

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2866

STATE OF NEW JERSEY
220th LEGISLATURE

ADOPTED FEBRUARY 23, 2023

Sponsored by:

Senator NICHOLAS P. SCUTARI

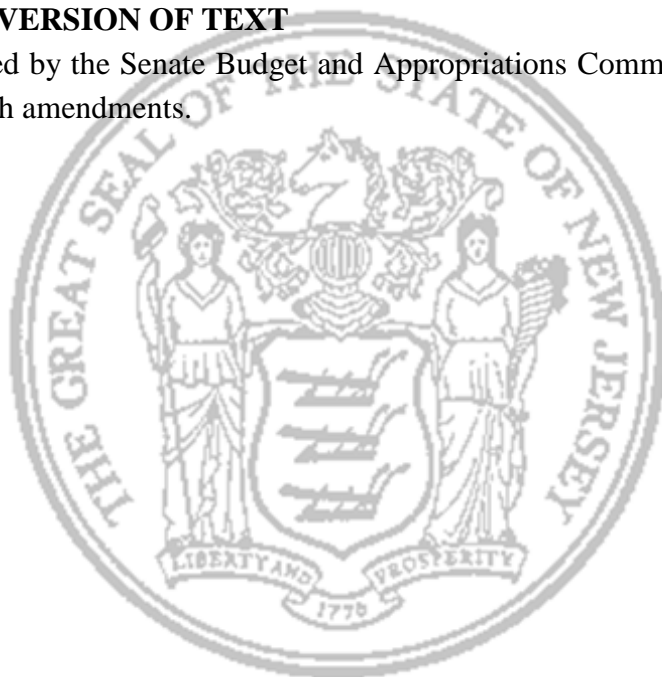
District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Establishes “Elections Transparency Act;” requires reporting of campaign contributions in excess of \$200; increases contribution limits; concerns independent expenditure committees, certain business entity contributions, and certain local provisions; requires appropriation.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on March 16, 2023, with amendments.



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 (C.19:44A-1 et seq.), repealing section 1 of
5 P.L.2005, c.271, and requiring an appropriation.

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

9
10 1. Section 7 of P.L.1973, c.83 (C.19:44A-7) is amended to read
11 as follows:

12 7. The amount which may be spent in aid of the candidacy of
13 any qualified candidate for Governor in a primary election shall not
14 exceed **[\$2,200,000]** \$7,300,000. The amount which may be spent
15 in aid of the candidacy of any qualified joint candidates for
16 Governor and Lieutenant Governor in a general election shall not
17 exceed **[\$5,000,000]** \$15,600,000; but such sums shall not include
18 the traveling expenses of the candidate or candidates or of any
19 person other than the candidate or candidates if such traveling
20 expenses are voluntarily paid by such person without any
21 understanding or agreement with the candidate or candidates that
22 they shall be, directly or indirectly, repaid to him by the candidate
23 or candidates.
24 (cf: P.L.2009, c.66, s.7)

25
26 2. Section 22 of P.L.1993, c.65 (C.19:44A-7.2) is amended to
27 read as follows:

28 22. a. Not later than December 1 **[of each year preceding any**
29 **year in which a general election is to be held to fill the offices of**
30 **Governor and Lieutenant Governor for a four-year term], 2023 and**
31 **every two years thereafter**, the Election Law Enforcement
32 Commission shall adjust the amounts, set forth in subsection b. of
33 this section, which shall be applicable under P.L.1973, c.83
34 (C.19:44A-1 et al.) to primary and general elections for any public
35 office other than the offices of Governor and Lieutenant Governor
36 at a percentage which shall be **[the same]** calculated in the same
37 manner as the percentage of change that the commission applies to
38 the amounts used for the primary election for the office of Governor
39 and the general election for the offices of Governor and Lieutenant
40 Governor **[held in the third year preceding the year in which that**
41 **December 1 occurs]**, pursuant to section 19 of P.L.1980, c.74
42 (C.19:44A-7.1), and any amount so adjusted shall be rounded in the
43 same manner as provided in that section.

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:

¹ Senate SBA committee amendments adopted March 16, 2023.

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

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

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

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

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

31 (5) the maximum amount that a person, not acting in concert
32 with any other person or group, may spend to support or defeat a
33 candidate or to aid the passage or defeat of a public question
34 without being required to report all such expenditures and expenses
35 to the commission pursuant to section 11 of P.L.1973, c.83
36 (C.19:44A-11) and the maximum amount that a person, not acting
37 in concert with any other person or group, may raise through a
38 public solicitation and expend to finance any lawful activity in
39 support of or in opposition to any candidate or public question or to
40 seek to influence the content, introduction, passage or defeat of
41 legislation pursuant to section 19 of P.L.1973, c.83 (C.19:44A-19);

42 (6) the maximum amount that may be expended, in the
43 aggregate, on behalf of a candidate without requiring that candidate
44 to file contribution reports with the commission and the maximum
45 amount that may be expended, in the aggregate, on behalf of a
46 candidate seeking election to a public office of a school district,
47 without requiring that candidate to file contribution reports with the

1 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-
2 16);

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

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

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

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

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

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

26 c. Not later than December 15 **【of each year preceding any**
27 **year in which a general election is to be held to fill the offices of**
28 **Governor and Lieutenant Governor for a four-year term】**, 2023 and
29 every two years thereafter, the commission shall report to the
30 Legislature and make public its adjustment of limits in accordance
31 with the provisions of this section. Whenever, following the
32 transmittal of that report, the commission shall have notice that a
33 person has declared as a candidate for nomination for election or for
34 election to any public office in a forthcoming primary or general
35 election, it shall promptly notify that candidate of the amounts of
36 those adjusted limits.

37 (cf: P.L.2009, c.66, s.9)

38

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

41 2. a. No later than July 1 **【of each year preceding any year in**
42 **which a general election is to be held to fill the offices of Governor**
43 **and Lieutenant Governor for a four-year term】**, 2024 and every two
44 years thereafter, the commission shall **【issue a report setting forth**
45 **its recommendations for the adjustment of】** adjust the amounts, set
46 forth in subsection b. of this section and applicable to P.L.1973,
47 c.83 (C.19:44A-1 et seq.), to primary and general elections for any

1 public office other than the offices of Governor and Lieutenant
2 Governor, to limitations on contributions to and from political
3 committees, continuing political committees, candidate committees,
4 joint candidates committees, political party committees and
5 legislative leadership committees and to other amounts, at a
6 percentage which shall be **【the same】** calculated in the same
7 manner as the percentage of change that the commission applies to
8 the amounts used for the primary election for the office of Governor
9 and the general election for the offices of Governor and Lieutenant
10 Governor **【held in the third year preceding the year in which that**
11 **December 1 occurs】**, pursuant to section 19 of P.L.1980, c.74
12 (C.19:44A-7.1). Any amount so **【recommended for adjustment】**
13 adjusted shall be rounded in the same manner as provided in that
14 section.

15 b. The amounts to be **【recommended for adjustment】** adjusted
16 as provided under this section shall be:

17 (1) the maximum amount of contributions permitted to be made
18 by an individual, a corporation or labor organization to a candidate,
19 candidate committee or joint candidates committee, the maximum
20 amount of contributions permitted to be made by a political
21 committee or a continuing political committee to a candidate,
22 candidate committee or joint candidates committee other than the
23 committee of a candidate for nomination for the office of Governor
24 or the committee of candidates for election to the offices of
25 Governor and Lieutenant Governor and the maximum amount of
26 contributions permitted to be made by one candidate, candidate
27 committee or joint candidates committee, other than the committee
28 of a candidate for nomination for the office of Governor or the
29 committee for election to the offices of Governor and Lieutenant
30 Governor, to another candidate, candidate committee or joint
31 candidates committee other than the committee of a candidate for
32 nomination for the office of Governor or the committee for election
33 to the offices of Governor and Lieutenant Governor pursuant to
34 section 18 of P.L.1993, c.65 (C.19:44A-11.3);

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

41 (3) the maximum amount of contributions permitted to be made
42 by a candidate, candidate committee or joint candidates committee
43 to a political committee or a continuing political committee and the
44 maximum amount of contributions permitted to be made by one
45 political committee or continuing political committee to another
46 political committee or continuing political committee pursuant to
47 section 20 of P.L.1993, c.65 (C.19:44A-11.5).

1 c. No later than July 15 ~~of each year preceding any year in~~
2 which a general election is to be held to fill the offices of Governor
3 and Lieutenant Governor for a four-year term], ~~2024 and every two~~
4 ~~years thereafter~~, the commission shall ~~transmit a copy of its report~~
5 to each member of] ~~report to the Legislature and make public its~~
6 ~~recommended~~ adjustment of limits pursuant to this section. ~~The~~
7 Legislature shall have the option of adopting all or part of the
8 recommended adjustments by the passage of appropriate
9 legislation] ~~Whenever, following the transmittal of that report, the~~
10 ~~commission shall have notice that a person has declared as a~~
11 ~~candidate for nomination for election or for election to any public~~
12 ~~office in a forthcoming primary or general election, it shall~~
13 ~~promptly notify that candidate of the amounts of those adjusted~~
14 ~~limits.~~

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

16

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

19 8. a. (1) Each political committee shall make a full cumulative
20 report, upon a form prescribed by the Election Law Enforcement
21 Commission, of all contributions in excess of \$200 in the form of
22 moneys, loans, paid personal services, or other things of value made
23 to it and all expenditures made, incurred, or authorized by it in
24 furtherance of the nomination, election, or defeat of any candidate,
25 or in aid of the passage or defeat of any public question, or to
26 provide political information on any candidate or public question,
27 during the period ending 48 hours preceding the date of the report
28 and beginning on the date on which the first of those contributions
29 was received or the first of those expenditures was made, whichever
30 occurred first. The cumulative report, except as hereinafter
31 provided, shall contain the name and mailing address of each person
32 or group from whom moneys, loans, paid personal services or other
33 things of value in excess of \$200 have been contributed since 48
34 hours preceding the date on which the previous such report was
35 made and the amount contributed by each person or group, and
36 where the contributor is an individual, the report shall indicate the
37 occupation of the individual and the name and mailing address of
38 the individual's employer. In the case of any loan reported pursuant
39 to this subsection, the report shall contain the name and mailing
40 address of each person who has cosigned such loan since 48 hours
41 preceding the date on which the previous such report was made, and
42 where an individual has cosigned such loans, the report shall
43 indicate the occupation of the individual and the name and mailing
44 address of the individual's employer. The cumulative report shall
45 also contain the name and address of each person, firm or
46 organization to whom expenditures have been paid since 48 hours
47 preceding the date on which the previous such report was made and

1 the amount and purpose of each such expenditure. The cumulative
2 report shall be filed with the Election Law Enforcement
3 Commission on the dates designated in section 16 hereof.

4 The campaign treasurer of the political committee reporting shall
5 certify to the correctness of each report.

6 Each campaign treasurer of a political committee shall file
7 written notice with the commission of a contribution in excess of
8 ~~[\$500]~~ \$200 received during the period between the 13th day prior
9 to the election and the date of the election, and of an expenditure of
10 money or other thing of value in excess of ~~[\$500]~~ \$200 made,
11 incurred or authorized by the political committee to support or
12 defeat a candidate in an election, or to aid the passage or defeat of
13 any public question, during the period between the 13th day prior to
14 the election and the date of the election. The notice of a
15 contribution shall be filed in writing or by electronic transmission
16 within ~~[48]~~ 72 hours of the receipt of the contribution ~~[and]~~ when
17 the contribution is received between the 13th day and the eighth day
18 prior to the election, or within 24 hours of the receipt of the
19 contribution when the contribution is received between the seventh
20 day prior to the election and the date of the election. The notice
21 shall set forth the amount and date of the contribution, the name and
22 mailing address of the contributor, and where the contributor is an
23 individual, the individual's occupation and the name and mailing
24 address of the individual's employer. The notice of an expenditure
25 shall be filed in writing or by electronic transmission within ~~[48]~~
26 72 hours of the making, incurring or authorization of the
27 expenditure ~~[and]~~ when the expenditure is made, incurred, or
28 authorized between the 13th day and the eighth day prior to the
29 election, or within 24 hours when the expenditure is made, incurred,
30 or authorized between the seventh day prior to the election and the
31 date of the election. The notice shall set forth the name and mailing
32 address of the person, firm or organization to whom or which the
33 expenditure was paid and the amount and purpose of the
34 expenditure.

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

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

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

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

15 (2) A continuing political committee shall file with the Election
16 Law Enforcement Commission, not later than April 15, July 15,
17 October 15 and January 15 of each calendar year, a cumulative
18 quarterly report of all moneys, loans, paid personal services or other
19 things of value in excess of \$200 contributed to it during the period
20 ending on the 15th day preceding that date and commencing on
21 January 1 of that calendar year or, in the case of the cumulative
22 quarterly report to be filed not later than January 15, of the previous
23 calendar year, and all expenditures made, incurred, or authorized by
24 it during the period, whether or not such expenditures were made,
25 incurred or authorized in furtherance of the election or defeat of any
26 candidate, or in aid of the passage or defeat of any public question
27 or to provide information on any candidate or public question.

28 The cumulative quarterly report shall contain the name and
29 mailing address of each person or group from whom moneys, loans,
30 paid personal services or other things of value in excess of \$200
31 have been contributed and the amount contributed by each person or
32 group, and where an individual has made such contributions, the
33 report shall indicate the occupation of the individual and the name
34 and mailing address of the individual's employer. In the case of any
35 loan reported pursuant to this subsection, the report shall contain
36 the name and address of each person who cosigns such loan, and
37 where an individual has cosigned such loans, the report shall
38 indicate the occupation of the individual and the name and mailing
39 address of the individual's employer. The report shall also contain
40 the name and address of each person, firm or organization to whom
41 expenditures have been paid and the amount and purpose of each
42 such expenditure. The treasurer of the continuing political
43 committee reporting shall certify to the correctness of each
44 cumulative quarterly report.

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

1 If any continuing political committee submitting cumulative
2 quarterly reports as provided under this subsection receives a
3 contribution from a single source of more than ~~[\$500]~~ \$200 after
4 the final day of a quarterly reporting period and on or before a
5 primary, general, municipal, school or special election which occurs
6 after that final day but prior to the final day of the next reporting
7 period it shall, in writing or by electronic transmission, report that
8 contribution to the commission within ~~[48]~~ 72 hours of the receipt
9 thereof ¹if that contribution is received between the 15th day prior
10 to that election and the day of the election¹, except that a
11 contribution received between the seventh day prior to the election
12 and the date of the election shall be reported within 24 hours of the
13 receipt thereof, including in that report the amount and date of the
14 contribution; the name and mailing address of the contributor; and
15 where the contributor is an individual, the individual's occupation
16 and the name and mailing address of the individual's employer. If
17 any continuing political committee makes or authorizes an
18 expenditure of money or other thing of value in excess of ~~[\$500]~~
19 \$200, or incurs any obligation therefor, to support or defeat a
20 candidate in an election, or to aid the passage or defeat of any
21 public question, ¹~~[after March 31 and on or before]~~ between the
22 15th day prior to the day of the primary election and¹ the day of the
23 primary election, or ¹[after September 30 and on or before]
24 between the 15th day prior to the day of the general election and¹
25 the day of the general election, it shall, in writing or by electronic
26 transmission, report that expenditure to the commission within [48]
27 72 hours of the making, authorizing or incurring thereof, except
28 that an expenditure made, authorized, or incurred between the
29 seventh day prior to the election and the date of the election shall be
30 reported within 24 hours of the making, authorizing, or incurring
31 thereof.

