

SENATE, No. 2866

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 16, 2022

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

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.



(Sponsorship Updated As Of: 6/20/2022)

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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
46 the date of the general election which triggers an obligation to

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

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

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

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

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

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

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

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

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

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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

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

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

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

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

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

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

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

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

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

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

1 (2) A continuing political committee shall file with the Election
2 Law Enforcement Commission, not later than April 15, July 15,
3 October 15 and January 15 of each calendar year, a cumulative
4 quarterly report of all moneys, loans, paid personal services or other
5 things of value contributed to it during the period ending on the
6 15th day preceding that date and commencing on January 1 of that
7 calendar year or, in the case of the cumulative quarterly report to be
8 filed not later than January 15, of the previous calendar year, and all
9 expenditures made, incurred, or authorized by it during the period,
10 whether or not such expenditures were made, incurred or authorized
11 in furtherance of the election or defeat of any candidate, or in aid of
12 the passage or defeat of any public question or to provide
13 information on any candidate or public question.

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

31 Each continuing political committee shall provide immediate
32 written notification to each candidate of all expenditures made or
33 authorized on behalf of the candidate.

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

1 election, or to aid the passage or defeat of any public question, after
2 March 31 and on or before the day of the primary election, or after
3 September 30 and on or before the day of the general election, it
4 shall, in writing or by electronic transmission, report that
5 expenditure to the commission within 48 hours of the making,
6 authorizing or incurring thereof.

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

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

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

1 the name and address of each person, firm or organization to whom
2 expenditures have been paid and the amount and purpose of each
3 such expenditure. The treasurer of the political party committee or
4 legislative leadership committee reporting shall certify to the
5 correctness of each cumulative quarterly report.

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

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

1 (2) An independent expenditure committee shall disclose all
2 expenditures made by it in excess of ~~【\$3,000】~~ \$1,000, including,
3 but not limited to, for electioneering communications, voter
4 registration, get-out-the-vote efforts, polling, and research. The
5 disclosures required by this paragraph shall be reported to the
6 Election Law Enforcement Commission on the same schedule as
7 required for continuing political committees pursuant to this
8 section.

9 The treasurer of the reporting independent expenditure
10 committee shall certify the correctness of each report and shall
11 maintain all records of contributions and expenditures for a period
12 of not less than four years.

13 The ~~【\$10,000】~~ \$1,000 contribution amount and the ~~【\$3,000】~~
14 \$1,000 expenditure amount established in this subsection shall
15 remain as stated in this subsection without further adjustment by the
16 commission pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
17 7.2).

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

41 f. In any report filed pursuant to the provisions of this section
42 the organization or committee reporting may exclude from the
43 report the name of and other information relating to any contributor
44 whose contributions during the period covered by the report did not
45 exceed \$300, provided, however, that (1) such exclusion is unlawful
46 if any person responsible for the preparation or filing of the report
47 knew that it was made with respect to any person whose
48 contributions relating to the same election or issue and made to the

1 reporting organization or committee aggregate, in combination with
2 the contribution in respect of which such exclusion is made, more
3 than \$300 and (2) any person who knowingly prepares, assists in
4 preparing, files or acquiesces in the filing of any report from which
5 the identification of a contributor has been excluded contrary to the
6 provisions of this section is subject to the provisions of section 21
7 of P.L.1973, c.83 (C.19:44A-21), but (3) nothing in this proviso
8 shall be construed as requiring any committee or organization
9 reporting pursuant to this act to report the amounts, dates or other
10 circumstantial data regarding contributions made to any other
11 organization or political committee, political party committee or
12 campaign organization of a candidate.

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

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

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

28

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

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

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

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

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

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

40 The limitation upon the knowing acceptance by a candidate,
41 campaign treasurer, deputy campaign treasurer, candidate
42 committee or joint candidates committee of any contribution of
43 money or other thing of value from a political committee or
44 continuing political committee under the provisions of paragraph
45 (1) of this subsection, except that the amount of any contribution of
46 money or other thing of value shall be in an amount which in the
47 aggregate does not exceed ~~【\$25,000】~~ \$50,000, shall also be
48 applicable to the knowing acceptance of any such contribution from

1 the county committee of a political party by a candidate, or the
2 campaign treasurer, deputy campaign treasurer, candidate
3 committee or joint candidates committee of a candidate, for
4 nomination for election or for election to the office of member of
5 the Legislature in a legislative district in which, according to the
6 federal decennial census upon the basis of which legislative districts
7 shall have been established, at least 20% but less than 40% of the
8 population resides within the county of that county committee. In
9 addition, all contributor reporting requirements and other
10 restrictions and regulations applicable to a contribution of money or
11 other thing of value by a political committee or continuing political
12 committee under the provisions of P.L.1973, c.83 (C.19:44A-1 et
13 al.) shall likewise be applicable to the making or payment of such a
14 contribution by such a county committee.

15 With respect to the limitations in this paragraph, the Legislature
16 finds and declares that:

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

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

26 (c) Furthermore, the risk of actual or perceived corruption is
27 raised by the potential for contributors to circumvent limits on
28 contributions to candidates by funneling money to candidates
29 through county committees;

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

35 (e) It is, therefore, reasonable for the State to promote this
36 compelling interest by limiting the amount a county committee may
37 give to a legislative candidate based upon the degree to which the
38 population of the legislative district overlaps with the population of
39 that county.

