

[First Reprint]

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)

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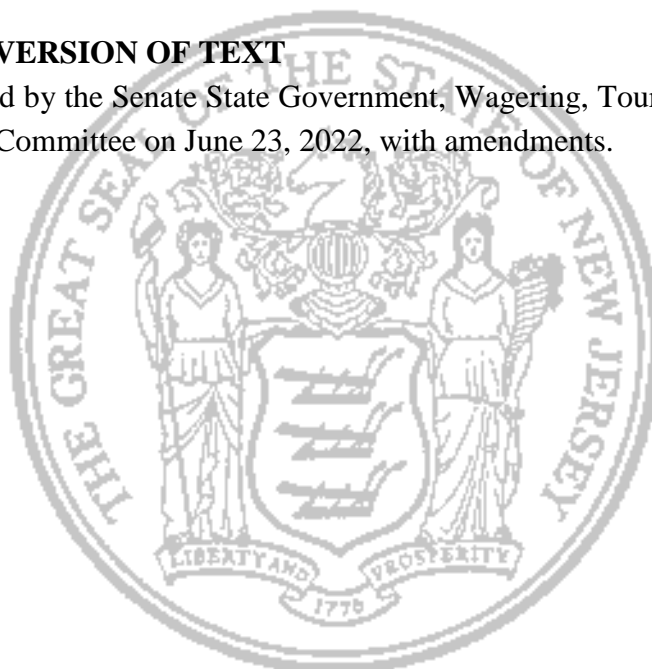
Senator O'Scanlon

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 reported by the Senate State Government, Wagering, Tourism & Historic Preservation Committee on June 23, 2022, with amendments.



(Sponsorship Updated As Of: 6/27/2022)

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

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SSG committee amendments adopted June 23, 2022.

1 election and the period beginning after September 30 and ending on
2 the date of the general election which triggers an obligation to
3 report that contribution to the commission pursuant to section 8 of
4 P.L.1973, c.83 (C.19:44A-8), and the minimum amount of a
5 contribution to a candidate, candidate committee or joint candidates
6 committee received during the period between the 13th day prior to
7 the election and the date of the election which triggers an obligation
8 to report that contribution to the commission pursuant to section 16
9 of P.L.1973, c.83 (C.19:44A-16);

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

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

25 (6) the maximum amount that may be expended, in the
26 aggregate, on behalf of a candidate without requiring that candidate
27 to file contribution reports with the commission and the maximum
28 amount that may be expended, in the aggregate, on behalf of a
29 candidate seeking election to a public office of a school district,
30 without requiring that candidate to file contribution reports with the
31 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-
32 16);

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

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

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

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

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

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

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

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

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

31 2. a. No later than July 1 of each year **【preceding any year in**
32 which a general election is to be held to fill the offices of Governor
33 and Lieutenant Governor for a four-year term**】**, the commission
34 shall issue a report setting forth its recommendations for the
35 adjustment of the amounts, set forth in subsection b. of this section
36 and applicable to P.L.1973, c.83 (C.19:44A-1 et seq.), to primary
37 and general elections for any public office other than the offices of
38 Governor and Lieutenant Governor, to limitations on contributions
39 to and from political committees, continuing political committees,
40 candidate committees, joint candidates committees, political party
41 committees and legislative leadership committees and to other
42 amounts, at a percentage which shall be **【the same】** calculated in
43 the same manner as the percentage of change that the commission
44 applies to the amounts used for the primary election for the office of
45 Governor and the general election for the offices of Governor and
46 Lieutenant Governor **【held in the third year preceding the year in**
47 which that December 1 occurs**】**, pursuant to section 19 of P.L.1980,
48 c.74 (C.19:44A-7.1). Any amount so recommended for adjustment
49 shall be rounded in the same manner as provided in that section.

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

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

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

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

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

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

1 Member of the Senate, provided that such limits shall be applicable
2 for each primary election and each general election separately.

3 (cf: P.L.2009, c.66, s.10)

4

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

48 (2) In addition to reporting contributions in the cumulative
49 quarterly report as required under this subsection, each campaign

1 treasurer of a political party committee and of a legislative
2 leadership committee shall file written notice with the commission
3 of a contribution in excess of \$2,000 within 96 hours of receiving
4 the contribution.

5 d. (1) Each independent expenditure committee shall file with
6 the Election Law Enforcement Commission, not later than April 15,
7 July 15, October 15 and January 15 of each calendar year, a
8 cumulative quarterly report, upon a form prescribed by the Election
9 Law Enforcement Commission, of all contributions received in
10 excess of ~~[\$10,000]~~ \$1,000 in the form of moneys, loans, paid
11 personal services, or other things of value made to it, and of all
12 expenditures in excess of ~~[\$3,000]~~ \$1,000 made, incurred, or
13 authorized by it ¹~~[in influencing or attempting to influence the~~
14 ~~outcome of any election or the nomination, election, or defeat of~~
15 ~~any person to State or local elective public office or the passage or~~
16 ~~defeat of any public question, legislation, or regulation, or in~~
17 ~~providing political information on any candidate or public question,~~
18 ~~legislation, or regulation,]~~ as independent expenditures¹ during the
19 period ending 48 hours preceding the date of the report and
20 beginning on the date on which the first of those contributions was
21 received or the first of those expenditures was made, whichever
22 occurred first. The quarterly report, except as hereinafter provided,
23 shall contain the name and mailing address of each person or group
24 from whom moneys, loans, paid personal services or other things of
25 value have been contributed since 48 hours preceding the date on
26 which such previous report was made and the amount contributed
27 by each person or group in excess of ~~[\$10,000]~~ \$1,000, and when
28 the contributor is an individual, the report shall indicate the
29 occupation of the individual and the name and mailing address of
30 the individual's employer. In the case of any loan reported pursuant
31 to this subsection, the report shall contain the name and mailing
32 address of each person who has cosigned such loan since 48 hours
33 preceding the date on which the previous such report was made, and
34 when an individual has cosigned such loans, the report shall
35 indicate the occupation of the individual and the name and mailing
36 address of the individual's employer. The quarterly report shall also
37 contain the name and address of each person, firm, or organization
38 to whom expenditures have been paid since 48 hours preceding the
39 date on which the previous such report was made and the amount
40 and purpose of each such expenditure.