32 A continuing political committee which ceases making
33 contributions toward the aiding or promoting of the candidacy of an
34 individual, or of the candidacies of individuals, for elective public
35 office in this State or the passage or defeat of a public question or
36 public questions in this State shall certify that fact in writing to the
37 commission, and that certification shall be accompanied by a final
38 accounting of any fund relating to such aiding or promoting
39 including the final disposition of any balance in such fund at the
40 time of dissolution. Until that certification has been filed, the
41 committee shall continue to file the quarterly reports as provided
42 under this subsection.

43 c. Each political party committee and each legislative
44 leadership committee shall file with the Election Law Enforcement
45 Commission, not later than April 15, July 15, October 15 and
46 January 15 of each calendar year, a cumulative quarterly report of
47 all moneys, loans, paid personal services or other things of value in

1 excess of \$200 contributed to it during the period ending on the
2 15th day preceding that date and commencing on January 1 of that
3 calendar year or, in the case of the cumulative quarterly report to be
4 filed not later than January 15, of the previous calendar year, and all
5 expenditures made, incurred, or authorized by it during the period,
6 whether or not such expenditures were made, incurred or authorized
7 in furtherance of the election or defeat of any candidate, or in aid of
8 the passage or defeat of any public question or to provide
9 information on any candidate or public question.

10 The cumulative quarterly report shall contain the name and
11 mailing address of each person or group from whom moneys, loans,
12 paid personal services or other things of value in excess of \$200
13 have been contributed and the amount contributed by each person or
14 group, and where an individual has made such contributions, the
15 report shall indicate the occupation of the individual and the name
16 and mailing address of the individual's employer. In the case of any
17 loan reported pursuant to this subsection, the report shall contain
18 the name and address of each person who cosigns such loan, and
19 where an individual has cosigned such loans, the report shall
20 indicate the occupation of the individual and the name and mailing
21 address of the individual's employer. The report shall also contain
22 the name and address of each person, firm or organization to whom
23 expenditures have been paid and the amount and purpose of each
24 such expenditure. The treasurer of the political party committee or
25 legislative leadership committee reporting shall certify to the
26 correctness of each cumulative quarterly report.

27 d. (1) Each independent expenditure committee making an
28 electioneering communication pertaining to a primary election shall
29 file with the Election Law Enforcement Commission, **【**not later
30 than April 15, July 15, October 15 and January 15 of each calendar
31 year, a cumulative quarterly report**】** a cumulative report on the 11th
32 day preceding the primary election, and after the primary election
33 file a report on the 20th day following the election, upon a form
34 prescribed by the Election Law Enforcement Commission, of all
35 contributions received in excess of **【\$10,000】** \$7,500 in the form of
36 moneys, loans, paid personal services, or other things of value made
37 to it ¹for the purpose of furthering the independent expenditure¹,
38 and of all independent expenditures **【in excess of \$3,000】** made,
39 incurred, or authorized by it **【**in influencing or attempting to
40 influence the outcome of any election or the nomination, election,
41 or defeat of any person to State or local elective public office or the
42 passage or defeat of any public question, legislation, or regulation,
43 or in providing political information on any candidate or public
44 question, legislation, or regulation, during the period ending 48
45 hours preceding the date of the report and beginning on the date on
46 which the first of those contributions was received or the first of
47 those expenditures was made, whichever occurred first. The

1 quarterly beginning on the first day of the preceding calendar year
2 and ending on the reporting date. Each independent expenditure
3 committee making an electioneering communication pertaining to a
4 municipal, runoff, school board, special, or general election shall
5 file with the Election Law Enforcement Commission a cumulative
6 report on the 29th day preceding the election, a report on the 11th
7 day preceding the election, and after the election file a report on the
8 20th day following the election, upon a form prescribed by the
9 Election Law Enforcement Commission, of all contributions
10 received in excess of \$7,500 in the form of moneys, loans, paid
11 personal services, or other things of value made to it ¹for the
12 purpose of furthering the independent expenditure¹, and of all
13 independent expenditures made, incurred, or authorized by it
14 beginning on the first day of the preceding calendar year and ending
15 on the reporting date. The report, except as hereinafter provided,
16 shall contain the name and mailing address of each person or group
17 from whom moneys, loans, paid personal services or other things of
18 value have been contributed since 48 hours preceding the date on
19 which such previous report was made and the amount contributed
20 by each person or group in excess of ~~[\$10,000]~~ \$7,500, and when
21 the contributor is an individual, the report shall indicate the
22 occupation of the individual and the name and mailing address of
23 the individual's employer. In the case of any loan reported pursuant
24 to this subsection, the report shall contain the name and mailing
25 address of each person who has cosigned such loan since 48 hours
26 preceding the date on which the previous such report was made, and
27 when an individual has cosigned such loans, the report shall
28 indicate the occupation of the individual and the name and mailing
29 address of the individual's employer. The ~~quarterly~~ report shall
30 also contain the name and address of each person, firm, or
31 organization to whom expenditures have been paid since 48 hours
32 preceding the date on which the previous such report was made and
33 the amount and purpose of each such expenditure.

34 (2) ~~An independent expenditure committee shall disclose all~~
35 ~~expenditures made by it in excess of \$3,000, including, but not~~
36 ~~limited to, for electioneering communications, voter registration,~~
37 ~~get-out-the-vote efforts, polling, and research. The disclosures~~
38 ~~required by this paragraph shall be reported to the Election Law~~
39 ~~Enforcement Commission on the same schedule as required for~~
40 ~~continuing political committees pursuant to this section.]~~

41 The treasurer of the reporting independent expenditure
42 committee shall certify the correctness of each report and shall
43 maintain all records of contributions and expenditures for a period
44 of not less than four years.

45 The ~~[\$10,000]~~ \$7,500 contribution amount ~~and the \$3,000~~
46 ~~expenditure amount established in this subsection]~~ shall remain as
47 stated in this subsection without further adjustment by the

1 commission pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
2 7.2).

3 e. When a political party committee **[,]** or legislative
4 leadership committee **[or independent expenditure committee]**
5 receives a contribution from a single source of more than **[\$500]**
6 \$200 after the final day of a quarterly reporting period and on or
7 before a primary, general, municipal, school, or special election
8 which occurs after that final day but prior to the final day of the
9 next reporting period it shall, in writing or by electronic
10 transmission, report that contribution to the commission within
11 **[48]** 72 hours of the receipt thereof ¹if that contribution is received
12 between the 15th day prior to that election and the day of the
13 election¹, except that a contribution received between the seventh
14 day prior to the election and the date of the election shall be
15 reported within 24 hours of the receipt thereof, including in that
16 report the amount and date of the contribution; the name and
17 mailing address of the contributor; and where the contributor is an
18 individual, the individual's occupation and the name and mailing
19 address of the individual's employer. When a political party
20 committee **[,]** or legislative leadership committee **[, or an**
21 **independent expenditure committee]** makes or authorizes an
22 expenditure of money or other thing of value in excess of \$800, or
23 incurs any obligation therefor, to support or defeat a candidate in an
24 election, or to aid the passage or defeat of any public question, **[or**
25 **to aid the passage or defeat of legislation or regulation in the case of**
26 **an independent expenditure committee,]** ¹**[after March 31 and on or**
27 **before]** between the 15th day prior to the day of the primary
28 election and¹ the day of the primary election, or ¹[after September
29 30 and on or before] between the 15th day prior to the day of the
30 general election and¹ the day of the general election, it shall, in
31 writing or by electronic transmission, report that expenditure to the
32 commission within **[48]** 72 hours of the making, authorizing or
33 incurring thereof, except that an expenditure made, authorized, or
34 incurred between the seventh day prior to the election and the date
35 of the election shall be reported within 24 hours of the making,
36 authorizing, or incurring thereof.

37 f. In any report filed pursuant to the provisions of this section
38 the organization or committee reporting may exclude from the
39 report the name of and other information relating to any contributor
40 whose contributions during the period covered by the report did not
41 exceed **[\$300]** \$200, provided, however, that (1) such exclusion is
42 unlawful if any person responsible for the preparation or filing of
43 the report knew that it was made with respect to any person whose
44 contributions relating to the same election or issue and made to the
45 reporting organization or committee aggregate, in combination with
46 the contribution in respect of which such exclusion is made, more

1 than **[\$300]** \$200 and (2) any person who knowingly prepares,
2 assists in preparing, files or acquiesces in the filing of any report
3 from which the identification of a contributor has been excluded
4 contrary to the provisions of this section is subject to the provisions
5 of section 21 of P.L.1973, c.83 (C.19:44A-21), but (3) nothing in
6 this proviso shall be construed as requiring any committee or
7 organization reporting pursuant to this act to report the amounts,
8 dates or other circumstantial data regarding contributions made to
9 any other organization or political committee, political party
10 committee or campaign organization of a candidate.

11 g. Any report filed pursuant to the provisions of this section
12 shall include an itemized accounting of all receipts and
13 expenditures relative to any testimonial affairs held since the date
14 of the most recent report filed, which accounting shall include the
15 name and mailing address of each contributor in excess of **[\$300]**
16 \$200 to such testimonial affair and the amount contributed by each;
17 in the case of an individual contributor, the occupation of the
18 individual and the name and mailing address of the individual's
19 employer; the expenses incurred; and the disposition of the
20 proceeds of such testimonial affair.

21 The **[\$300]** \$200 limit established in this subsection shall
22 remain as stated in this subsection without further adjustment by the
23 commission in the manner prescribed by section 22 of P.L.1993,
24 c.65 (C.19:44A-7.2).
25 (cf: P.L.2019, c.124, s.2)

26
27 5. Section 11 of P.L.1973, c.83 (C.19:44A-11) is amended to
28 read as follows:

29 11. No contribution of money or other thing of value, nor
30 obligation therefor, including but not limited to contributions, loans
31 or obligations of a candidate himself or of his family, shall be made
32 or received, and no expenditure of money or other thing of value,
33 nor obligation therefor, including expenditures, loans or obligations
34 of a candidate himself or of his family, shall be made or incurred,
35 directly or indirectly, to support or defeat a candidate in any
36 election, or to aid the passage or defeat of any public question, or
37 **[to aid the passage or defeat of legislation or regulation]** as an
38 independent expenditure or electioneering communication in the
39 case of an independent expenditure committee, except through:

40 a. The duly appointed campaign treasurer or deputy campaign
41 treasurers of the candidate committee or joint candidates
42 committee;

43 b. The duly appointed organizational treasurer or deputy
44 organizational treasurers of a political party committee or a
45 continuing political committee;

46 c. The duly appointed campaign treasurer or deputy campaign
47 treasurers of a political committee;

1 d. The duly appointed organizational treasurer or deputy
2 organizational treasurer of a legislative leadership committee; or

3 e. The duly appointed organizational treasurer or deputy
4 organizational treasurer of an independent expenditure committee.

5 It shall be lawful, however, for any person, not acting in concert
6 with any other person or group, to expend personally from his own
7 funds a sum which is not to be repaid to him for any purpose not
8 prohibited by law, or to contribute his own personal services and
9 personal traveling expenses, to support or defeat a candidate or to
10 aid the passage or defeat of a public question; provided, however,
11 that any person making such expenditure shall be required to report
12 his or her name and mailing address and the amount of all such
13 expenditures and expenses, except personal traveling expenses, if
14 the total of the money so expended, exclusive of such traveling
15 expenses, exceeds ~~【\$500】~~ \$200, and also, where the person is an
16 individual, to report the individual's occupation and the name and
17 mailing address of the individual's employer, to the Election Law
18 Enforcement Commission at the same time and in the same manner
19 as a political committee subject to the provisions of section 8 of
20 P.L.1973, c.83 (C.19:44A-8). Such expenditure made during the
21 period between the 13th day and the eighth day prior to the election
22 ~~【and the date of the election】~~ shall be filed in writing or by
23 ~~【telegram】~~ electronic transmission within ~~【48】~~ 72 hours of the
24 making, incurring or authorization of the expenditure, and such
25 expenditure made during the period between the seventh day prior
26 to the election and the date of the election shall be reported within
27 24 hours of the making, incurring, or authorization of the
28 expenditure, which filing shall set forth the name and mailing
29 address of the person, firm or organization to whom or which the
30 expenditure was paid and the amount and purpose of the
31 expenditure.

32 No contribution of money shall be made in currency, except
33 contributions in response to a public solicitation, provided that
34 cumulative currency contributions of up to \$200 may be made to a
35 candidate committee or joint candidates committee, a political
36 committee, a continuing political committee, an independent
37 expenditure committee, a legislative leadership committee or a
38 political party committee if the contributor submits with the
39 currency contribution a written statement of a form as prescribed by
40 the commission, indicating the contributor's name, mailing address
41 and occupation and the amount of the contribution, including the
42 contributor's signature and the name and mailing address of the
43 contributor's employer. Adjustments to the \$200 limit established in
44 this paragraph which have been made by the Election Law
45 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
46 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
47 rescinded. The \$200 limit established in this paragraph shall remain
48 as stated in this paragraph 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 Any anonymous contribution received by a campaign treasurer
4 or deputy campaign treasurer shall not be used or expended, but
5 shall be returned to the donor, if his identity is known, and if no
6 donor is found, the contribution shall escheat to the State.

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

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

19

20 6. 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 e. For the purpose of determining the amount of a contribution
38 to be attributed as given to or by each candidate in a joint
39 candidates committee, the amount of the contribution to or by such
40 a committee shall be divided equally among all the candidates in the
41 committee.

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

43

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

46 19. a. (1) Except as otherwise provided in paragraph (2) of this
47 subsection, no individual, no corporation of any kind organized and
48 incorporated under the laws of this State or any other state or any

1 country other than the United States, no labor organization of any
2 kind which exists or is constituted for the purpose, in whole or in
3 part, of collective bargaining, or of dealing with employers
4 concerning the grievances, terms or conditions of employment, or
5 of other mutual aid or protection in connection with employment,
6 no political committee, continuing political committee, candidate
7 committee or joint candidates committee or any other group, shall
8 pay or make any contribution of money or other thing of value to
9 the campaign treasurer, deputy treasurer or other representative of
10 the State committee of a political party or the campaign treasurer,
11 deputy campaign treasurer or other representative of any legislative
12 leadership committee, which in the aggregate exceeds **[\$25,000]**
13 \$75,000 per year, or in the case of a joint candidates committee
14 when that is the only committee established by the candidates,
15 **[\$25,000]** \$75,000 per year per candidate in the joint candidates
16 committee, or in the case of a candidate committee and a joint
17 candidates committee when both are established by a candidate,
18 **[\$25,000]** \$75,000 per year from that candidate. No campaign
19 treasurer, deputy campaign treasurer or other representative of the
20 State committee of a political party or campaign treasurer, deputy
21 campaign treasurer or other representative of any legislative
22 leadership committee shall knowingly accept from an individual, a
23 corporation of any kind organized and incorporated under the laws
24 of this State or any other state or any country other than the United
25 States, a labor organization of any kind which exists or is
26 constituted for the purpose, in whole or in part, of collective
27 bargaining, or of dealing with employers concerning the grievances,
28 terms or conditions of employment, or of other mutual aid or
29 protection in connection with employment, a political committee, a
30 continuing political committee, a candidate committee or a joint
31 candidates committee or any other group, any contribution of
32 money or other thing of value which in the aggregate exceeds
33 **[\$25,000]** \$75,000 per year, or in the case of a joint candidates
34 committee when that is the only committee established by the
35 candidates, **[\$25,000]** \$75,000 per year per candidate in the joint
36 candidates committee, or in the case of a candidate committee and a
37 joint candidates committee when both are established by a
38 candidate, **[\$25,000]** \$75,000 per year from that candidate.