40 c. (1) No candidate who has established only a candidate
41 committee, his campaign treasurer, deputy treasurer or candidate
42 committee shall (a) pay or make any contribution of money or other
43 thing of value to another candidate who has established only a
44 candidate committee, his campaign treasurer, deputy campaign
45 treasurer or candidate committee, other than a candidate for
46 nomination for election for the office of Governor or candidates for
47 election for the offices of Governor and Lieutenant Governor,
48 which in the aggregate exceeds ~~【\$8,200】~~ \$16,400 per election, or

1 (b) pay or make any contribution of money or other thing of value
2 to candidates who have established only a joint candidates
3 committee, their campaign treasurer, deputy campaign treasurer, or
4 joint candidates committee, which in the aggregate exceeds
5 **[\$8,200]** \$16,400 per election per candidate in the recipient
6 committee, or (c) pay or make any contribution of money or other
7 thing of value to a candidate who has established both a candidate
8 committee and a joint candidates committee, the campaign
9 treasurers, deputy campaign treasurers, or candidate committee or
10 joint candidates committee, which in the aggregate exceeds
11 **[\$8,200]** \$16,400 per election. No candidate who has established
12 only a candidate committee, his campaign treasurer, deputy
13 campaign treasurer or candidate committee, other than a candidate
14 for nomination for election for the office of Governor or candidates
15 for election to the offices of the Governor and Lieutenant Governor,
16 shall knowingly accept from another candidate who has established
17 only a candidate committee, his campaign treasurer, deputy
18 campaign treasurer or candidate committee, any contribution of
19 money or other thing of value which in the aggregate exceeds
20 **[\$8,200]** \$16,400 per election, and no candidates who have
21 established only a joint candidates committee, their campaign
22 treasurer, deputy campaign treasurer, or joint candidates committee,
23 shall knowingly accept from any such source any contribution of
24 money or other thing of value which in the aggregate exceeds
25 **[\$8,200]** \$16,400 per election per candidate in the recipient
26 committee, and no candidate who has established both a candidate
27 committee and a joint candidates committee, the campaign
28 treasurers, deputy campaign treasurers, or candidate committee or
29 joint candidates committee, shall knowingly accept from any such
30 source any contribution of money or other thing of value which in
31 the aggregate exceeds **[\$8,200]** \$16,400 per election.

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

1 election per candidate in the recipient joint candidates committee,
2 or (c) pay or make any contribution of money or other thing of
3 value to a candidate who has established both a candidate
4 committee and a joint candidates committee, the campaign
5 treasurers, deputy campaign treasurers or candidate committee or
6 joint candidates committee, which in the aggregate exceeds, on the
7 basis of each candidate in the contributing joint candidates
8 committee, **[\$8,200]** \$16,400 per election. No candidate who has
9 established only a candidate committee, his campaign treasurer,
10 deputy campaign treasurer, or candidate committee, other than a
11 candidate for nomination for election for the office of Governor or
12 candidates for election for the offices of Governor and Lieutenant
13 Governor, shall knowingly accept from other candidates who have
14 established only a joint candidates committee, their campaign
15 treasurer, deputy campaign treasurer or joint candidates committee,
16 any contribution of money or other thing of value which in the
17 aggregate exceeds, on the basis of each candidate in the
18 contributing committee, **[\$8,200]** \$16,400 per election, and no
19 candidates who have established only a joint candidates committee,
20 their campaign treasurer, deputy campaign treasurer, or joint
21 candidates committee, shall knowingly accept from any such source
22 any contribution of money or other thing of value which in the
23 aggregate exceeds, on the basis of each candidate in the
24 contributing joint candidates committee, **[\$8,200]** \$16,400 per
25 election per candidate in the recipient joint candidates committee,
26 and no candidate who has established both a candidate committee
27 and a joint candidates committee, the campaign treasurers, deputy
28 campaign treasurers, or candidate committee or joint candidates
29 committee, shall knowingly accept from any such source any
30 contribution of money or other thing of value which in the
31 aggregate exceeds, on the basis of each candidate in the
32 contributing joint candidates committee, **[\$8,200]** \$16,400 per
33 election.

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

1 exceeds ~~【\$8,200】~~ \$16,400 per election per candidate in the
2 recipient joint candidates committee, or (c) pay or make any
3 contribution of money or other thing of value to a candidate who
4 has established both a candidate committee and a joint candidates
5 committee, the campaign treasurers, deputy campaign treasurers, or
6 candidate committee or joint candidates committee, which in the
7 aggregate exceeds ~~【\$8,200】~~ \$16,400 per election. No candidate
8 who has established only a candidate committee, his campaign
9 treasurer, deputy campaign treasurer, or candidate committee, other
10 than a candidate for nomination for election for the office of
11 Governor or candidates for election for the offices of Governor and
12 Lieutenant Governor, shall knowingly accept from a candidate who
13 has established both a candidate committee and a joint candidates
14 committee, the campaign treasurers, deputy campaign treasurers, or
15 candidate committee or joint candidates committee, any
16 contribution of money or other thing of value which in the
17 aggregate exceeds ~~【\$8,200】~~ \$16,400 per election, and no
18 candidates who have established only a joint candidates committee,
19 their campaign treasurer, deputy campaign treasurer, or joint
20 candidates committee, shall knowingly accept from any such source
21 any contribution of money or other thing of value which in the
22 aggregate exceeds ~~【\$8,200】~~ \$16,400 per election per candidate in
23 the recipient joint candidates committee, and no candidate who has
24 established both a candidate committee and a joint candidates
25 committee, the campaign treasurers, deputy campaign treasurers, or
26 candidate committee or joint candidates committee shall knowingly
27 accept from any such source any contribution of money or other
28 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$16,400 per
29 election.

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

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

46 e. For the purpose of determining the amount of a contribution
47 to be attributed as given to or by each candidate in a joint

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1 candidates committee, the amount of the contribution to or by such
2 a committee shall be divided equally among all the candidates in the
3 committee.