41 (2) An independent expenditure committee shall disclose all
42 ¹independent¹ expenditures made by it in excess of ~~[\$3,000]~~
43 \$1,000 ¹~~], including, but not limited to, for electioneering~~
44 ~~communications, voter registration, get-out-the-vote efforts,~~
45 ~~polling, and research]~~¹. The disclosures required by this paragraph
46 shall be reported to the Election Law Enforcement Commission on
47 the same schedule as required for continuing political committees
48 pursuant to this section.

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

5 The **[\$10,000]** \$1,000 contribution amount and the **[\$3,000]**
6 \$1,000 expenditure amount established in this subsection shall
7 remain as stated in this subsection without further adjustment by the
8 commission pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
9 7.2).

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

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

1 circumstantial data regarding contributions made to any other
2 organization or political committee, political party committee or
3 campaign organization of a candidate.

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

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

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

19

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

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

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

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

1 has established both a candidate committee and a joint candidates
2 committee, the campaign treasurers, deputy campaign treasurers, or
3 candidate committee or joint candidates committee shall knowingly
4 accept from any such source any contribution of money or other
5 thing of value which in the aggregate exceeds **[\$8,200]** \$16,400 per
6 election.

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

29 The limitation upon the knowing acceptance by a candidate,
30 campaign treasurer, deputy campaign treasurer, candidate
31 committee or joint candidates committee of any contribution of
32 money or other thing of value from a political committee or
33 continuing political committee under the provisions of paragraph
34 (1) of this subsection, except that the amount of any contribution of
35 money or other thing of value shall be in an amount which in the
36 aggregate does not exceed **[\$25,000]** \$50,000, shall also be
37 applicable to the knowing acceptance of any such contribution from
38 the county committee of a political party by a candidate, or the
39 campaign treasurer, deputy campaign treasurer, candidate
40 committee or joint candidates committee of a candidate, for
41 nomination for election or for election to the office of member of
42 the Legislature in a legislative district in which, according to the
43 federal decennial census upon the basis of which legislative districts
44 shall have been established, at least 20% but less than 40% of the
45 population resides within the county of that county committee. In
46 addition, all contributor reporting requirements and other
47 restrictions and regulations applicable to a contribution of money or
48 other thing of value by a political committee or continuing political
49 committee under the provisions of P.L.1973, c.83 (C.19:44A-1 et

1 al.) shall likewise be applicable to the making or payment of such a
2 contribution by such a county committee.

3 With respect to the limitations in this paragraph, the Legislature
4 finds and declares that:

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

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

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

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

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

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

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

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

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

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

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

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

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

29 e. For the purpose of determining the amount of a contribution
30 to be attributed as given to or by each candidate in a joint
31 candidates committee, the amount of the contribution to or by such
32 a committee shall be divided equally among all the candidates in the
33 committee.

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

35

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

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

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

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

39 b. No individual, no corporation of any kind organized and
40 incorporated under the laws of this State or any other state or any
41 country other than the United States, no labor organization of any
42 kind which exists or is constituted for the purpose, in whole or in
43 part, of collective bargaining, or of dealing with employers
44 concerning the grievances, terms or conditions of employment, or
45 of other mutual aid or protection in connection with employment,
46 no political committee, continuing political committee, candidate
47 committee or joint candidates committee or any other group, shall
48 pay or make any contribution of money or other thing of value to

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

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

1 organization of any kind which exists or is constituted for the
2 purpose, in whole or in part, of collective bargaining, or of dealing
3 with employers concerning the grievances, terms or conditions of
4 employment, or of other mutual aid or protection in connection with
5 employment, a political committee, a continuing political
6 committee, a candidate committee or a joint candidates committee
7 or any other group, any contribution of money or other thing of
8 value which in the aggregate exceeds **[\$7,200]** \$14,400 per year, or
9 in the case of a joint candidates committee when that is the only
10 committee established by the candidates, **[\$7,200]** \$14,400 per year
11 per candidate in the joint candidates committee, or in the case of a
12 candidate committee and a joint candidates committee when both
13 are established by a candidate, **[\$7,200]** \$14,400 per year from that
14 candidate.

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

29 d. For the purpose of determining the amount of a contribution
30 to be attributed as given by each candidate in a joint candidates
31 committee, the amount of the contribution by such a committee
32 shall be divided equally among all the candidates in the committee.
33 (cf: P.L.2004, c.174, s.4)
34

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

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

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

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

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

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

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

34

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

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

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

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

40 The Election Law Enforcement Commission shall promulgate
41 regulations providing for the termination of post-election campaign
42 reporting requirements applicable to political committees, candidate
43 committees and joint candidates committees. The requirements to
44 file quarterly reports after the first post-election report may be
45 waived by the commission, notwithstanding that the certification
46 has not been filed, if the commission determines under any
47 regulations so promulgated that the outstanding obligations of the
48 political committee, candidate committee or joint candidates
49 committee do not exceed 10% of the expenditures of the campaign

1 fund with respect to the election or \$1,000.00, whichever is less, or
2 are likely to be discharged or forgiven.