39 (2) No national committee of a political party shall pay or make
40 any contribution of money or other thing of value to the campaign
41 treasurer, deputy treasurer or other representative of the State
42 committee of a political party which in the aggregate exceeds
43 **[\$72,000]** \$144,000 per year, and no campaign treasurer, deputy
44 campaign treasurer or other representative of the State committee of
45 a political party shall knowingly accept from the national committee
46 of a political party any contribution of money or other thing of
47 value which in the aggregate exceeds **[\$72,000]** \$144,000 per year.

1 b. No individual, no corporation of any kind organized and
2 incorporated under the laws of this State or any other state or any
3 country other than the United States, no labor organization of any
4 kind which exists or is constituted for the purpose, in whole or in
5 part, of collective bargaining, or of dealing with employers
6 concerning the grievances, terms or conditions of employment, or
7 of other mutual aid or protection in connection with employment,
8 no political committee, continuing political committee, candidate
9 committee or joint candidates committee or any other group, shall
10 pay or make any contribution of money or other thing of value to
11 any county committee of a political party, which in the aggregate
12 exceeds ~~【\$37,000】~~ \$75,000 per year, or in the case of a joint
13 candidates committee when that is the only committee established
14 by the candidates, ~~【\$37,000】~~ \$75,000 per year per candidate in the
15 joint candidates committee, or in the case of a candidate committee
16 and a joint candidates committee when both are established by a
17 candidate, ~~【\$37,000】~~ \$75,000 per year from that candidate. No
18 campaign treasurer, deputy campaign treasurer or other
19 representative of a county committee of a political party shall
20 knowingly accept from an individual, a corporation of any kind
21 organized and incorporated under the laws of this State or any other
22 state or any country other than the United States, a labor
23 organization of any kind which exists or is constituted for the
24 purpose, in whole or in part, of collective bargaining, or of dealing
25 with employers concerning the grievances, terms or conditions of
26 employment, or of other mutual aid or protection in connection with
27 employment, a political committee, a continuing political
28 committee, a candidate committee or a joint candidates committee
29 or any other group, any contribution of money or other thing of
30 value which in the aggregate exceeds ~~【\$37,000】~~ \$75,000 per year,
31 or in the case of a joint candidates committee when that is the only
32 committee established by the candidates, ~~【\$37,000】~~ \$75,000 per
33 year per candidate in the joint candidates committee, or in the case
34 of a candidate committee and a joint candidates committee when
35 both are established by a candidate, ~~【\$37,000】~~ \$75,000 per year
36 from that candidate.

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

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

26 No county committee of a political party in any county shall pay
27 or make any contribution of money or other thing of value to a
28 municipal committee of a political party in a municipality not
29 located in that county which in the aggregate exceeds the amount of
30 aggregate contributions which, under this subsection, a continuing
31 political committee is permitted to pay or make to a municipal
32 committee of a political party. No campaign treasurer, deputy
33 campaign treasurer or other representative of a municipal committee
34 of a political party in any municipality shall knowingly accept from
35 any county committee of a political party in any county other than
36 the county in which the municipality is located any contribution of
37 money or other thing of value which in the aggregate exceeds the
38 amount of contributions permitted to be so paid or made under that
39 subsection.

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

45

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

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

1 such a political committee, **[\$7,200]** \$14,400 per election from that
2 candidate, or in the case of a continuing political committee,
3 **[\$7,200]** \$14,400 per year from that candidate. For the purpose of
4 determining the amount of a contribution to be attributed as given
5 by each candidate in a joint candidates committee, the amount of
6 the contribution by such a committee shall be divided equally
7 among all the candidates in the committee.

8 b. No political committee, other than a political committee
9 which is organized to, or does, aid or promote the passage or defeat
10 of a public question in any election, and no continuing political
11 committee shall pay or make any contribution of money or other
12 thing of value to another 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 another
15 continuing political committee which in the aggregate exceeds, in
16 the case of a recipient continuing political committee, **[\$7,200]**
17 \$14,400 per year, or in the case of a recipient political committee,
18 **[\$7,200]** \$14,400 per election. No political committee, other than
19 a political committee which is organized to, or does, aid or promote
20 the passage or defeat of a public question in any election, and no
21 continuing political committee shall knowingly accept from another
22 political committee, other than a political committee which is
23 organized to, or does, aid or promote the passage or defeat of a
24 public question in any election, or another continuing political
25 committee any contribution of money or other thing of value which
26 in the aggregate exceeds, in the case of a recipient continuing
27 political committee, **[\$7,200]** \$14,400 per year, or in the case of a
28 recipient political committee, **[\$7,200]** \$14,400 per election.

29 c. No individual, no corporation of any kind organized and
30 incorporated under the laws of this State or any other state or any
31 country other than the United States, no labor organization of any
32 kind which exists or is constituted for the purpose, in whole or in
33 part, of collective bargaining, or of dealing with employees
34 concerning the grievances, terms or conditions of employment, or
35 of other mutual aid or protection in connection with employment,
36 nor any other group, shall pay or make any contribution of money
37 or other thing of value to a political committee, other than a
38 political committee which is organized to, or does, aid or promote
39 the passage or defeat of a public question in any election, or a
40 continuing political committee, which in the aggregate exceeds, in
41 the case of such a political committee, **[\$7,200]** \$14,400 per
42 election, or in the case of a continuing political committee,
43 **[\$7,200]** \$14,400 per year, and no such political committee or
44 continuing political committee shall knowingly accept any
45 contribution in excess of those amounts from an individual or from
46 such corporation, labor organization, or other group.

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

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

3 16. a. The campaign treasurer of each candidate committee and
4 joint candidates committee shall make a **[full]** cumulative quarterly
5 report, upon a form prescribed by the Election Law Enforcement
6 Commission, of all contributions in excess of \$200 in the form of
7 moneys, loans, paid personal services or other things of value, made
8 to him or to the deputy campaign treasurers of the candidate
9 committee or joint candidates committee, and all expenditures paid
10 out of the election fund of the candidate or candidates, during the
11 period ending with the second day preceding the date of the
12 cumulative quarterly report and beginning on the date of the first of
13 those contributions, the date of the first of those expenditures, or the
14 date of the appointment of the campaign treasurer, whichever
15 occurred first. The report shall also contain the name and mailing
16 address of each person or group from whom moneys, loans, paid
17 personal services or other things of value in excess of \$200 were
18 contributed after the second day preceding the date of the previous
19 cumulative quarterly report and the amount contributed by each
20 person or group, and where an individual has made such
21 contributions, the report shall indicate the occupation of the
22 individual and the name and mailing address of the individual's
23 employer. In the case of any loan reported pursuant to this section,
24 the report shall further contain the name and mailing address of
25 each person who cosigns such loan, the occupation of the person
26 and the name and mailing address of the person's employer. If no
27 moneys, loans, paid personal services or other things of value were
28 contributed, the report shall so indicate, and if no expenditures were
29 paid or incurred, the report shall likewise so indicate. The
30 campaign treasurer and the candidate or several candidates shall
31 certify the correctness of the report.

32 b. During the period between the appointment of the campaign
33 treasurer and the election with respect to which contributions are
34 accepted or expenditures made by him, the campaign treasurer shall
35 file his cumulative campaign quarterly report (1) on the 29th day
36 preceding the election, and (2) on the 11th day preceding the
37 election; and after the election he shall file his report on the 20th
38 day following such election. Concurrent with the report filed on the
39 20th day following an election, or at any time thereafter, the
40 campaign treasurer of a candidate committee or joint candidates
41 committee may certify to the Election Law Enforcement
42 Commission that the election fund of such candidate committee or
43 joint candidates committee has wound up its business and been
44 dissolved, or that business regarding the late election has been
45 wound up but the candidate committee or joint candidates
46 committee will continue for the deposit and use of contributions in
47 accordance with section 17 of P.L.1993, c.65 (C.19:44A-11.2).
48 Certification shall be accompanied by a final accounting of such

1 election fund, or of the transactions relating to such election,
2 including the final disposition of any balance remaining in such
3 fund at the time of dissolution or the arrangements which have been
4 made for the discharge of any obligations remaining unpaid at the
5 time of dissolution. Until the candidate committee or joint
6 candidates committee is dissolved, each such treasurer shall
7 continue to file reports in the form and manner herein prescribed.

8 The Election Law Enforcement Commission shall promulgate
9 regulations providing for the termination of post-election campaign
10 reporting requirements applicable to political committees, candidate
11 committees and joint candidates committees. The requirements to
12 file quarterly reports after the first post-election report may be
13 waived by the commission, notwithstanding that the certification
14 has not been filed, if the commission determines under any
15 regulations so promulgated that the outstanding obligations of the
16 political committee, candidate committee or joint candidates
17 committee do not exceed 10% of the expenditures of the campaign
18 fund with respect to the election or \$1,000.00, whichever is less, or
19 are likely to be discharged or forgiven.

20 A candidate committee or joint candidates committee shall file
21 with the Election Law Enforcement Commission, not later than
22 April 15, July 15, October 15 of each calendar year in which the
23 candidate or candidates in control of the committee does or do not
24 run for election or reelection and January 15 of each calendar year
25 in which the candidate or candidates does or do run for election or
26 reelection, a cumulative quarterly report of all moneys, loans, paid
27 personal services or other things of value in excess of \$200
28 contributed to it or to the candidate or candidates during the period
29 ending on the 15th day preceding that date and commencing on
30 January 1 of that calendar year or, in the case of the cumulative
31 quarterly report to be filed not later than January 15, of the previous
32 calendar year, and all expenditures made, incurred, or authorized by
33 it or the candidate or candidates during the period, whether or not
34 such expenditures were made, incurred or authorized in furtherance
35 of the election or defeat of any candidate, or in aid of the passage or
36 defeat of any public question or to provide information on any
37 candidate or public question. The commission may by regulation
38 require any such candidate committee or joint candidates committee
39 to file during any calendar year one or more additional cumulative
40 reports of such contributions received and expenditures made as
41 may be necessary to ensure that no more than five months shall
42 elapse between the last day of a period covered by one such report
43 and the last day of the period covered by the next such report.

44 The commission, on any form it shall prescribe for the reporting
45 of expenditures by a candidate committee or joint candidates
46 committee, shall provide for the grouping together of all
47 expenditures under the category of "campaign expenses" under
48 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,

1 identified as such, and for the grouping together, separately, of all
2 other expenditures under the categories prescribed by paragraphs
3 (2) through (6) of that subsection. The cumulative quarterly report
4 due on April 15 in a year immediately after the year in which the
5 candidate or candidates does or do run for election or reelection
6 shall contain a report of all of the contributions received and
7 expenditures made by the candidate or candidates since the 18th day
8 after that election.

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 in excess of \$200
12 have been contributed and the amount contributed by each person or
13 group, and where an individual has made such contributions, the
14 report shall indicate the occupation of the individual and the name
15 and mailing address of the individual's employer. In the case of any
16 loan reported pursuant to this section, the report shall contain the
17 name and address of each person who cosigns such loan, and where
18 an individual has cosigned such loans, the report shall indicate the
19 occupation of the individual and the name and mailing address of
20 his employer. The report shall also contain the name and address of
21 each person, firm or organization to whom expenditures have been
22 paid and the amount and purpose of each such expenditure. The
23 treasurer of the candidate committee or joint candidates committee
24 and the candidate or candidates shall certify to the correctness of
25 each cumulative quarterly report.

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

29 d. There shall be no obligation to file the reports required by
30 this section on behalf of a candidate if such candidate files with the
31 Election Law Enforcement Commission a sworn statement to the
32 effect that the total amount to be expended in behalf of his
33 candidacy by the candidate committee, by any political party
34 committee, by any political committee, or by any person shall not in
35 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
36 committee containing two candidates or \$6,000 for any joint
37 candidates committee containing three or more candidates. The
38 sworn statement may be submitted at the time when the name and
39 address of the campaign treasurer and depository is filed with the
40 Election Law Enforcement Commission, provided that in any case
41 the sworn statement is filed no later than the 29th day before an
42 election. If a candidate who has filed such a sworn statement
43 receives contributions from any one source aggregating more than
44 **[\$300]** \$200 he shall forthwith make report of the same, including
45 the name and mailing address of the source and the aggregate total
46 of contributions therefrom, and where the source is an individual,
47 the occupation of the individual and the name and mailing address
48 of the individual's employer, to the Election Law Enforcement

1 Commission. The **[\$300]** \$200 limit established in this subsection
2 shall remain as stated in this subsection without further adjustment
3 by the commission in the manner prescribed by section 22 of
4 P.L.1993, c.65 (C.19:44A-7.2).

5 e. There shall be no obligation imposed upon a candidate
6 seeking election to a public office of a school district to file either
7 the reports required under subsection b. of this section or the sworn
8 statement referred to in subsection d. of this section, if the total
9 amount expended and to be expended in behalf of his candidacy by
10 the candidate committee, any political committee, any continuing
11 political committee, or a political party committee or by any person,
12 does not in the aggregate exceed \$2,000.00 per election or \$4,000
13 for any joint candidates committee containing two candidates or
14 \$6,000 for any joint candidates committee containing three or more
15 candidates; provided, that if such candidate receives contributions
16 from any one source aggregating more than **[\$300]** \$200, he shall
17 forthwith make a report of the same, including the name and
18 mailing address of the source, the aggregate total of contributions
19 therefrom, and where the source is an individual, the occupation of
20 the individual and the name and mailing address of the individual's
21 employer, to the commission.

22 The **[\$300]** \$200 limit established in this subsection shall
23 remain as stated in this subsection without further adjustment by the
24 commission in the manner prescribed by section 22 of P.L.1993,
25 c.65 (C.19:44A-7.2).

26 f. In any report filed pursuant to the provisions of this section,
27 the names and addresses of contributors whose contributions during
28 the period covered by the report did not exceed **[\$300]** \$200 may
29 be excluded; provided, however, that (1) such exclusion is unlawful
30 if any person responsible for the preparation or filing of the report
31 knew that such exclusion was made with respect to any person
32 whose total contributions relating to the same election and made to
33 the reporting candidate or to an allied campaign organization or
34 organizations aggregate, in combination with the total contributions
35 in respect of which such exclusion is made, more than **[\$300]**
36 \$200, and (2) any person who knowingly prepares, assists in
37 preparing, files or acquiesces in the filing of any report from which
38 the identity of any contributor has been excluded contrary to the
39 provisions of this section is subject to the provisions of section 21
40 of this act, but (3) nothing in this proviso shall be construed as
41 requiring any candidate committee or joint candidates committee
42 reporting pursuant to this act to report the amounts, dates or other
43 circumstantial data regarding contributions made to any other
44 candidate committee, joint candidates committee, political
45 committee, continuing political committee, political party
46 committee or legislative leadership committee.

1 The ~~[\$300]~~ \$200 limit established in this subsection shall
2 remain as stated in this subsection without further adjustment by the
3 commission in the manner prescribed by section 22 of P.L.1993,
4 c.65 (C.19:44A-7.2).

