and mailing address of the individual's employer, to
11 the commission.

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

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

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

41 g. Any report filed pursuant to the provisions of this section
42 shall include an itemized accounting of all receipts and
43 expenditures relative to any testimonial affair held since the date of
44 the most recent report filed, which accounting shall include the
45 name and mailing address of each contributor in excess of \$300 to
46 such testimonial affair and the amount contributed by each; in the
47 case of any individual contributor, the occupation of the individual
48 and the name and mailing address of the individual's employer; the

1 expenses incurred; and the disposition of the proceeds of such
2 testimonial affair.

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

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

8 i. Each campaign treasurer of a candidate committee or joint
9 candidates committee shall file written notice with the commission
10 of a contribution in excess of \$500 received during the period
11 between the 13th day prior to the election and the date of the
12 election and of an expenditure of money or other thing of value in
13 excess of \$800 made, incurred or authorized by the candidate
14 committee or joint candidates committee to support or defeat a
15 candidate in an election, or to aid the passage or defeat of any
16 public question, during the period between the 13th day prior to the
17 election and the date of the election, provided that a candidate shall
18 not be required to file written notice pursuant to this subsection of
19 an expenditure made to support his or her own candidacy, or to
20 support or defeat a candidate for the same office in an election. For
21 the purposes of this subsection, the offices of member of the Senate
22 and member of the General Assembly shall be deemed to be the
23 same office in a legislative district; the offices of member of the
24 board of chosen freeholders and county executive shall be deemed
25 to be the same office in a county; and the offices of mayor and
26 member of the municipal governing body shall be deemed to be the
27 same office in a municipality.

28 The notice of a contribution shall be filed in writing or by
29 telegram within 48 hours of the receipt of the contribution and shall
30 set forth the amount and date of the contribution, the name and
31 mailing address of the contributor, and where the contributor is an
32 individual, the occupation of the individual and the name and
33 mailing address of the individual's employer. The notice of an
34 expenditure shall be filed in writing or by telegram within 48 hours
35 of the making, incurring or authorization of the expenditure and
36 shall set forth the name and mailing address of the person, firm or
37 organization to whom or which the expenditure was paid and the
38 amount and purpose of the expenditure.

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

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

44

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

47 18. If any former candidate or any political committee or any
48 person or association of persons in behalf of such political
49 committee or former candidate shall receive any contributions or

1 make any expenditures with relation to any election after the date
2 set in section 16 of P.L.1973, c.83 (C.19:44A-16) for the final
3 report subsequent to such election, or shall conduct any testimonial
4 affair or public solicitation for the purpose of raising funds to cover
5 any part of the expenses of a candidate, political committee,
6 independent expenditure committee, or other organization in such
7 election, all such contributions, expenditures, testimonial affairs or
8 public solicitations shall be reported to the Election Law
9 Enforcement Commission by the person or persons receiving such
10 contributions or making such expenditures or conducting such
11 testimonial affairs or public solicitations. Such report shall be made
12 by any person receiving any such contribution or contributions, or
13 making any such expenditure or expenditures, which in the
14 aggregate total more than \$100.00, or conducting any testimonial
15 affair or public solicitation of which the net proceeds exceed
16 \$100.00; and shall be made within 20 days from the date upon
17 which the aggregate of such contributions, expenditures or proceeds
18 exceed \$100.00 for the period commencing with the 19th day
19 following such election or with the date upon which any previous
20 report was made pursuant to this section, whichever is sooner. Such
21 report shall be made in the same form and shall contain the same
22 detail prescribed for any other report made pursuant to section 8 or
23 16 of P.L.1973, c.83 (C.19:44A-8 or C.19:44A-16), including the
24 reporting of any contribution in excess of \$2,000 within 96 hours of
25 receiving the contribution.

