

[Second Reprint]

SENATE, No. 2866

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 16, 2022

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 27, 2022, with amendments.



(Sponsorship Updated As Of: 2/23/2023)

S2866 [2R] SCUTARI

2

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

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

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

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

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

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

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

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

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SSG committee amendments adopted June 23, 2022.

²Senate SBA committee amendments adopted June 27, 2022.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 8. a. (1) Each political committee shall make a **[full]** ²full²
8 cumulative ²quarterly² report ²each calendar year², upon a
9 form prescribed by the Election Law Enforcement Commission, of
10 all contributions in the form of moneys, loans, paid personal
11 services, or other things of value made to it and all expenditures
12 made, incurred, or authorized by it in furtherance of the nomination,
13 election, or defeat of any candidate, or in aid of the passage or
14 defeat of any public question, or to provide political information on
15 any candidate or public question, during the period ending 48 hours
16 preceding the date of the report and beginning on the date on which
17 the first of those contributions was received or the first of those
18 expenditures was made, whichever occurred first. The cumulative
19 ²quarterly² report, except as hereinafter provided, shall contain
20 the name and mailing address of each person or group from whom
21 moneys, loans, paid personal services or other things of value have
22 been contributed since 48 hours preceding the date on which the
23 previous such report was made and the amount contributed by each
24 person or group, and where the contributor is an individual, the
25 report shall indicate the occupation of the individual and the name
26 and mailing address of the individual's employer. In the case of any
27 loan reported pursuant to this subsection, the report shall contain
28 the name and mailing address of each person who has cosigned such
29 loan since 48 hours preceding the date on which the previous such
30 report was made, and where an individual has cosigned such loans,
31 the report shall indicate the occupation of the individual and the
32 name and mailing address of the individual's employer. The
33 cumulative ²quarterly² report shall also contain the name and
34 address of each person, firm or organization to whom expenditures
35 have been paid since 48 hours preceding the date on which the
36 previous such report was made and the amount and purpose of each
37 such expenditure. The cumulative ²quarterly² report shall be
38 filed with the Election Law Enforcement Commission on the dates
39 designated in section 16 hereof.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 d. (1) Each independent expenditure committee ²making an
6 expenditure pertaining to a primary election² shall file with the
7 Election Law Enforcement Commission, ²[not later than April 15,
8 July 15, October 15 and January 15 of each calendar year, a
9 cumulative quarterly report] a cumulative report on the 11th day
10 preceding the primary election, and after the primary election file a
11 report on the 20th day following the election², upon a form
12 prescribed by the Election Law Enforcement Commission, of all
13 contributions received in excess of ~~[\$10,000]~~ ²~~[\$1,000]~~ \$7,500² in
14 the form of moneys, loans, paid personal services, or other things of
15 value made to it, and of all expenditures ²~~[in excess of]~~² ~~[\$3,000]~~
16 ²~~[\$1,000]~~² made, incurred, or authorized by it ¹~~[in influencing or~~
17 ~~attempting to influence the outcome of any election or the~~
18 ~~nomination, election, or defeat of any person to State or local~~
19 ~~elective public office or the passage or defeat of any public~~
20 ~~question, legislation, or regulation, or in providing political~~
21 ~~information on any candidate or public question, legislation, or~~
22 ~~regulation,]~~ ²~~[as independent expenditures~~¹ during the period
23 ending 48 hours preceding the date of the report and beginning on
24 the date on which the first of those contributions was received or
25 the first of those expenditures was made, whichever occurred first.
26 The quarterly] during the time period prescribed by the Election
27 Law Enforcement Commission. Each independent expenditure
28 committee making an expenditure pertaining to a municipal, runoff,
29 school board, special, or general election shall file with the Election
30 Law Enforcement Commission a cumulative report on the 29th day
31 preceding the election, a report on the 11th day preceding the
32 election, and after the election file a report on the 20th day
33 following the election, upon a form prescribed by the Election Law
34 Enforcement Commission, of all contributions received in excess of
35 \$7,500 in the form of moneys, loans, paid personal services, or
36 other things of value made to it, and of all expenditures made,
37 incurred, or authorized by it during the time period prescribed by
38 the Election Law Enforcement Commission. The² report, except as
39 hereinafter provided, shall contain the name and mailing address of
40 each person or group from whom moneys, loans, paid personal
41 services or other things of value have been contributed since 48
42 hours preceding the date on which such previous report was made
43 and the amount contributed by each person or group in excess of
44 ~~[\$10,000]~~ ²~~[\$1,000]~~ \$7,500², and when the contributor is an
45 individual, the report shall indicate the occupation of the individual
46 and the name and mailing address of the individual's employer. In
47 the case of any loan reported pursuant to this subsection, the report
48 shall contain the name and mailing address of each person who has