5 g. Any report filed pursuant to the provisions of this section
6 shall include an itemized accounting of all receipts and
7 expenditures relative to any testimonial affair held since the date of
8 the most recent report filed, which accounting shall include the
9 name and mailing address of each contributor in excess of ~~[\$300]~~
10 \$200 to such testimonial affair and the amount contributed by each;
11 in the case of any individual contributor, the occupation of the
12 individual and the name and mailing address of the individual's
13 employer; the expenses incurred; and the disposition of the
14 proceeds of such testimonial affair.

15 The ~~[\$300]~~ \$200 limit established in this subsection shall
16 remain as stated in this subsection without further adjustment by the
17 commission in the manner prescribed by section 22 of P.L.1993,
18 c.65 (C.19:44A-7.2).

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

20 i. Each campaign treasurer of a candidate committee or joint
21 candidates committee shall file written notice with the commission
22 of a contribution in excess of ~~[\$500]~~ \$200 received during the
23 period between the 13th day prior to the election and the date of the
24 election and of an expenditure of money or other thing of value in
25 excess of \$800 made, incurred or authorized by the candidate
26 committee or joint candidates committee to support or defeat a
27 candidate in an election, or to aid the passage or defeat of any
28 public question, during the period between the 13th day prior to the
29 election and the date of the election, provided that a candidate shall
30 not be required to file written notice pursuant to this subsection of
31 an expenditure made to support his or her own candidacy, or to
32 support or defeat a candidate for the same office in an election. For
33 the purposes of this subsection, the offices of member of the Senate
34 and member of the General Assembly shall be deemed to be the
35 same office in a legislative district; the offices of member of the
36 board of chosen freeholders and county executive shall be deemed
37 to be the same office in a county; and the offices of mayor and
38 member of the municipal governing body shall be deemed to be the
39 same office in a municipality.

40 The notice of a contribution shall be filed in writing or by
41 ~~[telegram]~~ electronic transmission within ~~[48]~~ 72 hours of the
42 receipt of the contribution ~~[and]~~ , except that a contribution
43 received between the seventh day prior to the election and the date
44 of the election shall be reported within 24 hours of the receipt
45 thereof. The notice shall set forth the amount and date of the
46 contribution, the name and mailing address of the contributor, and
47 where the contributor is an individual, the occupation of the

1 individual and the name and mailing address of the individual's
2 employer. The notice of an expenditure shall be filed in writing or
3 by **【telegram】** electronic transmission within **【48】** 72 hours of the
4 making, incurring or authorization of the expenditure **【and】** , except
5 that such expenditure made during the period between the seventh
6 day prior to the election and the date of the election shall be
7 reported within 24 hours of the making, incurring, or authorization
8 of the expenditure. The notice shall set forth the name and mailing
9 address of the person, firm or organization to whom or which the
10 expenditure was paid and the amount and purpose of the
11 expenditure.

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

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

17

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

20 2. Notwithstanding the provisions of any other law to the
21 contrary:

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

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

44 No such committee shall accept such a contribution from a
45 business entity during the term of its contract with a State agency in
46 the Legislative Branch.

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

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

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

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

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

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

30 Notwithstanding the provisions of any other law, rule, or
31 regulation to the contrary, a contract having an anticipated value in
32 excess of \$17,500 but below the applicable public bidding threshold
33 shall not be required to be awarded by the governing body of a
34 county, or any agency or instrumentality thereof, and may be
35 awarded by the qualified purchasing agent of the contracting unit.
36 (cf: P.L.2004, c.19, s.3)

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

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

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

1 under P.L.1973, c.83 (C.19:44A-1 et seq.), to [any municipal
2 committee of a political party in that municipality if a member of
3 that political party is serving in an elective public office of that
4 municipality when the contract is awarded or to] any candidate
5 committee of any person serving in an elective public office of that
6 municipality when the contract is awarded; and

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

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

20 Notwithstanding the provisions of any other law, rule, or
21 regulation to the contrary, a contract having an anticipated value in
22 excess of \$17,500 but below the applicable public bidding threshold
23 shall not be required to be awarded by the governing body of a
24 municipality, or any agency or instrumentality thereof, and may be
25 awarded by the qualified purchasing agent of the contracting unit.

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

27

28 13. Section 6 of P.L.2004, c.19 (C.19:44A-20.7) is amended to
29 read as follows:

30 6. As used in sections 2 through 12 of this act, P.L.2004, c.19
31 (C.19:44A-20.3 et seq.):

32 "business entity" means any natural or legal person, business
33 corporation, professional services corporation, limited liability
34 company, partnership, limited partnership, business trust,
35 association or any other legal commercial entity organized under
36 the laws of this State or of any other state or foreign jurisdiction;

37 "interest" means the ownership or control of more than 10% of
38 the profits or assets of a business entity or 10% of the stock in the
39 case of a business entity that is a corporation for profit, as
40 appropriate;

41 "fair and open process" means, at a minimum, that the contract
42 shall be: publicly advertised in newspapers or on the Internet
43 website maintained by the public entity in sufficient time to give
44 notice in advance of the contract; awarded under a process that
45 provides for public solicitation of proposals or qualifications and
46 awarded and disclosed under criteria established in writing by the
47 public entity prior to the solicitation of proposals or qualifications;
48 and publicly opened and announced when awarded. A contract

1 awarded under a process that includes public bidding or competitive
2 contracting pursuant to the "Local Public Contracts Law,"
3 P.L.1971, c.198 (C.40A:11-1 et seq.) shall constitute a fair and open
4 process. The decision of a public entity as to what constitutes a fair
5 and open process shall be final.

6 "State agency in the Legislative Branch" means the Legislature
7 of the State and any office, board, bureau or commission within or
8 created by the Legislative Branch.

9 (cf: P.L.2005, c.51, s.14)

10
11 14. Section 1 of P.L.2005, c.51 (C.19:44A-20.13) is amended to
12 read as follows:

13 1. The Legislature finds and declares that:

14 In our representative form of government, it is essential that
15 individuals who are elected to public office have the trust, respect
16 and confidence of the citizenry; and

17 All individuals, businesses, associations, and other persons have
18 a right to participate fully in the political process of New Jersey,
19 including making and soliciting contributions to candidates,
20 political parties and holders of public office; and

21 When a person or business interest makes or solicits major
22 contributions to obtain a contract awarded by a government agency
23 or independent authority, this constitutes a violation of the public's
24 trust in government and raises legitimate public concerns about
25 whether the contract has been awarded on the basis of merit; and

26 The growing infusion of funds donated by business entities into
27 the political process at all levels of government has generated
28 widespread cynicism among the public that special interest groups
29 are "buying" favors from elected officeholders; and

30 For the purposes of protecting the integrity of government
31 contractual decisions and of improving the public's confidence in
32 government, it is a compelling interest of this State to prohibit
33 awarding government contracts to business entities which are also
34 contributors to candidates **【, political parties】** and the holders of
35 public office; and

36 **【There exists the perception that campaign contributions are**
37 **often made to a State or county political party committee by an**
38 **individual or business seeking favor with State elected officials,**
39 **with the understanding that the money given to such a committee**
40 **will be transmitted to other committees in other parts of the State,**
41 **or is otherwise intended to circumvent legal restrictions on the**
42 **making of political contributions or gifts directly to elected State**
43 **officials, thus again making elected State officials beholden to those**
44 **contributors; and**

45 County political party committees, through their powers of
46 endorsement, fundraising, ballot slogan or party line designation,
47 and other means, exert significant influence over the gubernatorial
48 primary and general election process; and**】**

1 Recent legal and policy changes have led to the proliferation of
2 entities using their nonprofit tax status to promote candidates and
3 spend money in political campaigns in an unlimited and unregulated
4 fashion, allowing those entities to raise and spend significant sums
5 of money in the political process in a manner that is not disclosed to
6 the public; and

7 Although the right of the public and organizations to participate
8 in the political process and to support candidates of their choosing
9 is fundamental to a vibrant democracy, reasonable safeguards on
10 campaign contributions are an important part of the political
11 process to ensure the public is protected from public corruption or
12 the appearance thereof; and

13 It is contrary to the public interest to allow unlimited campaign
14 contributions to be made to entities supporting or opposing
15 candidates for political office that are not subject to public
16 disclosure; and

17 It is preferable that campaign contributions to candidates,
18 political party committees, legislative leadership committees, and
19 other committees be regulated and subject to public disclosure,
20 rather than be unlimited, unregulated, and undisclosed; and

21 Encouraging entities to support candidates for public office in a
22 regulated and transparent manner is essential to build public trust in
23 their elected officials; and

24 Transparent and regulated campaign contributions serve as an
25 important safeguard against corruption by ensuring the public has
26 essential information available to make informed decisions when
27 exercising their voting preferences; and

28 The so-called dark money political committees serve to weaken
29 the trust of the public in their elected officials, whether those
30 officials are benefitting from contributions from those entities or
31 not; and

32 Although the right of individuals and businesses to make
33 campaign contributions is unequivocal, that right may be limited,
34 even abrogated, when such contributions promote the actuality or
35 appearance of public corruption; and

36 It is essential that the public have confidence that the selection of
37 State contractors is based on merit and not on political contributions
38 made by such contractors and it is essential that the public have
39 trust in the processes by which taxpayer dollars are spent; and

40 It has long been the public policy of this State to secure for the
41 taxpayers the benefits of competition, to promote the public good
42 by promoting the honesty and integrity of bidders for public
43 contracts and the system, and to guard against favoritism,
44 improvidence, extravagance and corruption in order to benefit the
45 taxpayers; and

46 In the procurement process, our public policy grants to the State
47 broad discretion, taking into consideration all factors, to award a

1 contract to a bidder whose proposal will be most advantageous to
2 the State; and

3 The operations of the State government must be effectively and
4 fairly managed to ensure public order and prosperity, and
5 malfeasance, in whatever form it may take, must be confronted and
6 uprooted; and

7 The Legislature must safeguard the integrity of State government
8 procurement by imposing restrictions on State agencies and
9 independent authorities to insulate the negotiation and award of
10 State contracts from political contributions that pose the risk of
11 improper influence, purchase of access, or the appearance thereof.
12 (cf: P.L.2005, c.51, s.1)

13

14 15. Section 2 of P.L.2005, c.51 (C.19:44A-20.14) is amended to
15 read as follows:

16 2. The State or any of its purchasing agents or agencies or
17 those of its independent authorities, as the case may be, shall not
18 enter into an agreement or otherwise contract to procure from any
19 business entity services or any material, supplies or equipment, or
20 to acquire, sell, or lease any land or building, except for a contract
21 or agreement awarded pursuant to a fair and open process, where
22 the value of the transaction exceeds \$17,500, if that business entity
23 has solicited or made any contribution of money, or pledge of
24 contribution, including in-kind contributions to a candidate
25 committee or election fund of any candidate or holder of the public
26 office of Governor or of Lieutenant Governor **],** or to any State or
27 county political party committee**]**: (i) within the eighteen months
28 immediately preceding the commencement of negotiations for the
29 contract or agreement; (ii) during the term of office of a Governor
30 and a Lieutenant Governor, in the case of contributions to a
31 candidate committee or election fund of the holder of one of those
32 offices **],** or to any State or county political party committee of a
33 political party nominating such Governor and Lieutenant Governor
34 in the last gubernatorial election preceding the commencement of
35 such term**]**; or (iii) within the eighteen months immediately
36 preceding the last day of the term of office of Governor and
37 Lieutenant Governor, in which case such prohibition shall continue
38 through the end of the next immediately following term of the
39 office of Governor and Lieutenant Governor, in the case of
40 contributions to a candidate committee or election fund of the
41 holder of one of those offices**],** or to any State or county political
42 party committee of a political party nominating such Governor and
43 Lieutenant Governor in the last gubernatorial election preceding the
44 commencement of the latter term**].**

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

1 16. Section 3 of P.L.2005, c.51 (C.19:44A-20.15) is amended to
2 read as follows:

3 3. No business entity which agrees to any contract or
4 agreement, except for a contract or agreement awarded pursuant to
5 a fair and open process, with the State or any department or agency
6 thereof or its independent authorities either for the rendition of
7 services or furnishing of any material, supplies or equipment or for
8 the acquisition, sale, or lease of any land or building, if the value of
9 the transaction exceeds \$17,500, shall knowingly solicit or make
10 any contribution of money, or pledge of a contribution, including
11 in-kind contributions, to a candidate committee or election fund of
12 any candidate or holder of the public office of Governor or
13 Lieutenant Governor **【**or to any State or county political party
14 committee prior to the completion of the contract or agreement**】**.
15 (cf: P.L.2009, c.66, s.35)

16
17 17. Section 7 of P.L.2005, c.51 (C.19:44A-20.19) is amended to
18 read as follows:

19 7. Prior to awarding any contract or agreement, except for a
20 contract or agreement awarded pursuant to a fair and open process,
21 to procure services or any material, supplies or equipment from, or
22 for the acquisition, sale, or lease of any land or building from or to,
23 any business entity, the State or any of its purchasing agents or
24 agencies or independent authorities, as the case may be, shall
25 require the business entity to provide a written certification that it
26 has not made a contribution that would bar the award of the contract
27 pursuant to this act. The business entity shall have a continuing
28 duty to report any contribution it makes during the term of the
29 contract. Such reports shall be subject to review by the State
30 Treasurer. If the State Treasurer determines that any such
31 contribution **【**poses a conflict of interest**】** constitutes a violation,
32 such contribution shall be deemed a material breach of such
33 contract or agreement.
34 (cf: P.L.2005, c.51, s.7)

35
36 18. Section 9 of P.L.2005, c.51 (C.19:44A-20.21) is amended to
37 read as follows:

38 9. It shall be a breach of the terms of the government contract
39 for a business entity to: (i) make or solicit a contribution in
40 violation of this act; (ii) knowingly conceal or misrepresent a
41 contribution given or received; (iii) make or solicit contributions
42 through intermediaries for the purpose of concealing or
43 misrepresenting the source of the contribution; (iv) make or solicit
44 any contribution on the condition or with the agreement that it will
45 be contributed to a campaign committee of any candidate or holder
46 of the public office of Governor or Lieutenant Governor **【**, or to any
47 State or county party committee**】**; (v) engage or employ a lobbyist

1 or consultant with the intent or understanding that such lobbyist or
2 consultant would make or solicit any contribution, which if made or
3 solicited by the business entity itself, would subject that entity to
4 the restrictions of this act; (vi) fund contributions made by third
5 parties, including consultants, attorneys, family members, and
6 employees; (vii) engage in any exchange or contributions to
7 circumvent the intent of this act; or (viii) directly or indirectly,
8 through or by any other person or means, do any act which would
9 subject that entity to the restrictions of this act.

10 (cf: P.L.2009, c.66, s.36)

11

12 19. Section 11 of P.L.2005, c.51 (C.19:44A-20.23) is amended
13 to read as follows:

14 11. This act shall apply to all State agencies including any of the
15 principal departments in the Executive Branch, and any division,
16 board, bureau, office, commission or other instrumentality within or
17 created by such department and any independent State authority,
18 board, commission, instrumentality or agency, with respect to any
19 contract or agreement other than that awarded pursuant to a fair and
20 open process.