3 A candidate committee or joint candidates committee shall file
4 with the Election Law Enforcement Commission, not later than
5 April 15, July 15, October 15 of each calendar year in which the
6 candidate or candidates in control of the committee does or do not
7 run for election or reelection and January 15 of each calendar year
8 in which the candidate or candidates does or do run for election or
9 reelection, a cumulative quarterly report of all moneys, loans, paid
10 personal services or other things of value contributed to it or to the
11 candidate or candidates during the period ending on the 15th day
12 preceding that date and commencing on January 1 of that calendar
13 year or, in the case of the cumulative quarterly report to be filed not
14 later than January 15, of the previous calendar year, and all
15 expenditures made, incurred, or authorized by it or the candidate or
16 candidates during the period, whether or not such expenditures were
17 made, incurred or authorized in furtherance of the election or defeat
18 of any candidate, or in aid of the passage or defeat of any public
19 question or to provide information on any candidate or public
20 question. The commission may by regulation require any such
21 candidate committee or joint candidates committee to file during
22 any calendar year one or more additional cumulative reports of such
23 contributions received and expenditures made as may be necessary
24 to ensure that no more than five months shall elapse between the
25 last day of a period covered by one such report and the last day of
26 the period covered by the next such report.

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

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

1 occupation of the individual and the name and mailing address of
2 his employer. The report shall also contain the name and address of
3 each person, firm or organization to whom expenditures have been
4 paid and the amount and purpose of each such expenditure. The
5 treasurer of the candidate committee or joint candidates committee
6 and the candidate or candidates shall certify to the correctness of
7 each cumulative quarterly report.

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

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

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

40 e. There shall be no obligation imposed upon a candidate
41 seeking election to a public office of a school district to file either
42 the reports required under subsection b. of this section or the sworn
43 statement referred to in subsection d. of this section, if the total
44 amount expended and to be expended in behalf of his candidacy by
45 the candidate committee, any political committee, any continuing
46 political committee, or a political party committee or by any person,
47 does not in the aggregate exceed \$2,000.00 per election or \$4,000
48 for any joint candidates committee containing two candidates or
49 \$6,000 for any joint candidates committee containing three or more

1 candidates; provided, that if such candidate receives contributions
2 from any one source aggregating more than \$300, he shall forthwith
3 make a report of the same, including the name and mailing address
4 of the source, the aggregate total of contributions therefrom, and
5 where the source is an individual, the occupation of the individual
6 and the name and mailing address of the individual's employer, to
7 the commission.

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

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

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

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

47 The \$300 limit established in this subsection shall remain as
48 stated in this subsection without further adjustment by the

1 commission in the manner prescribed by section 22 of P.L.1993,
2 c.65 (C.19:44A-7.2).

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

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

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

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

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

40

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

43 18. If any former candidate or any political committee or any
44 person or association of persons in behalf of such political
45 committee or former candidate shall receive any contributions or
46 make any expenditures with relation to any election after the date
47 set in section 16 of P.L.1973, c.83 (C.19:44A-16) for the final
48 report subsequent to such election, or shall conduct any testimonial
49 affair or public solicitation for the purpose of raising funds to cover

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

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

23

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

26 2. Notwithstanding the provisions of any other law to the
27 contrary:

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

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

1 No such committee shall accept such a contribution from a
2 business entity during the term of its contract with a State agency in
3 the Legislative Branch.

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

5
6 10. Section 3 of P.L.2004, c.19 (C.19:44A-20.4) is amended to
7 read as follows:

8 3. Notwithstanding the provisions of any other law to the
9 contrary:

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

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

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

36
37 11. Section 4 of P.L.2004, c.19 (C.19:44A-20.5) is amended to
38 read as follows:

39 4. Notwithstanding the provisions of any other law to the
40 contrary:

41 a municipality, or any agency or instrumentality thereof, shall
42 not enter into a contract having an anticipated value in excess of
43 \$17,500, as determined in advance and certified in writing by the
44 municipality, agency or instrumentality, with a business entity,
45 except a contract that is awarded pursuant to a fair and open
46 process, if, during the preceding one-year period, that business
47 entity has made a contribution that is reportable by the recipient
48 under P.L.1973, c.83 (C.19:44A-1 et seq.), to **any** municipal
49 committee of a political party in that municipality if a member of

1 that political party is serving in an elective public office of that
2 municipality when the contract is awarded or to] any candidate
3 committee of any person serving in an elective public office of that
4 municipality when the contract is awarded; and

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

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

19

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

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

28 b. A business entity shall have a continuing duty to report to
29 the Election Law Enforcement Commission any contributions that
30 constitute a violation of this act that are made during the duration of
31 a contract.

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

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

38

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

41 7. Prior to awarding any contract or agreement to procure
42 services or any material, supplies or equipment from, or for the
43 acquisition, sale, or lease of any land or building from or to, any
44 business entity, the State or any of its purchasing agents or agencies
45 or independent authorities, as the case may be, shall require the
46 business entity to provide a written certification that it has not made
47 a contribution that would bar the award of the contract pursuant to
48 this act. The business entity shall have a continuing duty to report
49 any contribution it makes during the term of the contract, even if

1 that contribution does not constitute a conflict of interest or
2 violation. Such reports shall be subject to review by the State
3 Treasurer. If the State Treasurer determines that any such
4 contribution poses a conflict of interest, such contribution shall be
5 deemed a material breach of such contract or agreement.

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

7

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

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

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

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

32 (2) the name of the candidate for or the holder of any public
33 office having ultimate responsibility for the awarding of public
34 contracts, candidate committee, joint candidates committee,
35 political party committee, legislative leadership committee, political
36 committee or continuing political committee receiving the
37 contribution; and

38 (3) the amount of money the business entity received from the
39 public entity through contract or agreement, the dates, and
40 information identifying each contract or agreement and describing
41 the goods, services or equipment provided or property sold.