1 cosigned such loan since 48 hours preceding the date on which the
2 previous such report was made, and when an individual has
3 cosigned such loans, the report shall indicate the occupation of the
4 individual and the name and mailing address of the individual's
5 employer. The ²~~quarterly~~² report shall also contain the name and
6 address of each person, firm, or organization to whom expenditures
7 have been paid since 48 hours preceding the date on which the
8 previous such report was made and the amount and purpose of each
9 such expenditure.

10 (2) ²~~An independent expenditure committee shall disclose all~~
11 ¹~~independent~~¹ expenditures made by it in excess of² ~~[\$3,000]~~
12 ²~~[\$1,000]~~¹, including, but not limited to, for electioneering
13 communications, voter registration, get-out-the-vote efforts,
14 polling, and research¹ ²~~. The disclosures required by this~~
15 paragraph shall be reported to the Election Law Enforcement
16 Commission on the same schedule as required for continuing
17 political committees pursuant to this section.²

18 The treasurer of the reporting independent expenditure
19 committee shall certify the correctness of each report and shall
20 maintain all records of contributions and expenditures for a period
21 of not less than four years.

22 The ~~[\$10,000]~~ ²~~[\$1,000]~~ ~~\$7,500~~² contribution amount ²~~and~~
23 ~~the~~² ~~[\$3,000]~~ ²~~[\$1,000]~~ expenditure amount established in this
24 subsection² shall remain as stated in this subsection without
25 further adjustment by the commission pursuant to section 22 of
26 P.L.1993, c.65 (C.19:44A-7.2).

27 e. When a political party committee ²~~,~~² ~~or~~² legislative
28 leadership committee ²~~or independent expenditure committee~~²
29 receives a contribution from a single source of more than \$500 after
30 the final day of a quarterly reporting period and on or before a
31 primary, general, municipal, school, or special election which
32 occurs after that final day but prior to the final day of the next
33 reporting period it shall, in writing or by electronic transmission,
34 report that contribution to the commission within 48 hours of the
35 receipt thereof, including in that report the amount and date of the
36 contribution; the name and mailing address of the contributor; and
37 where the contributor is an individual, the individual's occupation
38 and the name and mailing address of the individual's employer.
39 When a political party committee ²~~,~~² ~~or~~² legislative leadership
40 committee ²~~,~~² or an independent expenditure committee² makes or
41 authorizes an expenditure of money or other thing of value in
42 excess of \$800, or incurs any obligation therefor, to support or
43 defeat a candidate in an election, or to aid the passage or defeat of
44 any public question, ²~~or to aid the passage or defeat of legislation~~
45 or regulation in the case of an independent expenditure
46 committee,² after March 31 and on or before the day of the
47 primary election, or after September 30 and on or before the day of
48 the general election, it shall, in writing or by electronic