26 (cf: P.L.2019, c.124, s.7)

27
28 9. Section 2 of P.L.2004, c.19 (C.19:44A-20.3) is amended to
29 read as follows:

30 2. Notwithstanding the provisions of any other law to the
31 contrary:

32 a State agency in the Legislative Branch shall not enter into a
33 contract having an anticipated value in excess of \$17,500, as
34 determined in advance and certified in writing by the State agency,
35 with a business entity, that requires approval by a presiding officer
36 of either or both houses of the Legislature, except a contract that is
37 awarded pursuant to a fair and open process, if, during the
38 preceding one-year period, that business entity has made a
39 contribution, reportable by the recipient under P.L.1973, c.83
40 (C.19:44A-1 et seq.), to **the State committee of the political party**
41 **of which that presiding officer, serving when the contract is**
42 **awarded, is a member or to a legislative leadership committee or**
43 **any candidate committee established by that presiding officer; and**

44 a business entity that has entered into a contract having an
45 anticipated value in excess of \$17,500 with a State agency in the
46 Legislative Branch, that requires approval by a presiding officer of
47 either or both houses of the Legislature, except a contract that is
48 awarded pursuant to a fair and open process, shall not make a
49 contribution, reportable by the recipient under P.L.1973, c.83

1 (C.19:44A-1 et seq.), to **【**the State committee of the political party
2 of which that presiding officer is a member or to a legislative
3 leadership committee or**】** any candidate committee established by
4 that presiding officer, during the term of that contract.

5 No such committee shall accept such a contribution from a
6 business entity during the term of its contract with a State agency in
7 the Legislative Branch.

8 (cf: P.L.2004, c.19, s.2)

9

10 10. Section 3 of P.L.2004, c.19 (C.19:44A-20.4) is amended to
11 read as follows:

12 3. Notwithstanding the provisions of any other law to the
13 contrary:

14 a county, or any agency or instrumentality thereof, shall not enter
15 into a contract having an anticipated value in excess of \$17,500, as
16 determined in advance and certified in writing by the county,
17 agency or instrumentality, with a business entity, except a contract
18 that is awarded pursuant to a fair and open process, if, during the
19 preceding one-year period, that business entity has made a
20 contribution that is reportable by the recipient under P.L.1973, c.83
21 (C.19:44A-1 et seq.), to **【**any county committee of a political party
22 in that county if a member of that political party is serving in an
23 elective public office of that county when the contract is awarded or
24 to**】** any candidate committee of any person serving in an elective
25 public office of that county when the contract is awarded; and

26 a business entity that has entered into a contract having an
27 anticipated value in excess of \$17,500 with a county, or any agency
28 or instrumentality thereof, except a contract that is awarded
29 pursuant to a fair and open process, shall not make such a
30 contribution, reportable by the recipient under P.L.1973, c.83
31 (C.19:44A-1 et seq.), to **【**any county committee of a political party
32 in that county if a member of that political party is serving in an
33 elective public office of that county when the contract is awarded or
34 to**】** any candidate committee of any person serving in an elective
35 public office of that county when the contract is awarded, during
36 the term of that contract.

37 No such committee shall accept such a contribution from a
38 business entity during the term of its contract with the county.

39 (cf: P.L.2004, c.19, s.3)

40

41 11. Section 4 of P.L.2004, c.19 (C.19:44A-20.5) is amended to
42 read as follows:

43 4. Notwithstanding the provisions of any other law to the
44 contrary:

45 a municipality, or any agency or instrumentality thereof, shall
46 not enter into a contract having an anticipated value in excess of
47 \$17,500, as determined in advance and certified in writing by the
48 municipality, agency or instrumentality, with a business entity,

1 except a contract that is awarded pursuant to a fair and open
2 process, if, during the preceding one-year period, that business
3 entity has made a contribution that is reportable by the recipient
4 under P.L.1973, c.83 (C.19:44A-1 et seq.), to **any municipal**
5 **committee of a political party in that municipality if a member of**
6 **that political party is serving in an elective public office of that**
7 **municipality when the contract is awarded or to** any candidate
8 committee of any person serving in an elective public office of that
9 municipality when the contract is awarded; and

10 a business entity that has entered into a contract having an
11 anticipated value in excess of \$17,500 with a municipality, or any
12 agency or instrumentality thereof, except a contract that is awarded
13 pursuant to a fair and open process, shall not make such a
14 contribution, reportable by the recipient under P.L.1973, c.83
15 (C.19:44A-1 et seq.), to **any municipal committee of a political**
16 **party in that municipality if a member of that political party is**
17 **serving in an elective public office of that municipality when the**
18 **contract is awarded or to** any candidate committee of any person
19 serving in an elective public office of that municipality when the
20 contract is awarded, during the term of that contract.