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

5

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

8 19. a. (1) Except as otherwise provided in paragraph (2) of this
9 subsection, no individual, no corporation of any kind organized and
10 incorporated under the laws of this State or any other state or any
11 country other than the United States, no labor organization of any
12 kind which exists or is constituted for the purpose, in whole or in
13 part, of collective bargaining, or of dealing with employers
14 concerning the grievances, terms or conditions of employment, or
15 of other mutual aid or protection in connection with employment,
16 no political committee, continuing political committee, candidate
17 committee or joint candidates committee or any other group, shall
18 pay or make any contribution of money or other thing of value to
19 the campaign treasurer, deputy treasurer or other representative of
20 the State committee of a political party or the campaign treasurer,
21 deputy campaign treasurer or other representative of any legislative
22 leadership committee, which in the aggregate exceeds **【\$25,000】**
23 \$50,000 per year, or in the case of a joint candidates committee
24 when that is the only committee established by the candidates,
25 **【\$25,000】** \$50,000 per year per candidate in the joint candidates
26 committee, or in the case of a candidate committee and a joint
27 candidates committee when both are established by a candidate,
28 **【\$25,000】** \$50,000 per year from that candidate. No campaign
29 treasurer, deputy campaign treasurer or other representative of the
30 State committee of a political party or campaign treasurer, deputy
31 campaign treasurer or other representative of any legislative
32 leadership committee shall knowingly accept from an individual, a
33 corporation of any kind organized and incorporated under the laws
34 of this State or any other state or any country other than the United
35 States, a labor organization of any kind which exists or is
36 constituted for the purpose, in whole or in part, of collective
37 bargaining, or of dealing with employers concerning the grievances,
38 terms or conditions of employment, or of other mutual aid or
39 protection in connection with employment, a political committee, a
40 continuing political committee, a candidate committee or a joint
41 candidates committee or any other group, any contribution of
42 money or other thing of value which in the aggregate exceeds
43 **【\$25,000】** \$50,000 per year, or in the case of a joint candidates
44 committee when that is the only committee established by the
45 candidates, **【\$25,000】** \$50,000 per year per candidate in the joint
46 candidates committee, or in the case of a candidate committee and a

1 joint candidates committee when both are established by a
2 candidate, ~~[\$25,000]~~ \$50,000 per year from that candidate.

3 (2) No national committee of a political party shall pay or make
4 any contribution of money or other thing of value to the campaign
5 treasurer, deputy treasurer or other representative of the State
6 committee of a political party which in the aggregate exceeds
7 ~~[\$72,000]~~ \$144,000 per year, and no campaign treasurer, deputy
8 campaign treasurer or other representative of the State committee of
9 a political party shall knowingly accept from the national committee
10 of a political party any contribution of money or other thing of
11 value which in the aggregate exceeds ~~[\$72,000]~~ \$144,000 per year.

12 b. No individual, no corporation of any kind organized and
13 incorporated under the laws of this State or any other state or any
14 country other than the United States, no labor organization of any
15 kind which exists or is constituted for the purpose, in whole or in
16 part, of collective bargaining, or of dealing with employers
17 concerning the grievances, terms or conditions of employment, or
18 of other mutual aid or protection in connection with employment,
19 no political committee, continuing political committee, candidate
20 committee or joint candidates committee or any other group, shall
21 pay or make any contribution of money or other thing of value to
22 any county committee of a political party, which in the aggregate
23 exceeds ~~[\$37,000]~~ \$74,000 per year, or in the case of a joint
24 candidates committee when that is the only committee established
25 by the candidates, ~~[\$37,000]~~ \$74,000 per year per candidate in the
26 joint candidates committee, or in the case of a candidate committee
27 and a joint candidates committee when both are established by a
28 candidate, ~~[\$37,000]~~ \$74,000 per year from that candidate. No
29 campaign treasurer, deputy campaign treasurer or other
30 representative of a county committee of a political party shall
31 knowingly accept from an individual, a corporation of any kind
32 organized and incorporated under the laws of this State or any other
33 state or any country other than the United States, a labor
34 organization of any kind which exists or is constituted for the
35 purpose, in whole or in part, of collective bargaining, or of dealing
36 with employers concerning the grievances, terms or conditions of
37 employment, or of other mutual aid or protection in connection with
38 employment, a political committee, a continuing political
39 committee, a candidate committee or a joint candidates committee
40 or any other group, any contribution of money or other thing of
41 value which in the aggregate exceeds ~~[\$37,000]~~ \$74,000 per year,
42 or in the case of a joint candidates committee when that is the only
43 committee established by the candidates, ~~[\$37,000]~~ \$74,000 per
44 year per candidate in the joint candidates committee, or in the case
45 of a candidate committee and a joint candidates committee when
46 both are established by a candidate, ~~[\$37,000]~~ \$74,000 per year
47 from that candidate.

1 c. No individual, no corporation of any kind organized and
2 incorporated under the laws of this State or any other state or any
3 country other than the United States, no labor organization of any
4 kind which exists or is constituted for the purpose, in whole or in
5 part, of collective bargaining, or of dealing with employers
6 concerning the grievances, terms or conditions of employment, or
7 of other mutual aid or protection in connection with employment,
8 no political committee, continuing political committee, candidate
9 committee or joint candidates committee or any other group shall
10 pay or make any contribution of money or other thing of value to
11 any municipal committee of a political party, which in the aggregate
12 exceeds **[\$7,200]** \$14,400 per year, or in the case of a joint
13 candidates committee when that is the only committee established
14 by the candidates, **[\$7,200]** \$14,400 per year per candidate in the
15 joint candidates committee, or in the case of a candidate committee
16 and a joint candidates committee when both are established by a
17 candidate, **[\$7,200]** \$14,400 per year from that candidate. No
18 campaign treasurer, deputy campaign treasurer or other
19 representative of a municipal committee of a political party shall
20 knowingly accept from an individual, a corporation of any kind
21 organized and incorporated under the laws of this State or any other
22 state or any country other than the United States, a labor
23 organization of any kind which exists or is constituted for the
24 purpose, in whole or in part, of collective bargaining, or of dealing
25 with employers concerning the grievances, terms or conditions of
26 employment, or of other mutual aid or protection in connection with
27 employment, a political committee, a continuing political
28 committee, a candidate committee or a joint candidates committee
29 or any other group, any contribution of money or other thing of
30 value which in the aggregate exceeds **[\$7,200]** \$14,400 per year, or
31 in the case of a joint candidates committee when that is the only
32 committee established by the candidates, **[\$7,200]** \$14,400 per year
33 per candidate in the joint candidates committee, or in the case of a
34 candidate committee and a joint candidates committee when both
35 are established by a candidate, **[\$7,200]** \$14,400 per year from that
36 candidate.