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

3 f. In any report filed pursuant to the provisions of this section
4 the organization or committee reporting may exclude from the
5 report the name of and other information relating to any contributor
6 whose contributions during the period covered by the report did not
7 exceed \$300, provided, however, that (1) such exclusion is unlawful
8 if any person responsible for the preparation or filing of the report
9 knew that it was made with respect to any person whose
10 contributions relating to the same election or issue and made to the
11 reporting organization or committee aggregate, in combination with
12 the contribution in respect of which such exclusion is made, more
13 than \$300 and (2) any person who knowingly prepares, assists in
14 preparing, files or acquiesces in the filing of any report from which
15 the identification of a contributor has been excluded contrary to the
16 provisions of this section is subject to the provisions of section 21
17 of P.L.1973, c.83 (C.19:44A-21), but (3) nothing in this proviso
18 shall be construed as requiring any committee or organization
19 reporting pursuant to this act to report the amounts, dates or other
20 circumstantial data regarding contributions made to any other
21 organization or political committee, political party committee or
22 campaign organization of a candidate.

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

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

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

38

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

41 18. a. No individual, other than an individual who is a
42 candidate, no corporation of any kind organized and incorporated
43 under the laws of this State or any other state or any country other
44 than the United States, no labor organization of any kind which
45 exists or is constituted for the purpose, in whole or in part, of
46 collective bargaining, or of dealing with employers concerning the
47 grievances, terms or conditions of employment, or of other mutual
48 aid or protection in connection with employment, or any group
49 shall: (1) pay or make any contribution of money or other thing of

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

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

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

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

48 The limitation upon the knowing acceptance by a candidate,
49 campaign treasurer, deputy campaign treasurer, candidate

1 committee or joint candidates committee of any contribution of
2 money or other thing of value from a political committee or
3 continuing political committee under the provisions of paragraph
4 (1) of this subsection, except that the amount of any contribution of
5 money or other thing of value shall be in an amount which in the
6 aggregate does not exceed ~~【\$25,000】~~ \$50,000, shall also be
7 applicable to the knowing acceptance of any such contribution from
8 the county committee of a political party by a candidate, or the
9 campaign treasurer, deputy campaign treasurer, candidate
10 committee or joint candidates committee of a candidate, for
11 nomination for election or for election to the office of member of
12 the Legislature in a legislative district in which, according to the
13 federal decennial census upon the basis of which legislative districts
14 shall have been established, at least 20% but less than 40% of the
15 population resides within the county of that county committee. In
16 addition, all contributor reporting requirements and other
17 restrictions and regulations applicable to a contribution of money or
18 other thing of value by a political committee or continuing political
19 committee under the provisions of P.L.1973, c.83 (C.19:44A-1 et
20 al.) shall likewise be applicable to the making or payment of such a
21 contribution by such a county committee.

22 With respect to the limitations in this paragraph, the Legislature
23 finds and declares that:

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

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

33 (c) Furthermore, the risk of actual or perceived corruption is
34 raised by the potential for contributors to circumvent limits on
35 contributions to candidates by funneling money to candidates
36 through county committees;

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

42 (e) It is, therefore, reasonable for the State to promote this
43 compelling interest by limiting the amount a county committee may
44 give to a legislative candidate based upon the degree to which the
45 population of the legislative district overlaps with the population of
46 that county.

47 c. (1) No candidate who has established only a candidate
48 committee, his campaign treasurer, deputy treasurer or candidate
49 committee shall (a) pay or make any contribution of money or other

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

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

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

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

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

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

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

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

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

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

5

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

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

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

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

46 c. No individual, no corporation of any kind organized and
47 incorporated under the laws of this State or any other state or any
48 country other than the United States, no labor organization of any

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

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

48 d. For the purpose of determining the amount of a contribution
49 to be attributed as given by each candidate in a joint candidates

1 committee, the amount of the contribution by such a committee
2 shall be divided equally among all the candidates in the committee.
3 (cf: P.L.2004, c.174, s.4)