21 No such committee shall accept such a contribution from a
22 business entity during the term of its contract with the municipality.
23 (cf: P.L.2004, c.19, s.4)

24

25 12. Section 7 of P.L.2004, c.19 (C.19:44A-20.8) is amended to
26 read as follows:

27 7. a. Prior to awarding any contract, except a contract that is
28 awarded pursuant to a fair and open process, a State agency in the
29 Legislative Branch, a county, or a municipality shall require the
30 business entity to which the contract is to be awarded to provide a
31 written certification that it has not made a contribution that would
32 bar the award of a contract pursuant to this act.

33 b. A business entity shall have a continuing duty to report to
34 the Election Law Enforcement Commission any contributions that
35 constitute a violation of this act that are made during the duration of
36 a contract.

37 c. A business entity shall also have a continuing duty to report to
38 the Election Law Enforcement Commission any contribution, even
39 if that contribution does not constitute a violation, that is made
40 during the duration of a legislative, county, or municipal contract
41 held by the business entity.

42 (cf: P.L.2005, c.51, s.15)

43

44 13. Section 7 of P.L.2005, c.51 (C.19:44A-20.19) is amended to
45 read as follows:

46 7. Prior to awarding any contract or agreement to procure
47 services or any material, supplies or equipment from, or for the
48 acquisition, sale, or lease of any land or building from or to, any
49 business entity, the State or any of its purchasing agents or agencies

1 or independent authorities, as the case may be, shall require the
2 business entity to provide a written certification that it has not made
3 a contribution that would bar the award of the contract pursuant to
4 this act. The business entity shall have a continuing duty to report
5 any contribution it makes during the term of the contract, even if
6 that contribution does not constitute a conflict of interest or
7 violation. Such reports shall be subject to review by the State
8 Treasurer. If the State Treasurer determines that any such
9 contribution poses a conflict of interest, such contribution shall be
10 deemed a material breach of such contract or agreement.

11 (cf: P.L.2005, c.51, s.7)

12

13 14. Section 3 of P.L.2005, c.271 (C.19:44A-20.27) is amended to
14 read as follows:

15 3. a. Any business entity making a contribution of money or any
16 other thing of value, including an in-kind contribution, or pledge to
17 make a contribution of any kind to a candidate for or the holder of
18 any public office having ultimate responsibility for the awarding of
19 public contracts, or to a political party committee, legislative
20 leadership committee, political committee or continuing political
21 committee, which has received in any calendar year \$50,000 or
22 more in the aggregate through agreements or contracts with a public
23 entity, shall file an annual disclosure statement with the New Jersey
24 Election Law Enforcement Commission, established pursuant to
25 section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth all such
26 contributions made by the business entity during the 12 months
27 prior to the reporting deadline. A business entity shall have a
28 continuing duty to report to the Election Law Enforcement
29 Commission any contribution that is made during the duration of a
30 public entity contract held by the business entity.

31 b. The commission shall prescribe forms and procedures for the
32 reporting required in subsection a. of this section which shall
33 include, but not be limited to:

34 (1) the name and mailing address of the business entity making
35 the contribution, and the amount contributed during the 12 months
36 prior to the reporting deadline;

37 (2) the name of the candidate for or the holder of any public
38 office having ultimate responsibility for the awarding of public
39 contracts, candidate committee, joint candidates committee,
40 political party committee, legislative leadership committee, political
41 committee or continuing political committee receiving the
42 contribution; and

43 (3) the amount of money the business entity received from the
44 public entity through contract or agreement, the dates, and
45 information identifying each contract or agreement and describing
46 the goods, services or equipment provided or property sold.

47 c. The commission shall maintain a list of such reports for
48 public inspection both at its office and through its Internet site.

1 d. When a business entity is a natural person, a contribution by
2 that person's spouse or child, residing therewith, shall be deemed to
3 be a contribution by the business entity. When a business entity is
4 other than a natural person, a contribution by any person or other
5 business entity having an interest therein shall be deemed to be a
6 contribution by the business entity. When a business entity is other
7 than a natural person, a contribution by: all principals, partners,
8 officers, or directors of the business entity, or their spouses; any
9 subsidiaries directly or indirectly controlled by the business entity;
10 or any political organization organized under section 527 of the
11 Internal Revenue Code that is directly or indirectly controlled by
12 the business entity, other than a candidate committee, election fund,
13 or political party committee, shall be deemed to be a contribution
14 by the business entity.