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

44 d. When a business entity is a natural person, a contribution by
45 that person's spouse or child, residing therewith, shall be deemed to
46 be a contribution by the business entity. When a business entity is
47 other than a natural person, a contribution by any person or other
48 business entity having an interest therein shall be deemed to be a
49 contribution by the business entity. When a business entity is other

1 than a natural person, a contribution by: all principals, partners,
2 officers, or directors of the business entity, or their spouses; any
3 subsidiaries directly or indirectly controlled by the business entity;
4 or any political organization organized under section 527 of the
5 Internal Revenue Code that is directly or indirectly controlled by
6 the business entity, other than a candidate committee, election fund,
7 or political party committee, shall be deemed to be a contribution
8 by the business entity.

9 As used in this section:

10 "business entity" means a for-profit entity that is a natural or
11 legal person, business corporation, professional services
12 corporation, limited liability company, partnership, limited
13 partnership, business trust, association or any other legal
14 commercial entity organized under the laws of this State or of any
15 other state or foreign jurisdiction; and

16 "interest" means the ownership or control of more than 10% of
17 the profits or assets of a business entity or 10% of the stock in the
18 case of a business entity that is a corporation for profit, as
19 appropriate.

20 e. Any business entity that fails to comply with the provisions
21 of this section shall be subject to a fine imposed by the New Jersey
22 Election Law Enforcement Commission in an amount to be
23 determined by the commission which may be based upon the
24 amount that the business entity failed to report.

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

26

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

29 8. a. The campaign treasurer or deputy campaign treasurer of
30 any qualified candidate for nomination for election to the office of
31 Governor in a primary election upon application to the commission
32 shall promptly receive in behalf of the qualified candidate from the
33 fund for election campaign expenses, but not prior to January 1 of
34 the year of the election, moneys in an amount equal to twice the
35 amount of no more than \$1,500.00 of each contribution deposited in
36 the qualified candidate's primary election bank account described in
37 section 7 of P.L.1974, c.26 (C.19:44A-32), except that no payment
38 shall be made from the fund to any candidate for the first
39 \$50,000.00 deposited in the qualified candidate's bank account. The
40 maximum amount which any qualified candidate for nomination for
41 election to the office of Governor in a primary election may receive
42 from the fund for election campaign expenses shall not exceed
43 \$1,350,000. Applications for payments and payments under this
44 subsection following the date on which a candidate is determined to
45 be a qualified candidate shall be made only on the basis of no less
46 than \$12,500.00 of such contributions.

47 b. The campaign treasurer or deputy campaign treasurer of any
48 qualified candidates for election to the offices of Governor and
49 Lieutenant Governor in a general election upon application to the

1 commission shall promptly receive in behalf of such qualified
2 candidates from the fund for election campaign expenses, but not
3 prior to the primary election, moneys in an amount equal to twice
4 the amount of no more than \$1,500.00 of each contribution
5 deposited in such qualified candidates' bank account described in
6 section 7 of P.L.1974, c.26 (C.19:44A-32), except that no payment
7 shall be made from the fund to any candidates for the first
8 \$50,000.00 deposited in such qualified candidates' bank account.

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

17 c. Any qualified candidate for nomination for election to the
18 office of Governor in a primary election, and any qualified
19 candidates for election to the offices of Governor and Lieutenant
20 Governor in a general election, having received from the fund for
21 election campaign expenses under this section the maximum
22 permitted amounts, may raise additional campaign funds beyond
23 those maximums without receiving additional moneys from the
24 fund for election campaign expenses.

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

26

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

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

41

42 17. (New section) Notwithstanding the provisions of any law,
43 rule, or regulation to the contrary, any local ordinance, resolution,
44 or regulation, as may be appropriate, adopted by a county,
45 municipality, independent authority, board of education, or fire
46 district pursuant or prior to section 1 of P.L.2005, c.271 (C.40A:11-
47 51), limiting the awarding of public contracts therefrom to business
48 entities that have made a contribution pursuant to "The New Jersey
49 Campaign Contributions and Expenditures Reporting Act,"

1 P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions
2 that the holders of a contract can make during the term of a
3 contract, shall cease to be in effect and shall expire on the effective
4 date of this act, P.L. , c. (pending before the Legislature as this
5 bill). The awarding of public contracts by a county, municipality,
6 independent authority, board of education, or fire district shall be in
7 compliance with the provisions of sections 3 through 11 of
8 P.L.2004, c.19 (C.19:44A-20.4 through C.19:44A-20.12), sections 2
9 and 3 of P.L.2005, c.271 (C.19:44A-20.26 and C.19:44A-20.27),
10 and any other applicable provision of current law.

11

12 ¹18. (New section) Whenever any candidate, as defined in
13 paragraph (1) of subsection c. of section 3 of P.L.1973, c.83
14 (C.19:44A-3), declares a candidacy for any election and establishes
15 a candidate committee, a joint candidates committee, or both, as the
16 case may be, for the purpose of receiving contributions and making
17 expenditures in connection with that election, the candidate shall
18 only accept from each entity permitted to make contributions to the
19 candidate an amount not greater than the maximum contribution
20 limit permitted by law to be made by the entity to the candidate for
21 that election, even if the candidate declares candidacy and
22 establishes the committee or committees before the election year in
23 which the candidate will run for office. No entity shall make
24 additional contributions to a candidate for any election beyond the
25 maximum contribution permitted by law

26

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

29 3. As used in this act, unless a different meaning clearly
30 appears from the context:

31 a. (Deleted by amendment, P.L.1993, c.65.)

32 b. (Deleted by amendment, P.L.1993, c.65.)