4

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

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

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

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

34 c. No individual, no corporation of any kind organized and
35 incorporated under the laws of this State or any other state or any
36 country other than the United States, no labor organization of any
37 kind which exists or is constituted for the purpose, in whole or in
38 part, of collective bargaining, or of dealing with employees
39 concerning the grievances, terms or conditions of employment, or
40 of other mutual aid or protection in connection with employment,
41 nor any other group, shall pay or make any contribution of money
42 or other thing of value to a political committee, other than a
43 political committee which is organized to, or does, aid or promote
44 the passage or defeat of a public question in any election, or a
45 continuing political committee, which in the aggregate exceeds, in
46 the case of such a political committee, **[\$7,200]** \$14,400 per
47 election, or in the case of a continuing political committee,
48 **[\$7,200]** \$14,400 per year, and no such political committee or

1 continuing political committee shall knowingly accept any
2 contribution in excess of those amounts from an individual or from
3 such corporation, labor organization, or other group.

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

5

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

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

36 b. During the period between the appointment of the campaign
37 treasurer and the election with respect to which contributions are
38 accepted or expenditures made by him, the campaign treasurer shall
39 file his cumulative campaign quarterly report (1) on the 29th day
40 preceding the election, and (2) on the 11th day preceding the
41 election; and after the election he shall file his report on the 20th
42 day following such election. Concurrent with the report filed on the
43 20th day following an election, or at any time thereafter, the
44 campaign treasurer of a candidate committee or joint candidates
45 committee may certify to the Election Law Enforcement
46 Commission that the election fund of such candidate committee or
47 joint candidates committee has wound up its business and been
48 dissolved, or that business regarding the late election has been
49 wound up but the candidate committee or joint candidates

1 committee will continue for the deposit and use of contributions in
2 accordance with section 17 of P.L.1993, c.65 (C.19:44A-11.2).
3 Certification shall be accompanied by a final accounting of such
4 election fund, or of the transactions relating to such election,
5 including the final disposition of any balance remaining in such
6 fund at the time of dissolution or the arrangements which have been
7 made for the discharge of any obligations remaining unpaid at the
8 time of dissolution. Until the candidate committee or joint
9 candidates committee is dissolved, each such treasurer shall
10 continue to file reports in the form and manner herein prescribed.

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

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

47 The commission, on any form it shall prescribe for the reporting
48 of expenditures by a candidate committee or joint candidates
49 committee, shall provide for the grouping together of all

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

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

28 In addition to reporting contributions in the cumulative quarterly
29 report as required under this subsection, each campaign treasurer of
30 a candidate committee or joint candidates committee shall file
31 written notice with the commission of a contribution in excess of
32 \$2,000 within 96 hours of receiving the contribution.

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

36 d. There shall be no obligation to file the reports required by
37 this section on behalf of a candidate if such candidate files with the
38 Election Law Enforcement Commission a sworn statement to the
39 effect that the total amount to be expended in behalf of his
40 candidacy by the candidate committee, by any political party
41 committee, by any political committee, or by any person shall not in
42 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
43 committee containing two candidates or \$6,000 for any joint
44 candidates committee containing three or more candidates. The
45 sworn statement may be submitted at the time when the name and
46 address of the campaign treasurer and depository is filed with the
47 Election Law Enforcement Commission, provided that in any case
48 the sworn statement is filed no later than the 29th day before an
49 election. If a candidate who has filed such a sworn statement

1 receives contributions from any one source aggregating more than
2 \$300 he shall forthwith make report of the same, including the name
3 and mailing address of the source and the aggregate total of
4 contributions therefrom, and where the source is an individual, the
5 occupation of the individual and the name and mailing address of
6 the individual's employer, to the Election Law Enforcement
7 Commission. The \$300 limit established in this subsection shall
8 remain as stated in this subsection without further adjustment by the
9 commission in the manner prescribed by section 22 of P.L.1993,
10 c.65 (C.19:44A-7.2).

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

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

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

1 joint candidates committee, political committee, continuing political
2 committee, political party committee or legislative leadership
3 committee.