37 No county committee of a political party in any county shall pay
38 or make any contribution of money or other thing of value to a
39 municipal committee of a political party in a municipality not
40 located in that county which in the aggregate exceeds the amount of
41 aggregate contributions which, under this subsection, a continuing
42 political committee is permitted to pay or make to a municipal
43 committee of a political party. No campaign treasurer, deputy
44 campaign treasurer or other representative of a municipal committee
45 of a political party in any municipality shall knowingly accept from
46 any county committee of a political party in any county other than
47 the county in which the municipality is located any contribution of

1 money or other thing of value which in the aggregate exceeds the
2 amount of contributions permitted to be so paid or made under that
3 subsection.

4 d. For the purpose of determining the amount of a contribution
5 to be attributed as given by each candidate in a joint candidates
6 committee, the amount of the contribution by such a committee
7 shall be divided equally among all the candidates in the committee.
8 (cf: P.L.2004, c.174, s.4)

9
10 6. Section 20 of P.L.1993, c.65 (C.19:44A-11.5) is amended to
11 read as follows:

12 20. a. No candidate who has established only a candidate
13 committee, his campaign treasurer, deputy treasurer or candidate
14 committee shall pay or make any contribution of money or other
15 thing of value to a 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, which in the aggregate exceeds, in
19 the case of such a political committee, **[\$7,200]** \$14,400 per
20 election, or in the case of a continuing political committee,
21 **[\$7,200]** \$14,400 per year, and no candidates who have established
22 only a joint candidates committee, their campaign treasurer, deputy
23 campaign treasurer or joint candidates committee shall pay or make
24 any contribution of money or other thing of value to such a political
25 committee or continuing political committee which in the aggregate
26 exceeds, in the case of such a political committee, **[\$7,200]**
27 \$14,400 per election per candidate in the joint candidates
28 committee, or in the case of a continuing political committee,
29 **[\$7,200]** \$14,400 per year per candidate in the joint candidates
30 committee, and no candidate who has established both a candidate
31 committee and a joint candidates committee shall pay or make any
32 contribution of money or other thing of value which in the
33 aggregate exceeds, in the case of such a political committee,
34 **[\$7,200]** \$14,400 per election from that candidate, or in the case of
35 a continuing political committee, **[\$7,200]** \$14,400 per year from
36 that candidate. No political committee, other than a political
37 committee which is organized to, or does, aid or promote the
38 passage or defeat of a public question in any election, or a
39 continuing political committee, shall knowingly accept from a
40 candidate who has established only a candidate committee, his
41 campaign treasurer, deputy treasurer or candidate committee, any
42 contribution of money or other thing of value which in the
43 aggregate exceeds, in the case of such a political committee,
44 **[\$7,200]** \$14,400 per election, or in the case of a continuing
45 political committee, **[\$7,200]** \$14,400 per year, and no such
46 political committee or continuing political committee shall
47 knowingly accept from candidates who have established only a joint

1 candidates committee, their campaign treasurer, deputy campaign
2 treasurer, or joint candidates committee, any contribution of money
3 or other thing of value which in the aggregate exceeds, in the case
4 of such a political committee, **[\$7,200]** \$14,400 per election per
5 candidate in the joint candidates committee, or in the case of a
6 continuing political committee, **[\$7,200]** \$14,400 per year per
7 candidate in the joint candidates committee, and no such political
8 committee or continuing political committee shall knowingly accept
9 from a candidate who has established both a candidate committee
10 and a joint candidates committee any contribution of money or
11 other thing of value which in the aggregate exceeds, in the case of
12 such a political committee, **[\$7,200]** \$14,400 per election from that
13 candidate, or in the case of a continuing political committee,
14 **[\$7,200]** \$14,400 per year from that candidate. For the purpose of
15 determining the amount of a contribution to be attributed as given
16 by each candidate in a joint candidates committee, the amount of
17 the contribution by such a committee shall be divided equally
18 among all the candidates in the committee.

19 b. No political committee, other than a political committee
20 which is organized to, or does, aid or promote the passage or defeat
21 of a public question in any election, and no continuing political
22 committee shall pay or make any contribution of money or other
23 thing of value to another political committee, other than a political
24 committee which is organized to, or does, aid or promote the
25 passage or defeat of a public question in any election, or another
26 continuing political committee which in the aggregate exceeds, in
27 the case of a recipient continuing political committee, **[\$7,200]**
28 \$14,400 per year, or in the case of a recipient political committee,
29 **[\$7,200]** \$14,400 per election. No political committee, other than
30 a political committee which is organized to, or does, aid or promote
31 the passage or defeat of a public question in any election, and no
32 continuing political committee shall knowingly accept from another
33 political committee, other than a political committee which is
34 organized to, or does, aid or promote the passage or defeat of a
35 public question in any election, or another continuing political
36 committee any contribution of money or other thing of value which
37 in the aggregate exceeds, in the case of a recipient continuing
38 political committee, **[\$7,200]** \$14,400 per year, or in the case of a
39 recipient political committee, **[\$7,200]** \$14,400 per election.