21 As used in P.L.2005, c.51 (C.19:44A-20.13 et seq.), “fair and
22 open process” means, at a minimum, that the contract shall be:
23 publicly advertised in newspapers or on the Internet website
24 maintained by the public entity in sufficient time to give notice in
25 advance of the contract; awarded under a process that provides for
26 public solicitation of proposals or qualifications and awarded and
27 disclosed under criteria established in writing by the public entity
28 prior to the solicitation of proposals or qualifications; and publicly
29 opened and announced when awarded. A contract awarded under a
30 process that includes public bidding or competitive contracting
31 pursuant to State contracts law shall constitute a fair and open
32 process. The decision of a public entity as to what constitutes a fair
33 and open process shall be final.

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

35

36 20. Section 2 of P.L.2005, c.271 (C.19:44A-20.26) is amended
37 to read as follows:

38 2. a. Not later than 10 days prior to entering into any contract
39 having an anticipated value in excess of \$17,500, except for a
40 contract that is required by law to be publicly advertised for bids, a
41 State agency, county, municipality, independent authority, board of
42 education, or fire district shall require any business entity bidding
43 thereon or negotiating therefor, to submit along with its bid or price
44 quote, a list of political contributions as set forth in this subsection
45 that are reportable by the recipient pursuant to the provisions of
46 P.L.1973, c.83 (C.19:44A-1 et al.) and that were made by the
47 business entity during the preceding 12-month period, along with
48 the date and amount of each contribution and the name of the

1 recipient of each contribution. A business entity contracting with a
2 State agency shall disclose contributions to any [State, county, or
3 municipal committee of a political party, legislative leadership
4 committee,] candidate committee of a candidate for, or holder of, a
5 State elective office, or any continuing political committee. A
6 business entity contracting with a county, municipality, independent
7 authority, other than an independent authority that is a State agency,
8 board of education, or fire district shall disclose contributions to:
9 [any State, county, or municipal committee of a political party; any
10 legislative leadership committee; or] any candidate committee of a
11 candidate for, or holder of, an elective office of that public entity,
12 of that county in which that public entity is located, of another
13 public entity within that county, or of a legislative district in which
14 that public entity is located or, when the public entity is a county, of
15 any legislative district which includes all or part of the county, or
16 any continuing political committee.

17 The provisions of this section shall not apply to a contract when
18 a public emergency requires the immediate delivery of goods or
19 services.

20 b. When a business entity is a natural person, a contribution by
21 that person's spouse or child, residing therewith, shall be deemed to
22 be a contribution by the business entity. When a business entity is
23 other than a natural person, a contribution by any person or other
24 business entity having an interest therein shall be deemed to be a
25 contribution by the business entity. When a business entity is other
26 than a natural person, a contribution by: all principals, partners,
27 officers, or directors of the business entity or their spouses; any
28 subsidiaries directly or indirectly controlled by the business entity;
29 or any political organization organized under section 527 of the
30 Internal Revenue Code that is directly or indirectly controlled by
31 the business entity, other than a candidate committee, election fund,
32 or political party committee, shall be deemed to be a contribution
33 by the business entity.

34 c. As used in this section:

35 "business entity" means a for-profit entity that is a natural or
36 legal person, business corporation, professional services
37 corporation, limited liability company, partnership, limited
38 partnership, business trust, association or any other legal
39 commercial entity organized under the laws of this State or of any
40 other state or foreign jurisdiction;

41 "interest" means the ownership or control of more than 10% of
42 the profits or assets of a business entity or 10% of the stock in the
43 case of a business entity that is a corporation for profit, as
44 appropriate; and

45 "State agency" means any of the principal departments in the
46 Executive Branch of the State Government, and any division, board,
47 bureau, office, commission or other instrumentality within or
48 created by such department, the Legislature of the State and any

1 office, board, bureau or commission within or created by the
2 Legislative Branch, and any independent State authority,
3 commission, instrumentality or agency.

4 d. Any business entity that fails to comply with the provisions
5 of this section shall be subject to a fine imposed by the New Jersey
6 Election Law Enforcement Commission in an amount to be
7 determined by the commission which may be based upon the
8 amount that the business entity failed to report.

9 (cf: P.L.2007, c.304, s.1)

10

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

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

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,]
36 political 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

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

10 As used in this section:

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

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

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

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

27

28 22. Section 4 of P.L.1974, c.26 (C.19:44A-29) is amended to
29 read as follows:

30 4. a. Except in the case of a candidate, as provided in
31 subsection g. of this section, no person, candidate committee or
32 joint candidates committee, political committee, continuing political
33 committee or legislative leadership committee, otherwise eligible to
34 make contributions, shall make any contribution or contributions to
35 a candidate, his campaign treasurer or deputy campaign treasurer,
36 candidate committee, a political party committee, or to any other
37 person or committee, in aid of the candidacy of or in behalf of a
38 candidate for nomination for election for the office of Governor in a
39 primary election or candidates for election to the offices of
40 Governor and Lieutenant Governor in any general election in the
41 aggregate in excess of ~~[\$1,500.00]~~ \$4,900, or in the case of a joint
42 candidates committee when that is the only committee established
43 by the candidates, in excess of ~~[\$1,500.00]~~ \$4,900 per candidate in
44 the joint candidates committee, or in the case of a candidate
45 committee and a joint candidates committee when both are
46 established by a candidate, ~~[\$1,500.00]~~ \$4,900 from that candidate.
47 No candidate for nomination for election for the office of Governor
48 in a primary election or candidates for election to the offices of

1 Governor and Lieutenant Governor in any general election and no
2 campaign treasurer or deputy campaign treasurer of such candidate
3 or candidates shall knowingly accept from any person, candidate,
4 candidate committee, joint candidates committee, political
5 committee, continuing political committee or legislative leadership
6 committee any contribution or contributions in aid of the candidacy
7 of or in behalf of such candidate or candidates in the aggregate in
8 excess of ~~【\$1,500.00】~~ \$4,900, or in the case of a joint candidates
9 committee when that is the only committee established by the
10 candidates, in excess of ~~【\$1,500.00】~~ \$4,900 per candidate in the
11 joint candidates committee, or in the case of a candidate committee
12 and a joint candidates committee when both are established by a
13 candidate, ~~【\$1,500.00】~~ \$4,900 from that candidate, in any primary
14 or general election. No provision of this act shall be construed to
15 prohibit a contribution or contributions in the aggregate in aid of the
16 candidacy of or in behalf of any candidate for nomination for
17 election to the office of Governor in a primary election not in
18 excess of ~~【\$1,500.00】~~ \$4,900, or in the case of a contribution or
19 contributions by a joint candidates committee when that is the only
20 committee established by the candidates, in excess of ~~【\$1,500.00】~~
21 \$4,900 per candidate in the joint candidates committee, or in the
22 case of a candidate committee and a joint candidates committee
23 when both are established by a candidate, ~~【\$1,500.00】~~ \$4,900 from
24 that candidate, and another contribution or contributions in the
25 aggregate in the aid of the candidacy of or in behalf of any
26 candidates for election to the offices of Governor and Lieutenant
27 Governor in a general election not in excess of ~~【\$1,500.00】~~ \$4,900,
28 or in the case of a contribution or contributions by a joint
29 candidates committee when that is the only committee established
30 by the candidates, in excess of ~~【\$1,500.00】~~ \$4,900 per candidate in
31 the joint candidates committee, or in the case of a candidate
32 committee and a joint candidates committee when both are
33 established by a candidate, ~~【\$1,500.00】~~ \$4,900 from that candidate.
34 For the purpose of determining the amount of a contribution to be
35 attributed as given by each candidate in a joint candidates
36 committee, the amount of the contribution by such a committee
37 shall be divided equally among all the candidates in the committee.

38 b. (Deleted by amendment, P.L.1980, c.74.)

39 c. The spouse of any contributor may make a contribution or
40 contributions in the aggregate in aid of the candidacy of or in behalf
41 of a candidate for nomination for election for the office of Governor
42 or candidates for election to the offices of Governor and Lieutenant
43 Governor of up to ~~【\$1,500.00】~~ \$4,900.

44 d. No State committee of any political party shall knowingly
45 accept from any person, candidate committee, joint candidates
46 committee, political committee, continuing political committee or
47 legislative leadership committee, any contribution or contributions

1 in the aggregate in aid of the candidacy of or in behalf of candidates
2 for election to the offices of Governor and Lieutenant Governor in a
3 general election in excess of ~~[\$1,500.00]~~ \$4,900, or in the case of a
4 contribution or contributions by a joint candidates committee when
5 that is the only committee established by the candidates, in excess
6 of ~~[\$1,500.00]~~ \$4,900 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 ~~[\$1,500.00]~~ \$4,900 from that candidate. A State committee may
10 allocate a contribution of up to ~~[\$1,500.00]~~ \$4,900, and up to
11 ~~[\$1,500.00]~~ \$4,900 of a contribution in excess of ~~[\$1,500.00]~~
12 \$4,900 in aid of the candidacy of or in behalf of such candidates,
13 except that in the case of a contribution from a joint candidates
14 committee when that is the only committee established by the
15 candidates, the amounts which may be so allocated shall be
16 ~~[\$1,500.00]~~ \$4,900 per candidate in the joint candidates committee,
17 and in the case of a candidate committee and a joint candidates
18 committee when both are established by a candidate, the amount
19 which may be so allocated shall be ~~[\$1,500.00]~~ \$4,900 from that
20 candidate. For the purpose of determining the amount of a
21 contribution to be attributed as given by each candidate in a joint
22 candidates committee, the amount of the contribution by such a
23 committee shall be divided equally among all the candidates in the
24 committee. A State committee shall create an account in a national
25 or State bank in behalf of any candidates the committee intends to
26 or does assist for election to the offices of Governor and Lieutenant
27 Governor in a general election, shall deposit in such account and
28 report to the Election Law Enforcement Commission the name of
29 the contributor of all moneys accepted or allocated in aid of the
30 candidacy of or in behalf of such candidates, and may make a
31 contribution or contributions from such account in any amount in
32 aid of the candidacy of or in behalf of such candidates. No State
33 committee may make any contribution or contributions in aid of the
34 candidacy of or in behalf of such candidates of moneys not
35 deposited in a bank account pursuant to this subsection, and no
36 State committee may make a contribution or contributions in aid of
37 the candidacy of or in behalf of such candidates of moneys or other
38 thing of value pledged or received in a calendar year in which no
39 gubernatorial election was held.

40 e. The county committee of a political party in a county and the
41 municipal committees of that political party in the same county may
42 make an expenditure or expenditures in the aggregate of \$10,000.00
43 in aid of the candidacy of or in behalf of any candidates for election
44 to the offices of Governor and Lieutenant Governor in a general
45 election. No county committee or municipal committee may
46 transfer or contribute any funds to any such candidate or to such
47 candidates' campaign treasurer or deputy campaign treasurer, or to

1 any political committee supporting such candidates. Candidates or
2 their campaign treasurer or deputy campaign treasurer shall
3 determine the exact amount that individual county committees or
4 municipal committees may contribute in aid of the candidacy of or
5 in behalf of such candidates, and shall file a report of such
6 determination with the Election Law Enforcement Commission no
7 later than the seventh day prior to the general election being funded.

8 f. Communications on any subject by a corporation to its
9 stockholders and their families, or by a labor organization to its
10 members and their families, and nonpartisan registration and get-
11 out-the-vote campaigns by a corporation aimed at its stockholders
12 and their families, or by a labor organization aimed at its members
13 and their families, shall not be construed to be in aid of the
14 candidacy of or in behalf of a candidate for election to the office of
15 Governor in any primary election or in behalf of candidates for the
16 offices of Governor and Lieutenant Governor in a general election.

17 g. No candidate receiving public funds may make expenditures
18 from his own funds, including any contributions from his own
19 funds, in aid of his candidacy for nomination for election to the
20 office of Governor in excess of \$25,000.00 for the primary election
21 and in aid of the candidacy of candidates for election to the offices
22 of Governor and Lieutenant Governor in excess of \$25,000.00 each
23 for the general election.

24 As used in this subsection "own funds" means funds to which the
25 candidate is legally and beneficially entitled, but shall not include
26 funds as to which he is a trustee, or funds given or otherwise
27 transferred to the candidate by any person other than the spouse of
28 the candidate for use in aid of his candidacy.

29 (cf: P.L.2009, c.66, s.18)

30

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

33 8. a. The campaign treasurer or deputy campaign treasurer of
34 any qualified candidate for nomination for election to the office of
35 Governor in a primary election upon application to the commission
36 shall promptly receive in behalf of the qualified candidate from the
37 fund for election campaign expenses, but not prior to January 1 of
38 the year of the election, moneys in an amount equal to twice the
39 amount of no more than **[\$1,500.00]** \$4,900 of each contribution
40 deposited in the qualified candidate's primary election bank account
41 described in section 7 of P.L.1974, c.26 (C.19:44A-32), except that
42 no payment shall be made from the fund to any candidate for the
43 first **[\$50,000.00]** \$156,000 deposited in the qualified candidate's
44 bank account. The maximum amount which any qualified candidate
45 for nomination for election to the office of Governor in a primary
46 election may receive from the fund for election campaign expenses
47 shall not exceed **[\$1,350,000]** \$4,600,000. Applications for
48 payments and payments under this subsection following the date on

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

4 b. The campaign treasurer or deputy campaign treasurer of any
5 qualified candidates for election to the offices of Governor and
6 Lieutenant Governor in a general election upon application to the
7 commission shall promptly receive in behalf of such qualified
8 candidates from the fund for election campaign expenses, but not
9 prior to the primary election, moneys in an amount equal to twice
10 the amount of no more than ~~【\$1,500.00】~~ \$4,900 of each
11 contribution deposited in such qualified candidates' bank account
12 described in section 7 of P.L.1974, c.26 (C.19:44A-32), except that
13 no payment shall be made from the fund to any candidates for the
14 first ~~【\$50,000.00】~~ \$156,000 deposited in such qualified candidates'
15 bank account.

16 The maximum amount which any qualified candidates for
17 election to the offices of Governor and Lieutenant Governor in a
18 general election may receive from the fund for election campaign
19 expenses shall not exceed ~~【\$3,300,000】~~ \$10,500,000. Applications
20 for payments and payments under this subsection following the date
21 on which joint candidates are determined to be qualified candidates
22 shall be made only on the basis of no less than \$12,500.00 of such
23 contributions.

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

25

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

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

39

40 25. (New section) Notwithstanding the provisions of any law,
41 rule, or regulation to the contrary, any local ordinance, resolution,
42 or regulation, as may be appropriate, adopted by a county,
43 municipality, independent authority, board of education, or fire
44 district pursuant or prior to section 1 of P.L.2005, c.271 (C.40A:11-
45 51), limiting the awarding of public contracts therefrom to business
46 entities that have made a contribution pursuant to "The New Jersey
47 Campaign Contributions and Expenditures Reporting Act,"
48 P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions

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

10
11 26. (New section) Whenever any candidate, as defined in
12 paragraph (1) of subsection c. of section 3 of P.L.1973, c.83
13 (C.19:44A-3), declares a candidacy for any election and establishes
14 a candidate committee, a joint candidates committee, or both, as the
15 case may be, for the purpose of receiving contributions and making
16 expenditures in connection with that election, the candidate shall
17 only accept from each entity permitted to make contributions to the
18 candidate an amount not greater than the maximum contribution
19 limit permitted by law to be made by the entity to the candidate for
20 that election, even if the candidate declares a candidacy and
21 establishes the committee or committees before the election year in
22 which the candidate will run for office. No entity shall make
23 additional contributions to a candidate for any election beyond the
24 maximum contribution permitted by law.