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

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

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

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

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

43 The notice of a contribution shall be filed in writing or by
44 telegram within 48 hours of the receipt of the contribution and shall
45 set forth the amount and date of the contribution, the name and
46 mailing address of the contributor, and where the contributor is an
47 individual, the occupation of the individual and the name and
48 mailing address of the individual's employer. The notice of an
49 expenditure shall be filed in writing or by telegram within 48 hours

1 of the making, incurring or authorization of the expenditure and
2 shall set forth the name and mailing address of the person, firm or
3 organization to whom or which the expenditure was paid and the
4 amount and purpose of the expenditure.

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

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

10

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

13 18. If any former candidate or any political committee or any
14 person or association of persons in behalf of such political
15 committee or former candidate shall receive any contributions or
16 make any expenditures with relation to any election after the date
17 set in section 16 of P.L.1973, c.83 (C.19:44A-16) for the final
18 report subsequent to such election, or shall conduct any testimonial
19 affair or public solicitation for the purpose of raising funds to cover
20 any part of the expenses of a candidate, political committee,
21 independent expenditure committee, or other organization in such
22 election, all such contributions, expenditures, testimonial affairs or
23 public solicitations shall be reported to the Election Law
24 Enforcement Commission by the person or persons receiving such
25 contributions or making such expenditures or conducting such
26 testimonial affairs or public solicitations. Such report shall be made
27 by any person receiving any such contribution or contributions, or
28 making any such expenditure or expenditures, which in the
29 aggregate total more than \$100.00, or conducting any testimonial
30 affair or public solicitation of which the net proceeds exceed
31 \$100.00; and shall be made within 20 days from the date upon
32 which the aggregate of such contributions, expenditures or proceeds
33 exceed \$100.00 for the period commencing with the 19th day
34 following such election or with the date upon which any previous
35 report was made pursuant to this section, whichever is sooner. Such
36 report shall be made in the same form and shall contain the same
37 detail prescribed for any other report made pursuant to section 8 or
38 16 of P.L.1973, c.83 (C.19:44A-8 or C.19:44A-16), including the
39 reporting of any contribution in excess of \$2,000 within 96 hours of
40 receiving the contribution.

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

42

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

45 2. Notwithstanding the provisions of any other law to the
46 contrary:

47 a State agency in the Legislative Branch shall not enter into a
48 contract having an anticipated value in excess of \$17,500, as
49 determined in advance and certified in writing by the State agency,

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

20 No such committee shall accept such a contribution from a
21 business entity during the term of its contract with a State agency in
22 the Legislative Branch.

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

24

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

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

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

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

1 to] any candidate committee of any person serving in an elective
2 public office of that county when the contract is awarded, during
3 the term of that contract.

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

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

7

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

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

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

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

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

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

39

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

42 7. a. Prior to awarding any contract, except a contract that is
43 awarded pursuant to a fair and open process, a State agency in the
44 Legislative Branch, a county, or a municipality shall require the
45 business entity to which the contract is to be awarded to provide a
46 written certification that it has not made a contribution that would
47 bar the award of a contract pursuant to this act.

48 b. A business entity shall have a continuing duty to report to
49 the Election Law Enforcement Commission any contributions that

1 constitute a violation of this act that are made during the duration of
2 a contract.

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

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

9
10 13. Section 7 of P.L.2005, c.51 (C.19:44A-20.19) is amended to
11 read as follows:

12 7. Prior to awarding any contract or agreement to procure
13 services or any material, supplies or equipment from, or for the
14 acquisition, sale, or lease of any land or building from or to, any
15 business entity, the State or any of its purchasing agents or agencies
16 or independent authorities, as the case may be, shall require the
17 business entity to provide a written certification that it has not made
18 a contribution that would bar the award of the contract pursuant to
19 this act. The business entity shall have a continuing duty to report
20 any contribution it makes during the term of the contract, even if
21 that contribution does not constitute a conflict of interest or
22 violation. Such reports shall be subject to review by the State
23 Treasurer. If the State Treasurer determines that any such
24 contribution poses a conflict of interest, such contribution shall be
25 deemed a material breach of such contract or agreement.