40 c. No individual, no corporation of any kind organized and
41 incorporated under the laws of this State or any other state or any
42 country other than the United States, no labor organization of any
43 kind which exists or is constituted for the purpose, in whole or in
44 part, of collective bargaining, or of dealing with employees
45 concerning the grievances, terms or conditions of employment, or
46 of other mutual aid or protection in connection with employment,
47 nor any other group, shall pay or make any contribution of money

1 or other thing of value to a political committee, other than a
2 political committee which is organized to, or does, aid or promote
3 the passage or defeat of a public question in any election, or a
4 continuing political committee, which in the aggregate exceeds, in
5 the case of such a political committee, **[\$7,200]** \$14,400 per
6 election, or in the case of a continuing political committee,
7 **[\$7,200]** \$14,400 per year, and no such political committee or
8 continuing political committee shall knowingly accept any
9 contribution in excess of those amounts from an individual or from
10 such corporation, labor organization, or other group.

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

12

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

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

43 b. During the period between the appointment of the campaign
44 treasurer and the election with respect to which contributions are
45 accepted or expenditures made by him, the campaign treasurer shall
46 file his cumulative campaign quarterly report (1) on the 29th day
47 preceding the election, and (2) on the 11th day preceding the
48 election; and after the election he shall file his report on the 20th

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

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

31 A candidate committee or joint candidates committee shall file
32 with the Election Law Enforcement Commission, not later than
33 April 15, July 15, October 15 of each calendar year in which the
34 candidate or candidates in control of the committee does or do not
35 run for election or reelection and January 15 of each calendar year
36 in which the candidate or candidates does or do run for election or
37 reelection, a cumulative quarterly report of all moneys, loans, paid
38 personal services or other things of value contributed to it or to the
39 candidate or candidates during the period ending on the 15th day
40 preceding that date and commencing on January 1 of that calendar
41 year or, in the case of the cumulative quarterly report to be filed not
42 later than January 15, of the previous calendar year, and all
43 expenditures made, incurred, or authorized by it or the candidate or
44 candidates during the period, whether or not such expenditures were
45 made, incurred or authorized in furtherance of the election or defeat
46 of any candidate, or in aid of the passage or defeat of any public
47 question or to provide information on any candidate or public
48 question. The commission may by regulation require any such

1 candidate committee or joint candidates committee to file during
2 any calendar year one or more additional cumulative reports of such
3 contributions received and expenditures made as may be necessary
4 to ensure that no more than five months shall elapse between the
5 last day of a period covered by one such report and the last day of
6 the period covered by the next such report.

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

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

37 In addition to reporting contributions in the cumulative quarterly
38 report as required under this subsection, each campaign treasurer of
39 a candidate committee or joint candidates committee shall file
40 written notice with the commission of a contribution in excess of
41 \$2,000 within 96 hours of receiving the contribution.

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

45 d. There shall be no obligation to file the reports required by
46 this section on behalf of a candidate if such candidate files with the
47 Election Law Enforcement Commission a sworn statement to the
48 effect that the total amount to be expended in behalf of his

1 candidacy by the candidate committee, by any political party
2 committee, by any political committee, or by any person shall not in
3 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
4 committee containing two candidates or \$6,000 for any joint
5 candidates committee containing three or more candidates. The
6 sworn statement may be submitted at the time when the name and
7 address of the campaign treasurer and depository is filed with the
8 Election Law Enforcement Commission, provided that in any case
9 the sworn statement is filed no later than the 29th day before an
10 election. If a candidate who has filed such a sworn statement
11 receives contributions from any one source aggregating more than
12 \$300 he shall forthwith make report of the same, including the name
13 and mailing address of the source and the aggregate total of
14 contributions therefrom, and where the source is an individual, the
15 occupation of the individual and the name and mailing address of
16 the individual's employer, to the Election Law Enforcement
17 Commission. The \$300 limit established in this subsection shall
18 remain as stated in this subsection without further adjustment by the
19 commission in the manner prescribed by section 22 of P.L.1993,
20 c.65 (C.19:44A-7.2).

21 e. There shall be no obligation imposed upon a candidate
22 seeking election to a public office of a school district to file either
23 the reports required under subsection b. of this section or the sworn
24 statement referred to in subsection d. of this section, if the total
25 amount expended and to be expended in behalf of his candidacy by
26 the candidate committee, any political committee, any continuing
27 political committee, or a political party committee or by any person,
28 does not in the aggregate exceed \$2,000.00 per election or \$4,000
29 for any joint candidates committee containing two candidates or
30 \$6,000 for any joint candidates committee containing three or more
31 candidates; provided, that if such candidate receives contributions
32 from any one source aggregating more than \$300, he shall forthwith
33 make a report of the same, including the name and mailing address
34 of the source, the aggregate total of contributions therefrom, and
35 where the source is an individual, the occupation of the individual
36 and the name and mailing address of the individual's employer, to
37 the commission.

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

42 f. In any report filed pursuant to the provisions of this section,
43 the names and addresses of contributors whose contributions during
44 the period covered by the report did not exceed \$300 may be
45 excluded; provided, however, that (1) such exclusion is unlawful if
46 any person responsible for the preparation or filing of the report
47 knew that such exclusion was made with respect to any person
48 whose total contributions relating to the same election and made to

1 the reporting candidate or to an allied campaign organization or
2 organizations aggregate, in combination with the total contributions
3 in respect of which such exclusion is made, more than \$300, and (2)
4 any person who knowingly prepares, assists in preparing, files or
5 acquiesces in the filing of any report from which the identity of any
6 contributor has been excluded contrary to the provisions of this
7 section is subject to the provisions of section 21 of this act, but (3)
8 nothing in this proviso shall be construed as requiring any candidate
9 committee or joint candidates committee reporting pursuant to this
10 act to report the amounts, dates or other circumstantial data
11 regarding contributions made to any other candidate committee,
12 joint candidates committee, political committee, continuing political
13 committee, political party committee or legislative leadership
14 committee.