25
26 27. Section 2 of P.L.1973, c.83 (C.19:44A-2) is amended to read
27 as follows:

28 2. It is hereby declared to be in the public interest and to be the
29 policy of the State to limit political contributions and to require the
30 reporting of **[all]** contributions received and expenditures made to
31 aid or promote the nomination, election or defeat of any candidate
32 for public office or to aid or promote the passage or defeat of a
33 public question in any election and to require the reporting of **[all]**
34 contributions received and expenditures made to provide political
35 information on any candidate for public office, or on any public
36 question.

37 (cf: P.L.1993, c.65, s.1)

38
39 28. Section 3 of P.L.1973, c.83 (C.19:44A-3) is amended to read
40 as follows:

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

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

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

45 c. The term "candidate" means: (1) an individual seeking
46 election to a public office of the State or of a county, municipality
47 or school district at an election; except that the term shall not
48 include an individual seeking party office; (2) an individual who

1 shall have been elected or failed of election to an office, other than
2 a party office, for which he sought election and who receives
3 contributions and makes expenditures for any of the purposes
4 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during
5 the period of his service in that office; and (3) an individual who
6 has received funds or other benefits or has made payments solely
7 for the purpose of determining whether the individual should
8 become a candidate as defined in paragraphs (1) and (2) of this
9 subsection.

10 d. The terms "contributions" and "expenditures" include all
11 loans and transfers of money or other thing of value to or by any
12 candidate, candidate committee, joint candidates committee,
13 political committee, continuing political committee, independent
14 expenditure committee, political party committee or legislative
15 leadership committee, and all pledges or other commitments or
16 assumptions of liability to make any such transfer; and for purposes
17 of reports required under the provisions of this act shall be deemed
18 to have been made upon the date when such commitment is made or
19 liability assumed.

20 e. The term "election" means any election described in section
21 4 of this act.

22 f. The term "paid personal services" means personal, clerical,
23 administrative or professional services of every kind and nature
24 including, without limitation, public relations, research, legal,
25 canvassing, telephone, speech writing or other such services,
26 performed other than on a voluntary basis, the salary, cost or
27 consideration for which is paid, borne or provided by someone
28 other than the committee, candidate or organization for whom such
29 services are rendered. In determining the value, for the purpose of
30 reports required under this act, of contributions made in the form of
31 paid personal services, the person contributing such services shall
32 furnish to the treasurer through whom such contribution is made a
33 statement setting forth the actual amount of compensation paid by
34 said contributor to the individuals actually performing said services
35 for the performance thereof. But if any individual or individuals
36 actually performing such services also performed for the contributor
37 other services during the same period, and the manner of payment
38 was such that payment for the services contributed cannot readily
39 be segregated from contemporary payment for the other services,
40 the contributor shall in his statement to the treasurer so state and
41 shall either (1) set forth his best estimate of the dollar amount of
42 payment to each such individual which is attributable to the
43 contribution of his paid personal services, and shall certify the
44 substantial accuracy of the same, or (2) if unable to determine such
45 amount with sufficient accuracy, set forth the total compensation
46 paid by him to each such individual for the period of time during
47 which the services contributed by him were performed. If any
48 candidate is a holder of public office to whom there is attached or

1 assigned, by virtue of said office, any aide or aides whose services
2 are of a personal or confidential nature in assisting him to carry out
3 the duties of said office, and whose salary or other compensation is
4 paid in whole or part out of public funds, the services of such aide
5 or aides which are paid for out of public funds shall be for public
6 purposes only; but they may contribute their personal services, on a
7 voluntary basis, to such candidate for election campaign purposes.

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

9 h. The term "political information" means any statement
10 including, but not limited to, press releases, pamphlets, newsletters,
11 advertisements, flyers, form letters, Internet or digital
12 advertisements, or radio or television programs or advertisements
13 which reflects the opinion of the members of the organization on
14 any candidate or candidates for public office, on any public
15 question, or which contains facts on any such candidate, or public
16 question whether or not such facts are within the personal
17 knowledge of members of the organization.

18 i. The term "political committee" means any two or more
19 persons acting jointly, or any corporation, partnership, or any other
20 incorporated or unincorporated association which is organized to, or
21 does, aid or promote the nomination, election or defeat of any
22 candidate or candidates for public office, or which is organized to,
23 or does, aid or promote the passage or defeat of a public question in
24 any election, if the persons, corporation, partnership or incorporated
25 or unincorporated association raises or expends \$2,400 or more to
26 so aid or promote the nomination, election or defeat of a candidate
27 or candidates or the passage or defeat of a public question; provided
28 that for the purposes of this act, the term "political committee" shall
29 not include a "continuing political committee," as defined by
30 subsection n. of this section, a "political party committee," as
31 defined by subsection p. of this section, a "candidate committee," as
32 defined by subsection q. of this section, a "joint candidates
33 committee," as defined by subsection r. of this section, a
34 "legislative leadership committee," as defined by subsection s. of
35 this section, or an "independent expenditure committee," as defined
36 by subsection t. of this section.

37 j. The term "public solicitation" means any activity by or on
38 behalf of any candidate, political committee, continuing political
39 committee, candidate committee, joint candidates committee,
40 legislative leadership committee, independent expenditure
41 committee, or political party committee whereby either (1)
42 members of the general public are personally solicited for cash
43 contributions not exceeding \$20.00 from each person so solicited
44 and contributed on the spot by the person so solicited to a person
45 soliciting or through a receptacle provided for the purpose of
46 depositing contributions, or (2) members of the general public are
47 personally solicited for the purchase of items having some tangible
48 value as merchandise, at a price not exceeding \$20.00 per item,

1 which price is paid on the spot in cash by the person so solicited to
2 the person so soliciting, when the net proceeds of such solicitation
3 are to be used by or on behalf of such candidate, political
4 committee, continuing political committee, candidate committee,
5 joint candidates committee, legislative leadership committee,
6 independent expenditure committee, or political party committee.

7 k. The term "testimonial affair" means an affair of any kind or
8 nature including, without limitation, cocktail parties, breakfasts,
9 luncheons, dinners, dances, picnics or similar affairs directly or
10 indirectly intended to raise campaign funds in behalf of a person
11 who holds, or who is or was a candidate for nomination or election
12 to a public office in this State, or directly or indirectly intended to
13 raise funds in behalf of any political party committee or in behalf of
14 a political committee, continuing political committee, candidate
15 committee, joint candidates committee, independent expenditure
16 committee, or legislative leadership committee.

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

20 m. The term "qualified candidate" means:

21 (1) Joint candidates for election to the offices of Governor and
22 Lieutenant Governor whose names appear on the general election
23 ballot; who have deposited and expended ~~【\$150,000.00】~~ \$490,000
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 (2) Joint candidates for election to the offices of Governor and
37 Lieutenant Governor whose names do not appear on the general
38 election ballot; who have deposited and expended ~~【\$150,000.00】~~
39 \$490,000 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32);
40 and who, not later than September 1 preceding a general election in
41 which the offices of Governor and Lieutenant Governor are to be
42 filled, (a) notify the Election Law Enforcement Commission in
43 writing that the candidates intend that application will be made on
44 the candidates' behalf for monies for general election campaign
45 expenses under subsection b. of section 8 of P.L.1974, c.26
46 (C.19:44A-33), and (b) sign a statement of agreement, in a form to
47 be prescribed by the commission, to participate in interactive
48 gubernatorial election debates under the provisions of sections 9

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

3 (3) Any candidate for nomination for election to the office of
4 Governor whose name appears on the primary election ballot; who
5 has deposited and expended ~~【\$150,000.00】~~ \$490,000 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); or

18 (4) Any candidate for nomination for election to the office of
19 Governor whose name does not appear on the primary election
20 ballot; who has deposited and expended ~~【\$150,000.00】~~ \$490,000
21 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,
22 not later than the last day for filing petitions to nominate candidates
23 to be voted upon in a primary election for a general election in
24 which the office of Governor is to be filled, (a) notifies the Election
25 Law Enforcement Commission in writing that the candidate intends
26 that application will be made on the candidate's behalf for monies
27 for primary election campaign expenses under subsection a. of
28 section 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a
29 statement of agreement, in a form to be prescribed by the
30 commission, to participate in two interactive gubernatorial primary
31 debates under the provisions of sections 9 through 11 of P.L.1989,
32 c.4 (C.19:44A-45 through C.19:44A-47).

33 n. The term "continuing political committee" means any group
34 of two or more persons acting jointly, or any corporation,
35 partnership, or any other incorporated or unincorporated
36 association, including a political club, political action committee,
37 civic association or other organization, which in any calendar year
38 contributes or expects to contribute at least \$5,500 to the aid or
39 promotion of the candidacy of an individual, or of the candidacies
40 of individuals, for elective public office, or the passage or defeat of
41 a public question or public questions, and which may be expected to
42 make contributions toward such aid or promotion or passage or
43 defeat during a subsequent election, provided that the group,
44 corporation, partnership, association or other organization has been
45 determined to be a continuing political committee under subsection
46 b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided that for the
47 purposes of this act, the term "continuing political committee" shall
48 not include a "political party committee," as defined by subsection

- 1 p. of this section, a "legislative leadership committee," as defined
2 by subsection s. of this section, or an "independent expenditure
3 committee," as defined by subsection t. of this section.
- 4 o. The term "statement of agreement" means a written
5 declaration, by a candidate for nomination for election to the office
6 of Governor, or by joint candidates for election to the offices of
7 Governor and Lieutenant Governor who intend that application will
8 be made on behalf of the candidate for the office of Governor to
9 receive monies for the primary election or on behalf of the
10 candidates for the office of Governor and the office of Lieutenant
11 Governor for general election campaign expenses under subsection
12 a. or subsection b., respectively, of section 8 of P.L.1974, c.26
13 (C.19:44A-33), that the candidates undertake to abide by the terms
14 of any rules established by any private organization sponsoring a
15 gubernatorial primary or general election debate, as appropriate, to
16 be held under the provisions of sections 9 through 11 of P.L.1989,
17 c.4 (C.19:44A-45 through C.19:44A-47) and in which the
18 candidates are to participate. The statement of agreement shall
19 include an acknowledgment of notice to the candidates who sign it
20 that failure on the candidates' part to participate in any of the
21 gubernatorial debates may be cause for the termination of the
22 payment of such monies on the candidates' behalf and for the
23 imposition of liability for the return to the commission of such
24 monies as may previously have been so paid.
- 25 p. The term "political party committee" means the State
26 committee of a political party, as organized pursuant to R.S.19:5-4,
27 any county committee of a political party, as organized pursuant to
28 R.S.19:5-3, or any municipal committee of a political party, as
29 organized pursuant to R.S.19:5-2.
- 30 q. The term "candidate committee" means a committee
31 established pursuant to subsection a. of section 9 of P.L.1973, c.83
32 (C.19:44A-9) for the purpose of receiving contributions and making
33 expenditures.
- 34 r. The term "joint candidates committee" means a committee
35 established pursuant to subsection a. of section 9 of P.L.1973, c.83
36 (C.19:44A-9) by at least two candidates for the same elective public
37 offices in the same election in a legislative district, county,
38 municipality or school district, but not more candidates than the
39 total number of the same elective public offices to be filled in that
40 election, for the purpose of receiving contributions and making
41 expenditures. For the purpose of this subsection: the offices of
42 member of the Senate and members of the General Assembly shall
43 be deemed to be the same elective public offices in a legislative
44 district; the offices of member of the board of chosen freeholders
45 and county executive shall be deemed to be the same elective public
46 offices in a county; and the offices of mayor and member of the
47 municipal governing body shall be deemed to be the same elective
48 public offices in a municipality.

1 s. The term "legislative leadership committee" means a
2 committee established, authorized to be established, or designated
3 by the President of the Senate, the Minority Leader of the Senate,
4 the Speaker of the General Assembly or the Minority Leader of the
5 General Assembly pursuant to section 16 of P.L.1993, c.65
6 (C.19:44A-10.1) for the purpose of receiving contributions and
7 making expenditures.

8 t. The term "independent expenditure committee" means a
9 person organized under section 527 of the federal Internal Revenue
10 Code (26 U.S.C. s.527) or under paragraph (4) ¹or paragraph (6)¹ of
11 subsection (c) of section 501 of the federal Internal Revenue Code
12 (26 U.S.C. s.501) that does not fall within the definition of any
13 other organization subject to the provisions of P.L.1973, c.83
14 (C.19:44A-1 et seq.), that [engages in influencing or attempting to
15 influence the outcome of any election or the nomination, election,
16 or defeat of any person to any State or local elective public office,
17 or the passage or defeat of any public question, legislation, or
18 regulation, or in providing political information on any candidate or
19 public question, legislation, or regulation, and raises or expends
20 \$3,000 or more in the aggregate for any such purpose annually, but
21 does not coordinate its activities with any candidate or political
22 party as determined by the Election Law Enforcement Commission
23 pursuant to the provisions of section 11 of P.L.2019, c.124
24 (C.19:44A-3.1)] makes independent expenditures in excess of
25 \$7,500, in the aggregate per election.

26 u. The term "electioneering communication" means any
27 communication [made within the period beginning on January 1 of
28 an election year and the date of the election and refers to: (1) a
29 clearly identified candidate for office and promotes or supports a
30 candidate for that office or opposes a candidate for that office,
31 regardless of whether the communication expressly advocates a
32 vote for or against a candidate; or (2) a public question and
33 promotes or supports the passage or defeat of that question,
34 regardless of whether the communication expressly advocates a
35 vote for or against the passage of the question. The term includes
36 communications published in any newspaper or periodical;
37 broadcast on radio, television, or the Internet or digital media, or
38 any public address system; placed on any billboard, outdoor
39 facility, button, motor vehicle, window display, poster, card,
40 pamphlet, leaflet, flyer, or other circular; or contained in any direct
41 mailing, robotic phone calls, or mass e-mails] made within 30 days
42 of a primary election and made within 60 days of a municipal,
43 runoff, school board, special or general election, that mentions a
44 clearly identified candidate and expressly supports or opposes that
45 candidate or, by virtue of the communication, is the functional
46 equivalent of express advocacy, meaning the communication is
47 unable to be interpreted by a reasonable person in any other way

1 than the communication is supporting or opposing the candidate.
2 An electioneering communication includes any communication that
3 clearly identifies a public question or referendum, or is the
4 functional equivalent of express advocacy, meaning the
5 communication is unable to be interpreted by a reasonable person in
6 any other way than the communication is supporting or opposing
7 the public question or referendum.