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

27
28 14. Section 3 of P.L.2005, c.271 (C.19:44A-20.27) is amended
29 to read as follows:

30 3. a. Any business entity making a contribution of money or
31 any other thing of value, including an in-kind contribution, or
32 pledge to make a contribution of any kind to a candidate for or the
33 holder of any public office having ultimate responsibility for the
34 awarding of public contracts, or to a political party committee,
35 legislative leadership committee, political committee or continuing
36 political committee, which has received in any calendar year
37 \$50,000 or more in the aggregate through agreements or contracts
38 with a public entity, shall file an annual disclosure statement with
39 the New Jersey Election Law Enforcement Commission, established
40 pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth
41 all such contributions made by the business entity during the 12
42 months prior to the reporting deadline. A business entity shall have
43 a continuing duty to report to the Election Law Enforcement
44 Commission any contribution that is made during the duration of a
45 public entity contract held by the business entity.

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

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

4 (2) the name of the candidate for or the holder of any public
5 office having ultimate responsibility for the awarding of public
6 contracts, candidate committee, joint candidates committee,
7 political party committee, legislative leadership committee, political
8 committee or continuing political committee receiving the
9 contribution; and

10 (3) the amount of money the business entity received from the
11 public entity through contract or agreement, the dates, and
12 information identifying each contract or agreement and describing
13 the goods, services or equipment provided or property sold.

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

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

30 As used in this section:

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

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

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

47

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

1 8. a. The campaign treasurer or deputy campaign treasurer of
2 any qualified candidate for nomination for election to the office of
3 Governor in a primary election upon application to the commission
4 shall promptly receive in behalf of the qualified candidate from the
5 fund for election campaign expenses, but not prior to January 1 of
6 the year of the election, moneys in an amount equal to twice the
7 amount of no more than \$1,500.00 of each contribution deposited in
8 the qualified candidate's primary election bank account described in
9 section 7 of P.L.1974, c.26 (C.19:44A-32), except that no payment
10 shall be made from the fund to any candidate for the first
11 \$50,000.00 deposited in the qualified candidate's bank account. The
12 maximum amount which any qualified candidate for nomination for
13 election to the office of Governor in a primary election may receive
14 from the fund for election campaign expenses shall not exceed
15 \$1,350,000. Applications for payments and payments under this
16 subsection following the date on which a candidate is determined to
17 be a qualified candidate shall be made only on the basis of no less
18 than \$12,500.00 of such contributions.

19 b. The campaign treasurer or deputy campaign treasurer of any
20 qualified candidates for election to the offices of Governor and
21 Lieutenant Governor in a general election upon application to the
22 commission shall promptly receive in behalf of such qualified
23 candidates from the fund for election campaign expenses, but not
24 prior to the primary election, moneys in an amount equal to twice
25 the amount of no more than \$1,500.00 of each contribution
26 deposited in such qualified candidates' bank account described in
27 section 7 of P.L.1974, c.26 (C.19:44A-32), except that no payment
28 shall be made from the fund to any candidates for the first
29 \$50,000.00 deposited in such qualified candidates' bank account.

30 The maximum amount which any qualified candidates for
31 election to the offices of Governor and Lieutenant Governor in a
32 general election may receive from the fund for election campaign
33 expenses shall not exceed \$3,300,000. Applications for payments
34 and payments under this subsection following the date on which
35 joint candidates are determined to be qualified candidates shall be
36 made only on the basis of no less than \$12,500.00 of such
37 contributions.

38 c. Any qualified candidate for nomination for election to the
39 office of Governor in a primary election, and any qualified
40 candidates for election to the offices of Governor and Lieutenant
41 Governor in a general election, having received from the fund for
42 election campaign expenses under this section the maximum
43 permitted amounts, may raise additional campaign funds beyond
44 those maximums without receiving additional moneys from the
45 fund for election campaign expenses.