15 As used in this section:

16 "business entity" means a for-profit entity that is a natural or
17 legal person, business corporation, professional services
18 corporation, limited liability company, partnership, limited
19 partnership, business trust, association or any other legal
20 commercial entity organized under the laws of this State or of any
21 other state or foreign jurisdiction; and

22 "interest" means the ownership or control of more than 10% of
23 the profits or assets of a business entity or 10% of the stock in the
24 case of a business entity that is a corporation for profit, as
25 appropriate.

26 e. Any business entity that fails to comply with the provisions
27 of this section shall be subject to a fine imposed by the New Jersey
28 Election Law Enforcement Commission in an amount to be
29 determined by the commission which may be based upon the
30 amount that the business entity failed to report.

31 (cf: P.L.2007, c.304, s.2)

32

33 15. Section 8 of P.L.1974, c.26 (C.19:44A-33) is amended to
34 read as follows:

35 8. a. The campaign treasurer or deputy campaign treasurer of any
36 qualified candidate for nomination for election to the office of
37 Governor in a primary election upon application to the commission
38 shall promptly receive in behalf of the qualified candidate from the
39 fund for election campaign expenses, but not prior to January 1 of
40 the year of the election, moneys in an amount equal to twice the
41 amount of no more than \$1,500.00 of each contribution deposited in
42 the qualified candidate's primary election bank account described in
43 section 7 of P.L.1974, c.26 (C.19:44A-32), except that no payment
44 shall be made from the fund to any candidate for the first
45 \$50,000.00 deposited in the qualified candidate's bank account. The
46 maximum amount which any qualified candidate for nomination for
47 election to the office of Governor in a primary election may receive
48 from the fund for election campaign expenses shall not exceed
49 \$1,350,000. Applications for payments and payments under this

1 subsection following the date on which a candidate is determined to
2 be a qualified candidate shall be made only on the basis of no less
3 than \$12,500.00 of such contributions.

4 b. The campaign treasurer or deputy campaign treasurer of any
5 qualified candidates for election to the offices of Governor and
6 Lieutenant Governor in a general election upon application to the
7 commission shall promptly receive in behalf of such qualified
8 candidates from the fund for election campaign expenses, but not
9 prior to the primary election, moneys in an amount equal to twice
10 the amount of no more than \$1,500.00 of each contribution
11 deposited in such qualified candidates' bank account described in
12 section 7 of P.L.1974, c.26 (C.19:44A-32), except that no payment
13 shall be made from the fund to any candidates for the first
14 \$50,000.00 deposited in such qualified candidates' bank account.

15 The maximum amount which any qualified candidates for
16 election to the offices of Governor and Lieutenant Governor in a
17 general election may receive from the fund for election campaign
18 expenses shall not exceed \$3,300,000. Applications for payments
19 and payments under this subsection following the date on which
20 joint candidates are determined to be qualified candidates shall be
21 made only on the basis of no less than \$12,500.00 of such
22 contributions.

23 c. Any qualified candidate for nomination for election to the
24 office of Governor in a primary election, and any qualified
25 candidates for election to the offices of Governor and Lieutenant
26 Governor in a general election, having received from the fund for
27 election campaign expenses under this section the maximum
28 permitted amounts, may raise additional campaign funds beyond
29 those maximums without receiving additional moneys from the
30 fund for election campaign expenses.

31 (cf: P.L.2009, c.66, s.21)

32

33 16. (New Section) a. The Election Law Enforcement
34 Commission shall create and maintain a database containing
35 information that business entities are required to disclose and report
36 to the commission pursuant to section 7 of P.L.2004, c.19
37 (C.19:44A-20.8), section 7 of P.L.2005, c.51 (C.19:44A-20.19), and
38 section 3 of P.L.2005, c.271 (C.19:44A-20.27), as amended
39 by P.L. , c. (pending before the Legislature as this bill),
40 concerning contributions made by the business entity and any
41 contribution made during the duration of a public entity contract
42 held by the business entity.

43 b. Notwithstanding the provisions of any law, rule, or regulation
44 to the contrary, a business entity that fails to disclose a contribution
45 or the existence of a public contract shall be subject to a fine of not
46 less than \$250.