8 v. The term "independent expenditure" means an [expenditure
9 by a person expressly advocating, or the functional equivalent
10 thereof, the election or defeat of: (1) a clearly identified candidate
11 that is not made in concert or cooperation with or at the request or
12 suggestion of the candidate, the candidate's committee, a political
13 party committee, or an agent thereof; or (2) a public question,
14 legislation, or regulation, that is not made in concert or cooperation
15 with or at the request or suggestion of the sponsors, organizers, or
16 committee supporting or opposing the question, legislation, or
17 regulation, a political party, or agents thereof. The "functional
18 equivalent" of expressly advocating means specific advocacy that
19 can be interpreted by a reasonable person as advocating the election
20 or defeat of a candidate, or the passage or defeat of a public
21 question, legislation, or regulation, taking into account whether the
22 communication involved mentions a candidate, a political party, or
23 a challenger to a candidate, or takes a position on a candidate's
24 character, qualifications, or fitness for office, or that can be
25 interpreted by a reasonable person as taking a position on the merits
26 of a public question, legislation, or regulation, or taking a position
27 in favor or against the passage or defeat of a public question,
28 legislation, or regulation] expenditure, which is not coordinated
29 with a candidate or political party, and is made for the purpose of
30 expressly advocating the election or defeat of a clearly identified
31 candidate, or that amounts to the functional equivalent of express
32 advocacy. The term "independent expenditure" also includes an
33 expenditure made for the purpose of expressly advocating the
34 passage or defeat of a public question or referendum, or that
35 amounts to the functional equivalent of express advocacy. An
36 independent expenditure qualifies as the functional equivalent of
37 express advocacy if it can only be interpreted by a reasonable
38 person as advocating the election or defeat of a candidate or the
39 passage or defeat of a public question or referendum, taking into
40 consideration whether the communication mentions a candidate,
41 public question, or referendum and discusses a candidate's
42 character, qualifications, fitness for office, position on an issue, or
43 in the case of a public question or referendum, its merits or lack
44 thereof.

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

46

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

1 21. a. Each political committee, as defined in subsection i. of
2 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes
3 the nomination for election or the election of a candidate or the
4 passage or defeat of a public question, each independent
5 expenditure committee, as defined in subsection t. of section 3 of
6 P.L.1973, c.83 (C.19:44A-3), each continuing political committee
7 as defined in subsection n. of section 3 of P.L.1973, c.83, and each
8 legislative leadership committee as defined in subsection s. of
9 section 3 of P.L.1973, c.83, shall submit to the commission a
10 statement of registration which includes:

11 (1) the complete name or identifying title of the committee and
12 the general category of entity or entities, including but not limited
13 to business organizations, labor organizations, professional or trade
14 associations, candidate for or holder of public office, political party,
15 ideological grouping or civic association, the interests of which are
16 shared by the leadership, members, or financial supporters of the
17 committee;

18 (2) the mailing address of the committee and the name and
19 resident address of a resident of this State who shall have been
20 designated by the committee as its agent to accept service of
21 process; and

22 (3) a descriptive statement prepared by the organizers or officers
23 of the committee that identifies (a) the names and mailing addresses
24 of the persons having control over the affairs of the committee,
25 including but not limited to persons in whose name or at whose
26 direction or suggestion the committee solicits funds, and persons
27 participating in any decision to make a contribution of such funds to
28 any candidate, political committee or continuing political
29 committee and, in the case of an independent expenditure
30 committee, any decision to **【**expend funds for the purpose of
31 influencing or attempting to influence the outcome of any election
32 or the nomination, election, or defeat of any person to State or local
33 elective public office or the passage or defeat of any public
34 question, legislation, or regulation, or in providing political
35 information on any candidate or public question, legislation, or
36 regulation**】** make an independent expenditure; (b) the name and
37 mailing address of any person not included among the persons
38 identified under subparagraph (a) of this paragraph who, directly or
39 through an agent, participated in the initial organization of the
40 committee; (c) in the case of any person identified under
41 subparagraph (a) or subparagraph (b) who is an individual, the
42 occupation of that individual, the individual's home address, and the
43 name and mailing address of the individual's employer, or, in the
44 case of any such person which is a corporation, partnership,
45 unincorporated association, or other organization, the name and
46 mailing address of the organization; and (d) any other information
47 which the Election Law Enforcement Commission may, under such
48 regulations as it shall adopt pursuant to the provisions of the

1 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
2 seq.), require as being material to the fullest possible disclosure of
3 the economic, political and other particular interests and objectives
4 which the committee has been organized to or does advance. The
5 commission shall be informed, in writing, of any change in the
6 information required by this paragraph within three days of the
7 occurrence of the change. Legislative leadership committees shall
8 be exempt from the requirements of subparagraphs (a), (b) and (c)
9 of this paragraph.

10 b. After submission of a statement of registration to the
11 commission pursuant to this section, the committee shall use the
12 complete name or identifying title on all documents submitted to
13 the commission, in all solicitations for contributions, in all paid
14 media advertisements purchased or paid for by the committee in
15 support of or in opposition to any candidate or public question, and
16 in all contributions made by the committee to candidates or other
17 committees and, in the case of an independent expenditure
18 committee, any decision to [expend funds for the purpose of
19 influencing or attempting to influence the outcome of any election
20 or the selection, nomination, election, or defeat of any person to
21 State or local elective public office or the passage or defeat of any
22 public question, legislation, or regulation, or in providing political
23 information on any candidate or public question, legislation, or
24 regulation] make an independent expenditure.

25 c. Each report of contributions under section 8 of P.L.1973,
26 c.83 (C.19:44A-8) by a political committee, continuing political
27 committee, independent expenditure committee, or legislative
28 leadership committee required under subsection a. of this section to
29 submit a statement of registration shall include, in the case of each
30 contributor who is an individual, the home address of the individual
31 if different from the individual's mailing address, or, in the case of
32 any contributor which is an organization, any information, in
33 addition to that otherwise required, which the Election Law
34 Enforcement Commission may, under such regulations as it shall
35 adopt pursuant to the provisions of the "Administrative Procedure
36 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being
37 material to the fullest possible disclosure of the economic, political
38 and other particular interests and objectives which the contributing
39 organization has been organized to or does advance.

40 d. Any political committee, continuing political committee,
41 independent expenditure committee, or legislative leadership
42 committee may at any time apply to the commission for approval of
43 an abbreviation or acronym of its complete, official name or title for
44 its exclusive use on documents which it shall submit to the
45 commission. Upon verification that the abbreviation or acronym
46 has not been approved for such use by any other political
47 committee, continuing political committee, independent expenditure
48 committee, or legislative leadership committee, the commission

1 shall approve the abbreviation or acronym for such use by the
2 applicant committee, and the committee, and any individual,
3 corporation, partnership, membership organization or incorporated
4 or unincorporated association which, under the provisions of
5 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the
6 commission containing a reference to that committee, shall
7 thereafter use that approved abbreviation or acronym in documents
8 submitted to the commission. The commission shall, during its
9 regular office hours, maintain for public inspection in its offices a
10 current alphabetically arranged list of all such approved
11 abbreviations and acronyms, indicating for each the name of the
12 committee for which it stands, and shall make copies of the list
13 available upon request.

14 e. No foreign national, government, instrumentality, or agent
15 may register as an independent expenditure committee for the
16 purpose of making independent expenditures in any State or local
17 election.

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

19

20 30. Section 10 of P.L.1973, c.83 (C.19:44A-10) is amended to
21 read as follows:

22 10. Each political party committee shall, on or before July 1 in
23 each year, designate a single organizational treasurer and an
24 organizational depository and shall, not later than the tenth day after
25 the designation of the organizational depository file the name and
26 address of that depository, and of the organizational treasurer, with
27 the Election Law Enforcement Commission.

28 Every political committee may designate a chairman of the
29 committee, but no person serving as the chairman of a political
30 party committee or a legislative leadership committee shall be
31 eligible to be appointed or to serve as the chairman of a political
32 committee. Every political committee shall, not later than the date
33 on which it first receives any contribution or makes or incurs any
34 expenditure in the furtherance or aid of the election or defeat of any
35 candidate or the passage or defeat of any public question, appoint a
36 single campaign treasurer and designate a campaign depository, but
37 no person serving as the chairman of a political party committee or
38 a legislative leadership committee shall be eligible to be appointed
39 or to serve as the campaign treasurer of a political committee. Not
40 later than the tenth day after the initial designation of the campaign
41 depository, the committee shall file the name and address of the
42 depository, and of the campaign treasurer, with the Election Law
43 Enforcement Commission.

44 Every independent expenditure committee may designate a
45 chairman of the committee, but no person serving as the chairman
46 of a political party committee or a legislative leadership committee
47 shall be eligible to be appointed or to serve as the chairman of an
48 independent expenditure committee. No candidate or holder of

1 public office, directly or indirectly, shall establish, authorize the
2 establishment of, maintain, or participate in the management or
3 control of any independent expenditure committee. Every
4 independent expenditure committee, not later than the date on
5 which it first receives any contribution or makes or incurs any
6 independent expenditure **【**for the purpose of influencing or
7 attempting to influence the outcome of any election or the
8 nomination, election, or defeat of any person to State or local
9 elective public office or the passage or defeat of any public
10 question, legislation, or regulation, or providing political
11 information on any candidate or public question, legislation, or
12 regulation**】**, shall appoint a single organizational treasurer and
13 designate an organizational depository, but no person serving as the
14 chairman of a political party committee or a legislative leadership
15 committee shall be eligible to be appointed or to serve as the
16 organizational treasurer of an independent expenditure committee.
17 Not later than the 10th day after the initial designation of the
18 organizational depository, the committee shall file the name and
19 address of the depository, and of the organizational treasurer, with
20 the Election Law Enforcement Commission.

21 Every continuing political committee shall, not later than the
22 date on which it first receives any contribution or makes or incurs
23 any expenditure in the furtherance or aid of the election or defeat of
24 any candidate or the passage or defeat of any public question,
25 appoint a single organizational treasurer and designate an
26 organizational depository, provided that no person who is the
27 chairman of a political party committee or a legislative leadership
28 committee shall be eligible to be appointed or to serve as the
29 organizational treasurer of a continuing political committee. Not
30 later than the tenth day after the initial designation of the
31 organizational depository, the committee shall file the name and
32 address of the depository, and of the organizational treasurer, with
33 the Election Law Enforcement Commission.

34 Every legislative leadership committee shall, not later than the
35 date on which it first receives any contribution or makes or incurs
36 any expenditure in the furtherance or aid of the election or defeat of
37 any candidate or the passage or defeat of any public question,
38 appoint a single organizational treasurer and designate an
39 organizational depository. Not later than the tenth day after the
40 initial designation of the organizational depository, the committee
41 shall file the name and address of the depository, and of the
42 organizational treasurer, with the Election Law Enforcement
43 Commission.

44 Each organizational treasurer of a State political party committee
45 or a legislative leadership committee shall be a trained treasurer,
46 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-
47 6), or shall acquire such training within 90 days of appointment as
48 an organizational treasurer. An organizational treasurer of any

1 other political party committee or a continuing political committee
2 or an independent expenditure committee and a campaign treasurer
3 of a political committee may be a trained treasurer.

4 An organizational treasurer of a political party committee, a
5 continuing political committee, an independent expenditure
6 committee, or a legislative leadership committee and a campaign
7 treasurer of a political committee may appoint deputy
8 organizational or campaign treasurers as may be required and may
9 designate additional organizational or campaign depositories. Such
10 committees shall file the names and addresses of such deputy
11 treasurers and additional depositories with the Election Law
12 Enforcement Commission not later than the fifth day after their
13 appointment or designation, respectively.

14 Any political party committee, any political committee, any
15 independent expenditure committee, any continuing political
16 committee, and any legislative leadership committee may remove
17 its organizational or campaign treasurer or deputy treasurer. In the
18 case of the death, resignation or removal of its organizational or
19 campaign treasurer, the committee shall appoint a successor as soon
20 as practicable and shall file his name and address with the Election
21 Law Enforcement Commission within three days.

22 (cf: P.L.2019, c.124, s.4)

23

24 31. Section 2 of P.L.1995, c.391 (C.19:44A-22.3) is amended to
25 read as follows:

26 2. a. Whenever a candidate committee, joint candidates
27 committee, political committee, continuing political committee,
28 independent expenditure committee, political party committee or
29 legislative leadership committee, or any group other than such a
30 committee, or any person makes, incurs or authorizes an
31 expenditure for the purpose of financing a communication aiding or
32 promoting the nomination, election or defeat of any candidate or
33 providing political information on any candidate which is an
34 expenditure that the committee, group or person is required to
35 report to the Election Law Enforcement Commission pursuant to
36 P.L.1973, c.83 (C.19:44A-1 et seq.), the communication shall
37 clearly state the name and business or residence address of the
38 committee, group or person, as that information appears on reports
39 filed with the commission, and that the communication has been
40 financed by that committee, group or person.

41 b. Whenever a candidate committee, joint candidates
42 committee, political committee, continuing political committee,
43 independent expenditure committee, political party committee or
44 legislative leadership committee, or any group other than such a
45 committee, or any person makes, incurs or authorizes an
46 expenditure for the purpose of financing a communication aiding
47 the passage or defeat of any public question or providing political
48 information on any public question, or [aiding the passage or defeat

1 of legislation or regulation] as an independent expenditure in the
2 case of an independent expenditure committee, which is an
3 expenditure that the committee, group or person is required to
4 report to the Election Law Enforcement Commission pursuant to
5 P.L.1973, c.83 (C.19:44A-1 et seq.), the communication shall
6 clearly state the name and business or residence address of the
7 committee, group or person, as that information appears on reports
8 filed with the commission, and that the communication has been
9 financed by that committee, group or person.

10 c. A communication that is financed by an independent
11 expenditure committee or by any person, not acting in concert with
12 a candidate or any person or committee acting on behalf of a
13 candidate, shall contain a clear and conspicuous statement that the
14 expenditure was not made with the cooperation or prior consent of,
15 or in consultation with or at the request or suggestion of, any such
16 candidate, person or committee.

17 d. Any person who accepts compensation from a committee,
18 group or individual described in subsection a. or b. of this section
19 for the purpose of printing, broadcasting, or otherwise
20 disseminating to the electorate a communication shall require the
21 committee, group, or individual to file a copy of the statement of
22 registration required to be filed with the Election Law Enforcement
23 Commission pursuant to section 21 of P.L.1993, c.65 (C.19:44A-
24 8.1) and shall maintain a record of the transaction which shall
25 include an exact copy of the communication and a statement of the
26 number of copies made or the dates and times that the
27 communication was broadcast or otherwise transmitted, and the
28 name and address of the committee, group or individual paying for
29 the communication. The record shall be maintained on file at the
30 principal office of the person accepting the communication for at
31 least two years and shall be available for public inspection during
32 normal business hours.

33 e. As used in this section, "communication" means a press
34 release, pamphlet, flyer, form letter, sign, billboard, paid
35 advertisement printed in any newspaper or other publication or
36 broadcast on radio or television, or telephone call featuring a
37 recorded message, or any other form of advertising, including
38 Internet and digital advertising, directed to the electorate.

39 f. The provisions of this section shall not be construed to apply
40 to any bona fide news item or editorial contained in any publication
41 of bona fide general circulation.

42 g. (1) A person who violates a provision of this section shall be
43 subject to the civil penalties provided in section 22 of P.L.1973,
44 c.83 (C.19:44A-22).

45 (2) A person who, with intent to injure anyone or to conceal
46 wrongdoing, purposely falsifies, conceals or misrepresents
47 information required by this section to be disclosed or maintained
48 on file is guilty of a crime of the fourth degree.

1 h. The Election Law Enforcement Commission shall
2 promulgate rules and regulations pursuant to the "Administrative
3 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate
4 the purpose of this section. The commission may, by regulation,
5 exempt from the provisions of this section small, tangible items of
6 de minimis value which are commonly used in campaigns to convey
7 a political message, including, but not limited to, buttons, combs,
8 and nail files. The commission may also, by regulation, exempt
9 from the provisions of this section advertising space purchased by a
10 candidate committee, joint candidates committee, political
11 committee, continuing political committee, political party
12 committee, legislative leadership committee or other person, in a
13 political program book distributed at a fund-raising event if the
14 financial transaction is otherwise subject to disclosure. An
15 exemption granted by the commission with respect to any item shall
16 not relieve the committee, group or individual making an
17 expenditure therefor from any applicable campaign finance
18 reporting requirements.