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

47

48 16. (New Section) a. The Election Law Enforcement
49 Commission shall create and maintain a database containing

1 information that business entities are required to disclose and report
2 to the commission pursuant to section 7 of P.L.2004, c.19
3 (C.19:44A-20.8), section 7 of P.L.2005, c.51 (C.19:44A-20.19), and
4 section 3 of P.L.2005, c.271 (C.19:44A-20.27), as amended by
5 P.L. , c. (pending before the Legislature as this bill), concerning
6 contributions made by the business entity and any contribution
7 made during the duration of a public entity contract held by the
8 business entity.

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

13
14 17. (New section) Notwithstanding the provisions of any law,
15 rule, or regulation to the contrary, any local ordinance, resolution,
16 or regulation, as may be appropriate, adopted by a county,
17 municipality, independent authority, board of education, or fire
18 district pursuant or prior to section 1 of P.L.2005, c.271 (C.40A:11-
19 51), limiting the awarding of public contracts therefrom to business
20 entities that have made a contribution pursuant to “The New Jersey
21 Campaign Contributions and Expenditures Reporting Act,”
22 P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions
23 that the holders of a contract can make during the term of a
24 contract, shall cease to be in effect and shall expire on the effective
25 date of this act, P.L. , c. (pending before the Legislature as this
26 bill). The awarding of public contracts by a county, municipality,
27 independent authority, board of education, or fire district shall be in
28 compliance with the provisions of sections 3 through 11 of
29 P.L.2004, c.19 (C.19:44A-20.4 through C.19:44A-20.12), sections 2
30 and 3 of P.L.2005, c.271 (C.19:44A-20.26 and C.19:44A-20.27),
31 and any other applicable provision of current law.

32
33 ¹18. (New section) Whenever any candidate, as defined in
34 paragraph (1) of subsection c. of section 3 of P.L.1973, c.83
35 (C.19:44A-3), declares a candidacy for any election and establishes
36 a candidate committee, a joint candidates committee, or both, as the
37 case may be, for the purpose of receiving contributions and making
38 expenditures in connection with that election, the candidate shall
39 only accept from each entity permitted to make contributions to the
40 candidate an amount not greater than the maximum contribution
41 limit permitted by law to be made by the entity to the candidate for
42 that election, even if the candidate declares candidacy and
43 establishes the committee or committees before the election year in
44 which the candidate will run for office. No entity shall make
45 additional contributions to a candidate for any election beyond the
46 maximum contribution permitted by law.¹

47
48 ¹19. Section 3 of P.L.1973, c.83 (C.19:44A-3) is amended to
49 read as follows:

- 1 3. As used in this act, unless a different meaning clearly
2 appears from the context:
- 3 a. (Deleted by amendment, P.L.1993, c.65.)
- 4 b. (Deleted by amendment, P.L.1993, c.65.)
- 5 c. The term "candidate" means: (1) an individual seeking
6 election to a public office of the State or of a county, municipality
7 or school district at an election; except that the term shall not
8 include an individual seeking party office; (2) an individual who
9 shall have been elected or failed of election to an office, other than
10 a party office, for which he sought election and who receives
11 contributions and makes expenditures for any of the purposes
12 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during
13 the period of his service in that office; and (3) an individual who
14 has received funds or other benefits or has made payments solely
15 for the purpose of determining whether the individual should
16 become a candidate as defined in paragraphs (1) and (2) of this
17 subsection.
- 18 d. The terms "contributions" and "expenditures" include all
19 loans and transfers of money or other thing of value to or by any
20 candidate, candidate committee, joint candidates committee,
21 political committee, continuing political committee, independent
22 expenditure committee, political party committee or legislative
23 leadership committee, and all pledges or other commitments or
24 assumptions of liability to make any such transfer; and for purposes
25 of reports required under the provisions of this act shall be deemed
26 to have been made upon the date when such commitment is made or
27 liability assumed.
- 28 e. The term "election" means any election described in section
29 4 of this act.
- 30 f. The term "paid personal services" means personal, clerical,
31 administrative or professional services of every kind and nature
32 including, without limitation, public relations, research, legal,
33 canvassing, telephone, speech writing or other such services,
34 performed other than on a voluntary basis, the salary, cost or
35 consideration for which is paid, borne or provided by someone
36 other than the committee, candidate or organization for whom such
37 services are rendered. In determining the value, for the purpose of
38 reports required under this act, of contributions made in the form of
39 paid personal services, the person contributing such services shall
40 furnish to the treasurer through whom such contribution is made a
41 statement setting forth the actual amount of compensation paid by
42 said contributor to the individuals actually performing said services
43 for the performance thereof. But if any individual or individuals
44 actually performing such services also performed for the contributor
45 other services during the same period, and the manner of payment
46 was such that payment for the services contributed cannot readily
47 be segregated from contemporary payment for the other services,
48 the contributor shall in his statement to the treasurer so state and
49 shall either (1) set forth his best estimate of the dollar amount of