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

19 g. Any report filed pursuant to the provisions of this section
20 shall include an itemized accounting of all receipts and
21 expenditures relative to any testimonial affair held since the date of
22 the most recent report filed, which accounting shall include the
23 name and mailing address of each contributor in excess of \$300 to
24 such testimonial affair and the amount contributed by each; in the
25 case of any individual contributor, the occupation of the individual
26 and the name and mailing address of the individual's employer; the
27 expenses incurred; and the disposition of the proceeds of such
28 testimonial affair.

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

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

34 i. Each campaign treasurer of a candidate committee or joint
35 candidates committee shall file written notice with the commission
36 of a contribution in excess of \$500 received during the period
37 between the 13th day prior to the election and the date of the
38 election and of an expenditure of money or other thing of value in
39 excess of \$800 made, incurred or authorized by the candidate
40 committee or joint candidates committee to support or defeat a
41 candidate in an election, or to aid the passage or defeat of any
42 public question, during the period between the 13th day prior to the
43 election and the date of the election, provided that a candidate shall
44 not be required to file written notice pursuant to this subsection of
45 an expenditure made to support his or her own candidacy, or to
46 support or defeat a candidate for the same office in an election. For
47 the purposes of this subsection, the offices of member of the Senate
48 and member of the General Assembly shall be deemed to be the

1 same office in a legislative district; the offices of member of the
2 board of chosen freeholders and county executive shall be deemed
3 to be the same office in a county; and the offices of mayor and
4 member of the municipal governing body shall be deemed to be the
5 same office in a municipality.

6 The notice of a contribution shall be filed in writing or by
7 telegram within 48 hours of the receipt of the contribution and shall
8 set forth the amount and date of the contribution, the name and
9 mailing address of the contributor, and where the contributor is an
10 individual, the occupation of the individual and the name and
11 mailing address of the individual's employer. The notice of an
12 expenditure shall be filed in writing or by telegram within 48 hours
13 of the making, incurring or authorization of the expenditure and
14 shall set forth the name and mailing address of the person, firm or
15 organization to whom or which the expenditure was paid and the
16 amount and purpose of the expenditure.

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

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

22

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

25 18. If any former candidate or any political committee or any
26 person or association of persons in behalf of such political
27 committee or former candidate shall receive any contributions or
28 make any expenditures with relation to any election after the date
29 set in section 16 of P.L.1973, c.83 (C.19:44A-16) for the final
30 report subsequent to such election, or shall conduct any testimonial
31 affair or public solicitation for the purpose of raising funds to cover
32 any part of the expenses of a candidate, political committee,
33 independent expenditure committee, or other organization in such
34 election, all such contributions, expenditures, testimonial affairs or
35 public solicitations shall be reported to the Election Law
36 Enforcement Commission by the person or persons receiving such
37 contributions or making such expenditures or conducting such
38 testimonial affairs or public solicitations. Such report shall be made
39 by any person receiving any such contribution or contributions, or
40 making any such expenditure or expenditures, which in the
41 aggregate total more than \$100.00, or conducting any testimonial
42 affair or public solicitation of which the net proceeds exceed
43 \$100.00; and shall be made within 20 days from the date upon
44 which the aggregate of such contributions, expenditures or proceeds
45 exceed \$100.00 for the period commencing with the 19th day
46 following such election or with the date upon which any previous
47 report was made pursuant to this section, whichever is sooner. Such
48 report shall be made in the same form and shall contain the same

1 detail prescribed for any other report made pursuant to section 8 or
2 16 of P.L.1973, c.83 (C.19:44A-8 or C.19:44A-16), including the
3 reporting of any contribution in excess of \$2,000 within 96 hours of
4 receiving the contribution.

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

6

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

9 2. Notwithstanding the provisions of any other law to the
10 contrary:

11 a State agency in the Legislative Branch shall not enter into a
12 contract having an anticipated value in excess of \$17,500, as
13 determined in advance and certified in writing by the State agency,
14 with a business entity, that requires approval by a presiding officer
15 of either or both houses of the Legislature, except a contract that is
16 awarded pursuant to a fair and open process, if, during the
17 preceding one-year period, that business entity has made a
18 contribution, reportable by the recipient under P.L.1973, c.83
19 (C.19:44A-1 et seq.), to **【the State committee of the political party**
20 **of which that presiding officer, serving when the contract is**
21 **awarded, is a member or to a legislative leadership committee or】**
22 any candidate committee established by that presiding officer; and

23 a business entity that has entered into a contract having an
24 anticipated value in excess of \$17,500 with a State agency in the
25 Legislative Branch, that requires approval by a presiding officer of
26 either or both houses of the Legislature, except a contract that is
27 awarded pursuant to a fair and open process, shall not make a
28 contribution, reportable by the recipient under P.L.1973, c.83
29 (C.19:44A-1 et seq.), to **【the State committee of the political party**
30 **of which that presiding officer is a member or to a legislative**
31 **leadership committee or】** any candidate committee established by
32 that presiding officer, during the term of that contract.

33 No such committee shall accept such a contribution from a
34 business entity during the term of its contract with a State agency in
35 the Legislative Branch.

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

37

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

40 3. Notwithstanding the provisions of any other law to the
41 contrary:

42 a county, or any agency or instrumentality thereof, shall not enter
43 into a contract having an anticipated value in excess of \$17,500, as
44 determined in advance and certified in writing by the county,
45 agency or instrumentality, with a business entity, except a contract
46 that is awarded pursuant to a fair and open process, if, during the
47 preceding one-year period, that business entity has made a
48 contribution that is reportable by the recipient under P.L.1973, c.83

1 (C.19:44A-1 et seq.), to **【**any county committee of a political party
2 in that county if a member of that political party is serving in an
3 elective public office of that county when the contract is awarded or
4 to**】** any candidate committee of any person serving in an elective
5 public office of that county when the contract is awarded; and

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

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

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

20

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

23 4. Notwithstanding the provisions of any other law to the
24 contrary:

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

38 a business entity that has entered into a contract having an
39 anticipated value in excess of \$17,500 with a municipality, or any
40 agency or instrumentality thereof, except a contract that is awarded
41 pursuant to a fair and open process, shall not make such a
42 contribution, reportable by the recipient under P.L.1973, c.83
43 (C.19:44A-1 et seq.), to **【**any municipal committee of a political
44 party in that municipality if a member of that political party is
45 serving in an elective public office of that municipality when the
46 contract is awarded or to**】** any candidate committee of any person

1 serving in an elective public office of that municipality when the
2 contract is awarded, during the term of that contract.