33 c. The term "candidate" means: (1) an individual seeking
34 election to a public office of the State or of a county, municipality
35 or school district at an election; except that the term shall not
36 include an individual seeking party office; (2) an individual who
37 shall have been elected or failed of election to an office, other than
38 a party office, for which he sought election and who receives
39 contributions and makes expenditures for any of the purposes
40 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during
41 the period of his service in that office; and (3) an individual who
42 has received funds or other benefits or has made payments solely
43 for the purpose of determining whether the individual should
44 become a candidate as defined in paragraphs (1) and (2) of this
45 subsection.

46 d. The terms "contributions" and "expenditures" include all
47 loans and transfers of money or other thing of value to or by any
48 candidate, candidate committee, joint candidates committee,
49 political committee, continuing political committee, independent

1 expenditure committee, political party committee or legislative
2 leadership committee, and all pledges or other commitments or
3 assumptions of liability to make any such transfer; and for purposes
4 of reports required under the provisions of this act shall be deemed
5 to have been made upon the date when such commitment is made or
6 liability assumed.

7 e. The term "election" means any election described in section
8 4 of this act.

9 f. The term "paid personal services" means personal, clerical,
10 administrative or professional services of every kind and nature
11 including, without limitation, public relations, research, legal,
12 canvassing, telephone, speech writing or other such services,
13 performed other than on a voluntary basis, the salary, cost or
14 consideration for which is paid, borne or provided by someone
15 other than the committee, candidate or organization for whom such
16 services are rendered. In determining the value, for the purpose of
17 reports required under this act, of contributions made in the form of
18 paid personal services, the person contributing such services shall
19 furnish to the treasurer through whom such contribution is made a
20 statement setting forth the actual amount of compensation paid by
21 said contributor to the individuals actually performing said services
22 for the performance thereof. But if any individual or individuals
23 actually performing such services also performed for the contributor
24 other services during the same period, and the manner of payment
25 was such that payment for the services contributed cannot readily
26 be segregated from contemporary payment for the other services,
27 the contributor shall in his statement to the treasurer so state and
28 shall either (1) set forth his best estimate of the dollar amount of
29 payment to each such individual which is attributable to the
30 contribution of his paid personal services, and shall certify the
31 substantial accuracy of the same, or (2) if unable to determine such
32 amount with sufficient accuracy, set forth the total compensation
33 paid by him to each such individual for the period of time during
34 which the services contributed by him were performed. If any
35 candidate is a holder of public office to whom there is attached or
36 assigned, by virtue of said office, any aide or aides whose services
37 are of a personal or confidential nature in assisting him to carry out
38 the duties of said office, and whose salary or other compensation is
39 paid in whole or part out of public funds, the services of such aide
40 or aides which are paid for out of public funds shall be for public
41 purposes only; but they may contribute their personal services, on a
42 voluntary basis, to such candidate for election campaign purposes.

43 g. (Deleted by amendment, P.L.1983, c.579.)

44 h. The term "political information" means any statement
45 including, but not limited to, press releases, pamphlets, newsletters,
46 advertisements, flyers, form letters, Internet or digital
47 advertisements, or radio or television programs or advertisements
48 which reflects the opinion of the members of the organization on
49 any candidate or candidates for public office, on any public

1 question, or which contains facts on any such candidate, or public
2 question whether or not such facts are within the personal
3 knowledge of members of the organization.

4 i. The term "political committee" means any two or more
5 persons acting jointly, or any corporation, partnership, or any other
6 incorporated or unincorporated association which is organized to, or
7 does, aid or promote the nomination, election or defeat of any
8 candidate or candidates for public office, or which is organized to,
9 or does, aid or promote the passage or defeat of a public question in
10 any election, if the persons, corporation, partnership or incorporated
11 or unincorporated association raises or expends \$2,400 or more to
12 so aid or promote the nomination, election or defeat of a candidate
13 or candidates or the passage or defeat of a public question; provided
14 that for the purposes of this act, the term "political committee" shall
15 not include a "continuing political committee," as defined by
16 subsection n. of this section, a "political party committee," as
17 defined by subsection p. of this section, a "candidate committee," as
18 defined by subsection q. of this section, a "joint candidates
19 committee," as defined by subsection r. of this section, a
20 "legislative leadership committee," as defined by subsection s. of
21 this section, or an "independent expenditure committee," as defined
22 by subsection t. of this section.

23 j. The term "public solicitation" means any activity by or on
24 behalf of any candidate, political committee, continuing political
25 committee, candidate committee, joint candidates committee,
26 legislative leadership committee, independent expenditure
27 committee, or political party committee whereby either (1)
28 members of the general public are personally solicited for cash
29 contributions not exceeding \$20.00 from each person so solicited
30 and contributed on the spot by the person so solicited to a person
31 soliciting or through a receptacle provided for the purpose of
32 depositing contributions, or (2) members of the general public are
33 personally solicited for the purchase of items having some tangible
34 value as merchandise, at a price not exceeding \$20.00 per item,
35 which price is paid on the spot in cash by the person so solicited to
36 the person so soliciting, when the net proceeds of such solicitation
37 are to be used by or on behalf of such candidate, political
38 committee, continuing political committee, candidate committee,
39 joint candidates committee, legislative leadership committee,
40 independent expenditure committee, or political party committee.

41 k. The term "testimonial affair" means an affair of any kind or
42 nature including, without limitation, cocktail parties, breakfasts,
43 luncheons, dinners, dances, picnics or similar affairs directly or
44 indirectly intended to raise campaign funds in behalf of a person
45 who holds, or who is or was a candidate for nomination or election
46 to a public office in this State, or directly or indirectly intended to
47 raise funds in behalf of any political party committee or in behalf of
48 a political committee, continuing political committee, candidate

1 committee, joint candidates committee, independent expenditure
2 committee, or legislative leadership committee.