19 In addition, the commission shall have the authority to provide,
20 by regulation, that a communication need not include the address of
21 the committee, group or person financing the communication in
22 circumstances where the name of a committee, group or person
23 would be sufficient to identify it from the commission's records.
24 (cf: P.L.2019, c.124, s.10)
25

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

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

- 31 (1) the payment of campaign expenses;
- 32 (2) contributions to any charitable organization described in
33 section 170(c) of the Internal Revenue Code of 1954, as amended or
34 modified, or nonprofit organization which is exempt from taxation
35 under section 501(c) of the Internal Revenue Code of 1954, except
36 any charitable organization of which the candidate or a member of
37 the candidate's immediate family is a paid officer, director or
38 employee or receives compensation for goods or services provided
39 to the organization;
- 40 (3) transmittal to another candidate, candidate committee, or
41 joint candidates committee, or to a political committee, continuing
42 political committee, legislative leadership committee or political
43 party committee, for the lawful use by such other candidate or
44 committee;
- 45 (4) the payment of the overhead and administrative expenses
46 related to the operation of the candidate committee or joint
47 candidates committee of a candidate or a legislative leadership
48 committee;

- 1 (5) the pro rata repayment of contributors; or
2 (6) the payment of ordinary and necessary expenses of holding
3 public office.

4 As used in this subsection, "campaign expenses" means any
5 expense incurred or expenditure made by a candidate, candidate
6 committee, joint candidates committee or legislative leadership
7 committee for the purpose of paying for or leasing items or services
8 used in connection with an election campaign, other than those
9 items or services which may reasonably be considered to be for the
10 personal use of the candidate, any person associated with the
11 candidate or any of the members of a legislative leadership
12 committee; and "member of the candidate's immediate family"
13 means the candidate's spouse, child, parent, or sibling, and the
14 child, parent, or sibling of the candidate's spouse.

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

20 c. Any funds remaining in the campaign depository of a
21 candidate's candidate committee or joint candidates committee upon
22 the death of the candidate shall be used only for one or more of the
23 purposes established in subsection a. of this section by the
24 committee's organizational treasurer or deputy treasurer or whoever
25 has control of the depository upon the death of the candidate.

26 d. Expenses incurred by the holder of a public office or a
27 candidate for child care may be paid from campaign contributions
28 received pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) only if the
29 expenses are for providing care for the well-being and protection of
30 the child outside of the home, in a child care facility, or in the home
31 of the office holder or candidate. Eligible expenses shall be those
32 that result directly from activities in which the office holder or
33 candidate engages for the purposes of holding public office or of a
34 campaign for public office, and would not have otherwise been
35 incurred but for those activities. Child care expenses shall not
36 include payments to a member of the office holder's or candidate's
37 household.

38 e. Expenses incurred by the holder of a public office or a
39 candidate or committee for litigation or legal costs arising from
40 campaign activities shall be permitted to be paid from campaign
41 contributions received pursuant to P.L.1973, c.83 (C.19:44A-1 et
42 seq.).

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

47 (cf: P.L.2020, c.102, s.1)

1 33. (New section) Notwithstanding any provision of P.L.1973,
2 c.83 (C.19:44A-1 et seq.), or any other law, rule, or regulation to
3 the contrary, the two major political parties in this State and their
4 respective county political party committees shall be permitted to
5 create a segregated depository account, separate from any campaign
6 depository account, to be deemed as the “housekeeping account.”
7 The purpose of the housekeeping account shall be to pay eligible
8 expenses for non-political purposes of the State political party
9 committee or county political party committee including, but not
10 limited to, legal activity, accounting, compliance, human resources,
11 collective bargaining, capital expenses such as mortgage payments,
12 rent, utilities, and taxes, and expenses related to county, State, or
13 national political party conventions. The two major political parties
14 in this State and their respective county political party committees
15 shall be permitted to raise funds for deposit into the housekeeping
16 account, except that the maximum contribution or limit on the funds
17 raised from any given person, candidate, or committee shall be
18 equivalent to ¹~~double~~ half¹ the amounts established under
19 P.L.1973, c.83 (C.19:44A-1 et seq.) for the State committee of a
20 political party or the county committee of a political party.
21 Gubernatorial campaigns shall be permitted to utilize the funds
22 deposited in a political party housekeeping account established
23 under this section for any non-political expenditures incurred
24 following the election in which the gubernatorial candidates
25 participated, and those non-political expenditures shall not be
26 considered an in-kind contribution. ¹Each State political party
27 committee and each county political party committee establishing a
28 housekeeping account as provided under this section shall file with
29 the Election Law Enforcement Commission a report of all
30 contributions received for the housekeeping account in excess of
31 \$200 and of all expenditures made from the account. The reports
32 shall contain the same information and shall be filed in the same
33 schedule as the reports of campaign contributions and expenditures
34 required to be filed by political party committees pursuant to
35 subsection c. of section 8 of P.L.1973, c.83 (C.19:44A-8).¹

36
37 34. (New section) Within one year following the effective date
38 of this act, P.L. , c. (pending before the Legislature as this bill),
39 the Election Law Enforcement Commission shall make technical
40 updates to its campaign contributions and expenditures reporting
41 database to improve the performance and usability of the database.
42 The Legislature shall appropriate to the Election Law Enforcement
43 Commission any funds necessary for the implementation of this
44 section.

45
46 35. (New section) Any enforcement action brought by the
47 Election Law Enforcement Commission for any violations of
48 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be subject to a statute of

1 limitations of two years following the occurrence of the alleged
2 violation. The statute of limitations provided in this section shall
3 apply retroactively to any alleged violations occurring prior to the
4 effective date of this act, P.L. , c. (pending before the Legislature
5 as this bill).

6

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

9 6. a. The commission shall appoint a full-time executive
10 director, legal counsel and hearing officers, all of whom shall serve
11 at the pleasure of the commission and shall not have tenure by
12 reason of the provisions of chapter 16 of Title 38 of the Revised
13 Statutes. The commission shall also appoint such other employees
14 as are necessary to carry out the purposes of this act, which
15 employees shall be in the classified service of the civil service and
16 shall be appointed in accordance with and shall be subject to the
17 provisions of Title 11, Civil Service. Notwithstanding any provision
18 of this subsection to the contrary, following the date of enactment
19 of P.L. , c. (pending before the Legislature as this bill), the
20 executive director shall be appointed by the Governor, with the
21 advice and consent of the Senate, and shall serve at the pleasure of
22 the Governor. The executive director shall receive an annual salary
23 to be fixed and established by the Governor, which shall not exceed
24 \$175,000, and shall devote their entire time and attention to the
25 duties of the office. If an executive director has not been confirmed
26 by the Senate, the Governor may appoint an acting executive
27 director to temporarily fill the role.

28 b. It shall be the duty of the commission to enforce the
29 provisions of this act, to conduct hearings with regard to possible
30 violations and to impose penalties; and for the effectual carrying out
31 of its enforcement responsibilities the commission shall have the
32 authority to initiate a civil action in any court of competent
33 jurisdiction for the purpose of enforcing compliance with the
34 provisions of this act or enjoining violations thereof or recovering
35 any penalty prescribed by this act. The commission shall
36 promulgate such regulations and official forms and perform such
37 duties as are necessary to implement the provisions of this act.
38 Without limiting the generality of the foregoing, the commission is
39 authorized and empowered to:

40 (1) Develop forms for the making of the required reports;

41 (2) Prepare and publish a manual for all candidates, political
42 committees and continuing political committees, prescribing the
43 requirements of the law, including uniform methods of bookkeeping
44 and reporting and requirements as to the length of time that any
45 person required to keep any records pursuant to the provisions of
46 this act shall retain such records, or any class or category thereof, or
47 any other documents, including canceled checks, deposit slips,

- 1 invoices and other similar documents, necessary for the compilation
- 2 of such records;
- 3 (3) Develop a filing, coding and cross-indexing system;
- 4 (4) Permit copying or photo-copying of any report required to
- 5 be submitted pursuant to this act as requested by any person;
- 6 (5) Prepare and make available for public inspection summaries
- 7 of all said reports grouped according to candidates, parties and
- 8 issues, containing the total receipts and expenditures, and the date,
- 9 name, address and amount contributed by each contributor;
- 10 (6) Prepare and publish, prior to May 1 of each year, an annual
- 11 report to the Legislature;
- 12 (7) Ascertain whether candidates, committees, organizations or
- 13 others have failed to file reports or have filed defective reports;
- 14 extend, for good cause shown, the dates upon which reports are
- 15 required to be filed; give notice to delinquents to correct or explain
- 16 defects; and make available for public inspection a list of such
- 17 delinquents;
- 18 (8) Ascertain the total expenditures for candidates and
- 19 determine whether they have exceeded the limits set forth in this
- 20 act; notify candidates, committees or others if they have exceeded
- 21 or are about to exceed the limits imposed;
- 22 (9) Hold public hearings, investigate allegations of any
- 23 violations of this act, and issue subpoenas for the production of
- 24 documents and the attendance of witnesses;
- 25 (10) Forward to the Attorney General or to the appropriate
- 26 county prosecutor information concerning any violations of this act
- 27 which may become the subject of criminal prosecution or which
- 28 may warrant the institution of other legal proceedings by the
- 29 Attorney General.
- 30 c. The commission shall take such steps as may be necessary or
- 31 appropriate to furnish timely and adequate information, in
- 32 appropriate printed summaries and in such other form as it may see
- 33 fit, to every candidate or prospective candidate for public office
- 34 who becomes or is likely to become subject to the provisions of this
- 35 act, and to every treasurer and depository duly designated under the
- 36 provisions of this act, informing them of their actual or prospective
- 37 obligations and responsibilities under this act. Such steps shall
- 38 include, but not be limited to, furnishing to every person on whose
- 39 behalf petitions of nomination are filed for any public office a copy
- 40 of such printed summary as aforesaid, which shall be furnished to
- 41 such person by the commission through the public official charged
- 42 with the responsibility of receiving and accepting such petitions of
- 43 nomination, at the time when such petitions are filed. The
- 44 commission shall also make available copies of such printed
- 45 summary to any other person requesting the same. The commission
- 46 shall also take such steps as it may deem necessary or effectual to
- 47 disseminate among the general public such information as may
- 48 serve to guide all persons who may become subject to the

1 provisions of this act by reason of their participation in election
2 campaigns or in the dissemination of political information, for the
3 purpose of facilitating voluntary compliance with the provisions
4 and purposes of this act. In the dissemination of such information,
5 the commission shall to the greatest extent practicable enlist the
6 cooperation of commercial purveyors, within and without the State,
7 of materials and services commonly used for political campaign
8 purposes.

9 d. If the nomination for or election to any public office or party
10 position becomes void under the terms of subsection c. of section
11 21 of this act, the withholding or revocation of his certificate of
12 election, the omission of his name from the ballot or the vacation of
13 the office into which he has been inducted as a result of such void
14 election, as the case may be, shall be subject to the provisions of
15 chapter 3, articles 2 and 3, of this Title (R.S.19:3-7 et seq.).

16 e. The commission shall be assigned suitable quarters for the
17 performance of its duties hereunder.

18 f. The commission through its legal counsel is authorized to
19 render advisory opinions as to whether a given set of facts and
20 circumstances would constitute a violation of any of the provisions
21 of this act, or whether a given set of facts and circumstances would
22 render any person subject to any of the reporting requirements of
23 this act.

24 Unless an extension of time is consented to by any person
25 requesting an advisory opinion, the commission shall render its
26 advisory opinion within 10 days of receipt of the request therefor.
27 Failure of the commission to reply to a request for an advisory
28 opinion within the time so fixed or agreed to shall preclude it from
29 instituting proceedings for imposition of a penalty upon any person
30 for a violation of this act arising out of the particular facts and
31 circumstances set forth in such request, except as such facts and
32 circumstances may give rise to a violation when taken in
33 conjunction with other facts and circumstances not set forth in such
34 request.

35 g. The commission shall establish a training program for
36 campaign treasurers and organizational treasurers and shall make
37 the training program available through its Internet site within one
38 year of the effective date of this act, P.L.2004, c.22.

39 (cf: P.L.2004, c.22, s.1)¹

40

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

43 5. a. There is hereby created a commission consisting of four
44 members which shall be designated as the New Jersey Election
45 Law Enforcement Commission. The members shall be appointed
46 by the Governor by and with the advice and consent of the Senate
47 for a term of 3 years, beginning on July 1 and ending June 30,
48 except as hereinafter provided. The Governor shall designate one

1 of the commission members to serve as chairman of the
2 commission. No more than two members shall belong to the same
3 political party, and no person holding a public office or an office in
4 any political party shall be eligible for appointment to the
5 commission. **【Of the members initially appointed, two shall be**
6 **appointed for a term of 3 years, one for a term of 2 years and one**
7 **for a term of 1 year.】** Each member shall serve until his successor
8 has been appointed and qualified. In case of a vacancy, however,
9 the successor shall be appointed in like manner for the unexpired
10 term only. The members shall **【serve without compensation, but**
11 **shall be reimbursed for necessary expenses incurred in the**
12 **performance of their duties under this act】** receive a salary of
13 \$30,000 annually. For the purpose of complying with the
14 provisions of Article V, Section IV, paragraph 1 of the New Jersey
15 Constitution, the Election Law Enforcement Commission is hereby
16 allocated within the Department of Law and Public Safety; but,
17 notwithstanding said allocation, the commission shall be
18 independent of any supervision or control by the department or by
19 any board or officer thereof, it being the intention of this act that the
20 assignment, direction, discipline and supervision of all the
21 employees of the commission shall be so far as possible, and except
22 as otherwise provided in this act, fully determined by the
23 commission or by such officers and employees thereof to whom the
24 commission may delegate the powers of such assignment,
25 direction, discipline and supervision.

26 b. Notwithstanding any provision of subsection a. of this
27 section, or any other law, rule, or regulation to the contrary, within
28 90 days following the enactment date of this act, P.L. , c.
29 (pending before the Legislature as this bill), the Governor shall
30 directly appoint four members to the commission, not more than
31 two of whom shall be of the same political party, and the terms of
32 office of the members of the commission currently serving shall
33 expire upon the Governor's appointment of the new members. No
34 person holding a public office or an office in any political party
35 shall be eligible for appointment to the commission. Of the four
36 new members directly appointed by the Governor pursuant to this
37 subsection, two members who shall not be of the same political
38 party shall be appointed for a term of 3 years, and two members
39 who shall not be of the same political party shall be appointed for a
40 term of 2 years. Upon the expiration of the initial term of each
41 member appointed pursuant to this subsection, members of the
42 commission shall be appointed pursuant to subsection a. of this
43 section.¹

44 (cf: P.L.1983, c.579, s.9)

45

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

1 38. This act shall take effect on January 1, 2023, except that
2 sections 1 through 9, sections 22 and 23, sections 26 through 31,
3 and section 33 shall take effect after the 2023 primary election and
4 shall apply to the 2023 general election, unless a later date is
5 specified, and all elections thereafter.