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

6
7 12. Section 7 of P.L.2004, c.19 (C.19:44A-20.8) is amended to
8 read as follows:

9 7. a. Prior to awarding any contract, except a contract that is
10 awarded pursuant to a fair and open process, a State agency in the
11 Legislative Branch, a county, or a municipality shall require the
12 business entity to which the contract is to be awarded to provide a
13 written certification that it has not made a contribution that would
14 bar the award of a contract pursuant to this act.

15 b. A business entity shall have a continuing duty to report to
16 the Election Law Enforcement Commission any contributions that
17 constitute a violation of this act that are made during the duration of
18 a contract.

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

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

25
26 13. Section 7 of P.L.2005, c.51 (C.19:44A-20.19) is amended to
27 read as follows:

28 7. Prior to awarding any contract or agreement to procure
29 services or any material, supplies or equipment from, or for the
30 acquisition, sale, or lease of any land or building from or to, any
31 business entity, the State or any of its purchasing agents or agencies
32 or independent authorities, as the case may be, shall require the
33 business entity to provide a written certification that it has not made
34 a contribution that would bar the award of the contract pursuant to
35 this act. The business entity shall have a continuing duty to report
36 any contribution it makes during the term of the contract, even if
37 that contribution does not constitute a conflict of interest or
38 violation. Such reports shall be subject to review by the State
39 Treasurer. If the State Treasurer determines that any such
40 contribution poses a conflict of interest, such contribution shall be
41 deemed a material breach of such contract or agreement.

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

43
44 14. Section 3 of P.L.2005, c.271 (C.19:44A-20.27) is amended
45 to read as follows:

46 3. a. Any business entity making a contribution of money or
47 any other thing of value, including an in-kind contribution, or
48 pledge to make a contribution of any kind to a candidate for or the

1 holder of any public office having ultimate responsibility for the
2 awarding of public contracts, or to a political party committee,
3 legislative leadership committee, political committee or continuing
4 political committee, which has received in any calendar year
5 \$50,000 or more in the aggregate through agreements or contracts
6 with a public entity, shall file an annual disclosure statement with
7 the New Jersey Election Law Enforcement Commission, established
8 pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth
9 all such contributions made by the business entity during the 12
10 months prior to the reporting deadline. A business entity shall have
11 a continuing duty to report to the Election Law Enforcement
12 Commission any contribution that is made during the duration of a
13 public entity contract held by the business entity.

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

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

20 (2) the name of the candidate for or the holder of any public
21 office having ultimate responsibility for the awarding of public
22 contracts, candidate committee, joint candidates committee,
23 political party committee, legislative leadership committee, political
24 committee or continuing political committee receiving the
25 contribution; and

26 (3) the amount of money the business entity received from the
27 public entity through contract or agreement, the dates, and
28 information identifying each contract or agreement and describing
29 the goods, services or equipment provided or property sold.

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

32 d. When a business entity is a natural person, a contribution by
33 that person's spouse or child, residing therewith, shall be deemed to
34 be a contribution by the business entity. When a business entity is
35 other than a natural person, a contribution by any person or other
36 business entity having an interest therein shall be deemed to be a
37 contribution by the business entity. When a business entity is other
38 than a natural person, a contribution by: all principals, partners,
39 officers, or directors of the business entity, or their spouses; any
40 subsidiaries directly or indirectly controlled by the business entity;
41 or any political organization organized under section 527 of the
42 Internal Revenue Code that is directly or indirectly controlled by
43 the business entity, other than a candidate committee, election fund,
44 or political party committee, shall be deemed to be a contribution
45 by the business entity.

46 As used in this section:

47 "business entity" means a for-profit entity that is a natural or
48 legal person, business corporation, professional services

1 corporation, limited liability company, partnership, limited
2 partnership, business trust, association or any other legal
3 commercial entity organized under the laws of this State or of any
4 other state or foreign jurisdiction; and

5 "interest" means the ownership or control of more than 10% of
6 the profits or assets of a business entity or 10% of the stock in the
7 case of a business entity that is a corporation for profit, as
8 appropriate.

9 e. Any business entity that fails to comply with the provisions
10 of this section shall be subject to a fine imposed by the New Jersey
11 Election Law Enforcement Commission in an amount to be
12 determined by the commission which may be based upon the
13 amount that the business entity failed to report.

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

15

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

18 8. a. The campaign treasurer or deputy campaign treasurer of
19 any qualified candidate for nomination for election to the office of
20 Governor in a primary election upon application to the commission
21 shall promptly receive in behalf of the qualified candidate from the
22 fund for election campaign expenses, but not prior to January 1 of
23 the year of the election, moneys in an amount equal to twice the
24 amount of no more than \$1,500.00 of each contribution deposited in
25 the qualified candidate's primary election bank account described in
26 section 7 of P.L.1974, c.26 (C.19:44A-32), except that no payment
27 shall be made from the fund to any candidate for the first
28 \$50,000.00 deposited in the qualified candidate's bank account. The
29 maximum amount which any qualified candidate for nomination for
30 election to the office of Governor in a primary election may receive
31 from the fund for election campaign expenses shall not exceed
32 \$1,350,000. Applications for payments and payments under this
33 subsection following the date on which a candidate is determined to
34 be a qualified candidate shall be made only on the basis of no less
35 than \$12,500.00 of such contributions.