3 l. The term "other thing of value" means any item of real or
4 personal property, tangible or intangible, but shall not be deemed to
5 include personal services other than paid personal services.

6 m. The term "qualified candidate" means:

7 (1) Joint candidates for election to the offices of Governor and
8 Lieutenant Governor whose names appear on the general election
9 ballot; who have deposited and expended \$150,000.00 pursuant to
10 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than
11 September 1 preceding a general election in which the offices of
12 Governor and Lieutenant Governor are to be filled, (a) notify the
13 Election Law Enforcement Commission in writing that the
14 candidates intend that application will be made on the candidates'
15 behalf for monies for general election campaign expenses under
16 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)
17 sign a statement of agreement, in a form to be prescribed by the
18 commission, to participate in interactive gubernatorial election
19 debates under the provisions of sections 9 through 11 of P.L.1989,
20 c.4 (C.19:44A-45 through C.19:44A-47); or

21 (2) Joint candidates for election to the offices of Governor and
22 Lieutenant Governor whose names do not appear on the general
23 election ballot; who have deposited and expended \$150,000.00
24 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,
25 not later than September 1 preceding a general election in which the
26 offices of Governor and Lieutenant Governor are to be filled, (a)
27 notify the Election Law Enforcement Commission in writing that
28 the candidates intend that application will be made on the
29 candidates' behalf for monies for general election campaign
30 expenses under subsection b. of section 8 of P.L.1974, c.26
31 (C.19:44A-33), and (b) sign a statement of agreement, in a form to
32 be prescribed by the commission, to participate in interactive
33 gubernatorial election debates under the provisions of sections 9
34 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);
35 or

36 (3) Any candidate for nomination for election to the office of
37 Governor whose name appears on the primary election ballot; who
38 has deposited and expended \$150,000.00 pursuant to section 7 of
39 P.L.1974, c.26 (C.19:44A-32); and who, not later than the last day
40 for filing petitions to nominate candidates to be voted upon in a
41 primary election for a general election in which the office of
42 Governor is to be filled, (a) notifies the Election Law Enforcement
43 Commission in writing that the candidate intends that application
44 will be made on the candidate's behalf for monies for primary
45 election campaign expenses under subsection a. of section 8 of
46 P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of
47 agreement, in a form to be prescribed by the commission, to
48 participate in two interactive gubernatorial primary debates under

1 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
2 45 through C.19:44A-47); or

3 (4) Any candidate for nomination for election to the office of
4 Governor whose name does not appear on the primary election
5 ballot; who has deposited and expended \$150,000.00 pursuant to
6 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than
7 the last day for filing petitions to nominate candidates to be voted
8 upon in a primary election for a general election in which the office
9 of Governor is to be filled, (a) notifies the Election Law
10 Enforcement Commission in writing that the candidate intends that
11 application will be made on the candidate's behalf for monies for
12 primary election campaign expenses under subsection a. of section
13 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of
14 agreement, in a form to be prescribed by the commission, to
15 participate in two interactive gubernatorial primary debates under
16 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
17 45 through C.19:44A-47).

18 n. The term "continuing political committee" means any group
19 of two or more persons acting jointly, or any corporation,
20 partnership, or any other incorporated or unincorporated
21 association, including a political club, political action committee,
22 civic association or other organization, which in any calendar year
23 contributes or expects to contribute at least \$5,500 to the aid or
24 promotion of the candidacy of an individual, or of the candidacies
25 of individuals, for elective public office, or the passage or defeat of
26 a public question or public questions, and which may be expected to
27 make contributions toward such aid or promotion or passage or
28 defeat during a subsequent election, provided that the group,
29 corporation, partnership, association or other organization has been
30 determined to be a continuing political committee under subsection
31 b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided that for the
32 purposes of this act, the term "continuing political committee" shall
33 not include a "political party committee," as defined by subsection
34 p. of this section, a "legislative leadership committee," as defined
35 by subsection s. of this section, or an "independent expenditure
36 committee," as defined by subsection t. of this section.

37 o. The term "statement of agreement" means a written
38 declaration, by a candidate for nomination for election to the office
39 of Governor, or by joint candidates for election to the offices of
40 Governor and Lieutenant Governor who intend that application will
41 be made on behalf of the candidate for the office of Governor to
42 receive monies for the primary election or on behalf of the
43 candidates for the office of Governor and the office of Lieutenant
44 Governor for general election campaign expenses under subsection
45 a. or subsection b., respectively, of section 8 of P.L.1974, c.26
46 (C.19:44A-33), that the candidates undertake to abide by the terms
47 of any rules established by any private organization sponsoring a
48 gubernatorial primary or general election debate, as appropriate, to
49 be held under the provisions of sections 9 through 11 of P.L.1989,

1 c.4 (C.19:44A-45 through C.19:44A-47) and in which the
2 candidates are to participate. The statement of agreement shall
3 include an acknowledgment of notice to the candidates who sign it
4 that failure on the candidates' part to participate in any of the
5 gubernatorial debates may be cause for the termination of the
6 payment of such monies on the candidates' behalf and for the
7 imposition of liability for the return to the commission of such
8 monies as may previously have been so paid.

9 p. The term "political party committee" means the State
10 committee of a political party, as organized pursuant to R.S.19:5-4,
11 any county committee of a political party, as organized pursuant to
12 R.S.19:5-3, or any municipal committee of a political party, as
13 organized pursuant to R.S.19:5-2.

14 q. The term "candidate committee" means a committee
15 established pursuant to subsection a. of section 9 of P.L.1973, c.83
16 (C.19:44A-9) for the purpose of receiving contributions and making
17 expenditures.