47

48 17. (New section) Notwithstanding the provisions of any law,
49 rule, or regulation to the contrary, any local ordinance, resolution,

1 or regulation, as may be appropriate, adopted by a county,
2 municipality, independent authority, board of education, or fire
3 district pursuant or prior to section 1 of P.L.2005, c.271 (C.40A:11-
4 51), limiting the awarding of public contracts therefrom to business
5 entities that have made a contribution pursuant to “The New Jersey
6 Campaign Contributions and Expenditures Reporting Act,”
7 P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions
8 that the holders of a contract can make during the term of a
9 contract, shall cease to be in effect and shall expire on the effective
10 date of this act, P.L. , c. (pending before the Legislature as this
11 bill). The awarding of public contracts by a county, municipality,
12 independent authority, board of education, or fire district shall be in
13 compliance with the provisions of sections 3 through 11 of
14 P.L.2004, c.19 (C.19:44A-20.4 through C.19:44A-20.12), sections 2
15 and 3 of P.L.2005, c.271 (C.19:44A-20.26 and C.19:44A-20.27),
16 and any other applicable provision of current law.

17

18 18. Section 1 of P.L.2005, c.271 (C.40A:11-51) is repealed.

19

20 19. This act shall take effect on January 1, 2023.

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22

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STATEMENT

24

25 This bill, “The Elections Transparency Act,” requires
26 independent expenditure committees to report campaign
27 contributions and expenditures exceeding \$1,000, increases
28 campaign contribution limits, and makes various changes to
29 campaign contribution reports and other requirements.

30 Under current law, candidate committees, joint candidate
31 committees, political committees, continuing political committees,
32 political party committees, and legislative leadership committees
33 are required to file with the Election Law Enforcement Commission
34 (ELEC) a cumulative quarterly report (on the 15th of April, July,
35 October, and January each year) of all contributions in the form of
36 moneys, loans, paid personal services, or other things of value made
37 to it and all expenditures made, incurred, or authorized by it in
38 furtherance of the nomination, election, or defeat of any candidate,
39 or in aid of the passage or defeat of any public question, or to
40 provide political information on any candidate or public question.

41 This bill requires candidates and various campaign committees to
42 report to ELEC on a quarterly basis each year. However, under the
43 bill, all contributions in excess of \$2,000 would be required to be
44 reported within 96 hours of receiving the contribution.

45 This bill also doubles the statutory maximum contribution limits.
46 The bill also provides for the index used by ELEC to adjust limits
47 to be applied annually for campaigns other than gubernatorial.
48 Under the bill, those limits would reset each year. However, the bill
49 specifies that the adjustment of limits would be conducted annually

1 with respect to limits applicable to candidates and committees for
2 the office of Member of the General Assembly, and would be
3 conducted annually in the first two years of each decade and every
4 two years thereafter with respect to limits applicable to candidates
5 and committees for the office of Member of the Senate, provided
6 that such limits would be applicable for each primary election and
7 each general election separately. The bill also allows gubernatorial
8 candidates receiving public financing to accept additional
9 contributions without receiving matching funds.

10 The bill requires business entities to disclose all contributions
11 made while they hold a public contract. The bill directs ELEC to
12 create and maintain a database containing information that business
13 entities are required to disclose and report to the commission
14 concerning contributions made by the business entity and any
15 contribution made during the duration of a public entity contract
16 held by the business entity. Under the bill, a business entity who
17 fails to disclose a contribution or the existence of a public contract
18 would be subject to a fine of not less than \$250 dollars.

19 Finally, the bill sunsets any local ordinances, resolutions, or
20 regulations limiting the awarding of public contracts to business
21 entities that have made a contribution and limiting the contributions
22 that the holders of a contract can make during the term of a
23 contract. The bill would subject local units to the provisions of
24 current law and this bill. This provision of the bill would affect such
25 ordinances, resolutions, or regulations of a county, municipality,
26 independent authority, board of education, or fire district, as
27 appropriate. The bill also amends the current law public contract
28 provisions to remove the prohibition against business entity
29 contributions to the State committee of the political party of a
30 presiding officer of either or both houses of the Legislature and to a
31 legislative leadership committee; to any county committee of a
32 political party; and to any municipal committee of a political party.
33 This bill retains the public contract prohibitions against business
34 entity contributions to candidates in such governmental capacities.