36 b. The campaign treasurer or deputy campaign treasurer of any
37 qualified candidates for election to the offices of Governor and
38 Lieutenant Governor in a general election upon application to the
39 commission shall promptly receive in behalf of such qualified
40 candidates from the fund for election campaign expenses, but not
41 prior to the primary election, moneys in an amount equal to twice
42 the amount of no more than \$1,500.00 of each contribution
43 deposited in such qualified candidates' bank account described in
44 section 7 of P.L.1974, c.26 (C.19:44A-32), except that no payment
45 shall be made from the fund to any candidates for the first
46 \$50,000.00 deposited in such qualified candidates' bank account.

47 The maximum amount which any qualified candidates for
48 election to the offices of Governor and Lieutenant Governor in a

1 general election may receive from the fund for election campaign
2 expenses shall not exceed \$3,300,000. Applications for payments
3 and payments under this subsection following the date on which
4 joint candidates are determined to be qualified candidates shall be
5 made only on the basis of no less than \$12,500.00 of such
6 contributions.

7 c. Any qualified candidate for nomination for election to the
8 office of Governor in a primary election, and any qualified
9 candidates for election to the offices of Governor and Lieutenant
10 Governor in a general election, having received from the fund for
11 election campaign expenses under this section the maximum
12 permitted amounts, may raise additional campaign funds beyond
13 those maximums without receiving additional moneys from the
14 fund for election campaign expenses.

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

16

17 16. (New Section) a. The Election Law Enforcement
18 Commission shall create and maintain a database containing
19 information that business entities are required to disclose and report
20 to the commission pursuant to section 7 of P.L.2004, c.19
21 (C.19:44A-20.8), section 7 of P.L.2005, c.51 (C.19:44A-20.19), and
22 section 3 of P.L.2005, c.271 (C.19:44A-20.27), as amended by
23 P.L. , c. (pending before the Legislature as this bill), concerning
24 contributions made by the business entity and any contribution
25 made during the duration of a public entity contract held by the
26 business entity.

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

31

32 17. (New section) Notwithstanding the provisions of any law,
33 rule, or regulation to the contrary, any local ordinance, resolution,
34 or regulation, as may be appropriate, adopted by a county,
35 municipality, independent authority, board of education, or fire
36 district pursuant or prior to section 1 of P.L.2005, c.271 (C.40A:11-
37 51), limiting the awarding of public contracts therefrom to business
38 entities that have made a contribution pursuant to "The New Jersey
39 Campaign Contributions and Expenditures Reporting Act,"
40 P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions
41 that the holders of a contract can make during the term of a
42 contract, shall cease to be in effect and shall expire on the effective
43 date of this act, P.L. , c. (pending before the Legislature as this
44 bill). The awarding of public contracts by a county, municipality,
45 independent authority, board of education, or fire district shall be in
46 compliance with the provisions of sections 3 through 11 of
47 P.L.2004, c.19 (C.19:44A-20.4 through C.19:44A-20.12), sections 2

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- 1 and 3 of P.L.2005, c.271 (C.19:44A-20.26 and C.19:44A-20.27),
- 2 and any other applicable provision of current law.

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

2

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

4

5

6

STATEMENT

7

8 This bill, “The Elections Transparency Act,” requires
9 independent expenditure committees to report campaign
10 contributions and expenditures exceeding \$1,000, increases
11 campaign contribution limits, and makes various changes to
12 campaign contribution reports and other requirements.

13 Under current law, candidate committees, joint candidate
14 committees, political committees, continuing political committees,
15 political party committees, and legislative leadership committees
16 are required to file with the Election Law Enforcement Commission
17 (ELEC) a cumulative quarterly report (on the 15th of April, July,
18 October, and January each year) of all contributions in the form of
19 moneys, loans, paid personal services, or other things of value made
20 to it and all expenditures made, incurred, or authorized by it in
21 furtherance of the nomination, election, or defeat of any candidate,
22 or in aid of the passage or defeat of any public question, or to
23 provide political information on any candidate or public question.

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

28 This bill also doubles the statutory maximum contribution limits.
29 The bill also provides for the index used by ELEC to adjust limits
30 to be applied annually for campaigns other than gubernatorial.
31 Under the bill, those limits would reset each year. However, the bill
32 specifies that the adjustment of limits would be conducted annually
33 with respect to limits applicable to candidates and committees for
34 the office of Member of the General Assembly, and would be
35 conducted annually in the first two years of each decade and every
36 two years thereafter with respect to limits applicable to candidates
37 and committees for the office of Member of the Senate, provided
38 that such limits would be applicable for each primary election and
39 each general election separately. The bill also allows gubernatorial
40 candidates receiving public financing to accept additional
41 contributions without receiving matching funds.

42 The bill requires business entities to disclose all contributions
43 made while they hold a public contract. The bill directs ELEC to
44 create and maintain a database containing information that business
45 entities are required to disclose and report to the commission
46 concerning contributions made by the business entity and any
47 contribution made during the duration of a public entity contract
48 held by the business entity. Under the bill, a business entity who

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1 fails to disclose a contribution or the existence of a public contract
2 would be subject to a fine of not less than \$250 dollars.

3 Finally, the bill sunsets any local ordinances, resolutions, or
4 regulations limiting the awarding of public contracts to business
5 entities that have made a contribution and limiting the contributions
6 that the holders of a contract can make during the term of a
7 contract. The bill would subject local units to the provisions of
8 current law and this bill. This provision of the bill would affect such
9 ordinances, resolutions, or regulations of a county, municipality,
10 independent authority, board of education, or fire district, as
11 appropriate. The bill also amends the current law public contract
12 provisions to remove the prohibition against business entity
13 contributions to the State committee of the political party of a
14 presiding officer of either or both houses of the Legislature and to a
15 legislative leadership committee; to any county committee of a
16 political party; and to any municipal committee of a political party.
17 This bill retains the public contract prohibitions against business
18 entity contributions to candidates in such governmental capacities.