18 r. The term "joint candidates committee" means a committee
19 established pursuant to subsection a. of section 9 of P.L.1973, c.83
20 (C.19:44A-9) by at least two candidates for the same elective public
21 offices in the same election in a legislative district, county,
22 municipality or school district, but not more candidates than the
23 total number of the same elective public offices to be filled in that
24 election, for the purpose of receiving contributions and making
25 expenditures. For the purpose of this subsection: the offices of
26 member of the Senate and members of the General Assembly shall
27 be deemed to be the same elective public offices in a legislative
28 district; the offices of member of the board of chosen freeholders
29 and county executive shall be deemed to be the same elective public
30 offices in a county; and the offices of mayor and member of the
31 municipal governing body shall be deemed to be the same elective
32 public offices in a municipality.

33 s. The term "legislative leadership committee" means a
34 committee established, authorized to be established, or designated
35 by the President of the Senate, the Minority Leader of the Senate,
36 the Speaker of the General Assembly or the Minority Leader of the
37 General Assembly pursuant to section 16 of P.L.1993, c.65
38 (C.19:44A-10.1) for the purpose of receiving contributions and
39 making expenditures.

40 t. The term "independent expenditure committee" means a
41 person organized under section 527 of the federal Internal Revenue
42 Code (26 U.S.C. s.527) or under paragraph (4) of subsection (c) of
43 section 501 of the federal Internal Revenue Code (26 U.S.C. s.501)
44 that does not fall within the definition of any other organization
45 subject to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.),
46 that engages in influencing or attempting to influence the outcome
47 of any election or the nomination, election, or defeat of any person
48 to any State or local elective public office, or the passage or defeat
49 of any public question, legislation, or regulation, or in providing

1 political information on any candidate or public question,
2 legislation, or regulation, and raises or expends \$3,000 or more in
3 the aggregate for any such purpose annually, but does not
4 coordinate its activities with any candidate or political party as
5 determined by the Election Law Enforcement Commission pursuant
6 to the provisions of section 11 of P.L.2019, c.124 (C.19:44A-3.1) **]**
7 makes independent expenditures.

8 u. The term "electioneering communication" means any
9 communication **]**made within the period beginning on January 1 of
10 an election year and the date of the election and refers to: (1) a
11 clearly identified candidate for office and promotes or supports a
12 candidate for that office or opposes a candidate for that office,
13 regardless of whether the communication expressly advocates a
14 vote for or against a candidate; or (2) a public question and
15 promotes or supports the passage or defeat of that question,
16 regardless of whether the communication expressly advocates a
17 vote for or against the passage of the question. The term includes
18 communications published in any newspaper or periodical;
19 broadcast on radio, television, or the Internet or digital media, or
20 any public address system; placed on any billboard, outdoor
21 facility, button, motor vehicle, window display, poster, card,
22 pamphlet, leaflet, flyer, or other circular; or contained in any direct
23 mailing, robotic phone calls, or mass e-mails **]** that mentions a
24 clearly identified candidate and expressly supports or opposes that
25 candidate or, by virtue of the communication, is the functional
26 equivalent of express advocacy, meaning the communication is
27 unable to be interpreted by a reasonable person in any other way
28 than the communication is supporting or opposing the candidate.
29 An electioneering communication includes any communication that
30 clearly identifies a public question or referendum, or is the
31 functional equivalent of express advocacy, meaning the
32 communication is unable to be interpreted by a reasonable person in
33 any other way than the communication is supporting or opposing
34 the public question or referendum.

35 v. The term "independent expenditure" means an **]**expenditure
36 by a person expressly advocating, or the functional equivalent
37 thereof, the election or defeat of: (1) a clearly identified candidate
38 that is not made in concert or cooperation with or at the request or
39 suggestion of the candidate, the candidate's committee, a political
40 party committee, or an agent thereof; or (2) a public question,
41 legislation, or regulation, that is not made in concert or cooperation
42 with or at the request or suggestion of the sponsors, organizers, or
43 committee supporting or opposing the question, legislation, or
44 regulation, a political party, or agents thereof. The "functional
45 equivalent" of expressly advocating means specific advocacy that
46 can be interpreted by a reasonable person as advocating the election
47 or defeat of a candidate, or the passage or defeat of a public
48 question, legislation, or regulation, taking into account whether the
49 communication involved mentions a candidate, a political party, or

1 a challenger to a candidate, or takes a position on a candidate's
2 character, qualifications, or fitness for office, or that can be
3 interpreted by a reasonable person as taking a position on the merits
4 of a public question, legislation, or regulation, or taking a position
5 in favor or against the passage or defeat of a public question,
6 legislation, or regulation] electioneering communication
7 expenditure, which is not coordinated with a candidate or political
8 party, and is made for the purpose of expressly advocating the
9 election or defeat of a clearly identified candidate, or that amounts
10 to the functional equivalent of express advocacy. The term
11 “independent expenditure” also includes an electioneering
12 communication expenditure made for the purpose of expressly
13 advocating the passage or defeat of a public question or referendum,
14 or that amounts to the functional equivalent of express advocacy.
15 An independent expenditure qualifies as the functional equivalent
16 of express advocacy if it can only be interpreted by a reasonable
17 person as advocating the election or defeat of a candidate or the
18 passage or defeat of a public question or referendum, taking into
19 consideration whether the communication mentions a candidate,
20 public question, or referendum and discusses a candidate’s
21 character, qualifications, fitness for office, position on an issue, or
22 in the case of a public question or referendum, its merits or lack
23 thereof.¹

24 (cf: P.L.2019, c.124, s.1)

25

26 ¹20. Section 21 of P.L.1993, c.65 (C.19:44A-8.1) is amended to
27 read as follows:

28 21. a. Each political committee, as defined in subsection i. of
29 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes
30 the nomination for election or the election of a candidate or the
31 passage or defeat of a public question, each independent
32 expenditure committee, as defined in subsection t. of section 3 of
33 P.L.1973, c.83 (C.19:44A-3), each continuing political committee
34 as defined in subsection n. of section 3 of P.L.1973, c.83, and each
35 legislative leadership committee as defined in subsection s. of
36 section 3 of P.L.1973, c.83, shall submit to the commission a
37 statement of registration which includes:

38 (1) the complete name or identifying title of the committee and
39 the general category of entity or entities, including but not limited
40 to business organizations, labor organizations, professional or trade
41 associations, candidate for or holder of public office, political party,
42 ideological grouping or civic association, the interests of which are
43 shared by the leadership, members, or financial supporters of the
44 committee;

45 (2) the mailing address of the committee and the name and
46 resident address of a resident of this State who shall have been
47 designated by the committee as its agent to accept service of
48 process; and

1 (3) a descriptive statement prepared by the organizers or officers
2 of the committee that identifies (a) the names and mailing addresses
3 of the persons having control over the affairs of the committee,
4 including but not limited to persons in whose name or at whose
5 direction or suggestion the committee solicits funds, and persons
6 participating in any decision to make a contribution of such funds to
7 any candidate, political committee or continuing political
8 committee and, in the case of an independent expenditure
9 committee, any decision to expend funds for the purpose of
10 **【influencing or attempting to influence the outcome of any election**
11 **or the nomination, election, or defeat of any person to State or local**
12 **elective public office or the passage or defeat of any public**
13 **question, legislation, or regulation, or in providing political**
14 **information on any candidate or public question, legislation, or**
15 **regulation】 making independent expenditures; (b) the name and**
16 **mailing address of any person not included among the persons**
17 **identified under subparagraph (a) of this paragraph who, directly or**
18 **through an agent, participated in the initial organization of the**
19 **committee; (c) in the case of any person identified under**
20 **subparagraph (a) or subparagraph (b) who is an individual, the**
21 **occupation of that individual, the individual's home address, and the**
22 **name and mailing address of the individual's employer, or, in the**
23 **case of any such person which is a corporation, partnership,**
24 **unincorporated association, or other organization, the name and**
25 **mailing address of the organization; and (d) any other information**
26 **which the Election Law Enforcement Commission may, under such**
27 **regulations as it shall adopt pursuant to the provisions of the**
28 **"Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et**
29 **seq.), require as being material to the fullest possible disclosure of**
30 **the economic, political and other particular interests and objectives**
31 **which the committee has been organized to or does advance. The**
32 **commission shall be informed, in writing, of any change in the**
33 **information required by this paragraph within three days of the**
34 **occurrence of the change. Legislative leadership committees shall**
35 **be exempt from the requirements of subparagraphs (a), (b) and (c)**
36 **of this paragraph.**

37 b. After submission of a statement of registration to the
38 commission pursuant to this section, the committee shall use the
39 complete name or identifying title on all documents submitted to
40 the commission, in all solicitations for contributions, in all paid
41 media advertisements purchased or paid for by the committee in
42 support of or in opposition to any candidate or public question, and
43 in all contributions made by the committee to candidates or other
44 committees and, in the case of an independent expenditure
45 committee, any decision to expend funds for the purpose of
46 **【influencing or attempting to influence the outcome of any election**
47 **or the selection, nomination, election, or defeat of any person to**
48 **State or local elective public office or the passage or defeat of any**
49 **public question, legislation, or regulation, or in providing political**

1 information on any candidate or public question, legislation, or
2 regulation] making independent expenditures.

3 c. Each report of contributions under section 8 of P.L.1973,
4 c.83 (C.19:44A-8) by a political committee, continuing political
5 committee, independent expenditure committee, or legislative
6 leadership committee required under subsection a. of this section to
7 submit a statement of registration shall include, in the case of each
8 contributor who is an individual, the home address of the individual
9 if different from the individual's mailing address, or, in the case of
10 any contributor which is an organization, any information, in
11 addition to that otherwise required, which the Election Law
12 Enforcement Commission may, under such regulations as it shall
13 adopt pursuant to the provisions of the "Administrative Procedure
14 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being
15 material to the fullest possible disclosure of the economic, political
16 and other particular interests and objectives which the contributing
17 organization has been organized to or does advance.

18 d. Any political committee, continuing political committee,
19 independent expenditure committee, or legislative leadership
20 committee may at any time apply to the commission for approval of
21 an abbreviation or acronym of its complete, official name or title for
22 its exclusive use on documents which it shall submit to the
23 commission. Upon verification that the abbreviation or acronym
24 has not been approved for such use by any other political
25 committee, continuing political committee, independent expenditure
26 committee, or legislative leadership committee, the commission
27 shall approve the abbreviation or acronym for such use by the
28 applicant committee, and the committee, and any individual,
29 corporation, partnership, membership organization or incorporated
30 or unincorporated association which, under the provisions of
31 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the
32 commission containing a reference to that committee, shall
33 thereafter use that approved abbreviation or acronym in documents
34 submitted to the commission. The commission shall, during its
35 regular office hours, maintain for public inspection in its offices a
36 current alphabetically arranged list of all such approved
37 abbreviations and acronyms, indicating for each the name of the
38 committee for which it stands, and shall make copies of the list
39 available upon request.

40 e. No foreign national, government, instrumentality, or agent
41 may register as an independent expenditure committee for the
42 purpose of making independent expenditures in any State or local
43 election.¹

44 (cf: P.L.2019, c.124, s.3)

45

46 ¹**[18.] 21.**¹ Section 1 of P.L.2005, c.271 (C.40A:11-51) is
47 repealed.

48

49 **[19.] 22.**¹ This act shall take effect on January 1, 2023.