1 payment to each such individual which is attributable to the
2 contribution of his paid personal services, and shall certify the
3 substantial accuracy of the same, or (2) if unable to determine such
4 amount with sufficient accuracy, set forth the total compensation
5 paid by him to each such individual for the period of time during
6 which the services contributed by him were performed. If any
7 candidate is a holder of public office to whom there is attached or
8 assigned, by virtue of said office, any aide or aides whose services
9 are of a personal or confidential nature in assisting him to carry out
10 the duties of said office, and whose salary or other compensation is
11 paid in whole or part out of public funds, the services of such aide
12 or aides which are paid for out of public funds shall be for public
13 purposes only; but they may contribute their personal services, on a
14 voluntary basis, to such candidate for election campaign purposes.

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

16 h. The term "political information" means any statement
17 including, but not limited to, press releases, pamphlets, newsletters,
18 advertisements, flyers, form letters, Internet or digital
19 advertisements, or radio or television programs or advertisements
20 which reflects the opinion of the members of the organization on
21 any candidate or candidates for public office, on any public
22 question, or which contains facts on any such candidate, or public
23 question whether or not such facts are within the personal
24 knowledge of members of the organization.

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

44 j. The term "public solicitation" means any activity by or on
45 behalf of any candidate, political committee, continuing political
46 committee, candidate committee, joint candidates committee,
47 legislative leadership committee, independent expenditure
48 committee, or political party committee whereby either (1)
49 members of the general public are personally solicited for cash

1 contributions not exceeding \$20.00 from each person so solicited
2 and contributed on the spot by the person so solicited to a person
3 soliciting or through a receptacle provided for the purpose of
4 depositing contributions, or (2) members of the general public are
5 personally solicited for the purchase of items having some tangible
6 value as merchandise, at a price not exceeding \$20.00 per item,
7 which price is paid on the spot in cash by the person so solicited to
8 the person so soliciting, when the net proceeds of such solicitation
9 are to be used by or on behalf of such candidate, political
10 committee, continuing political committee, candidate committee,
11 joint candidates committee, legislative leadership committee,
12 independent expenditure committee, or political party committee.

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

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

26 m. The term "qualified candidate" means:

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

41 (2) Joint candidates for election to the offices of Governor and
42 Lieutenant Governor whose names do not appear on the general
43 election ballot; who have deposited and expended \$150,000.00
44 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,
45 not later than September 1 preceding a general election in which the
46 offices of Governor and Lieutenant Governor are to be filled, (a)
47 notify the Election Law Enforcement Commission in writing that
48 the candidates intend that application will be made on the
49 candidates' behalf for monies for general election campaign

1 expenses under subsection b. of section 8 of P.L.1974, c.26
2 (C.19:44A-33), and (b) sign a statement of agreement, in a form to
3 be prescribed by the commission, to participate in interactive
4 gubernatorial election debates under the provisions of sections 9
5 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);
6 or

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

22 (4) Any candidate for nomination for election to the office of
23 Governor whose name does not appear on the primary election
24 ballot; who has deposited and expended \$150,000.00 pursuant to
25 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than
26 the last day for filing petitions to nominate candidates to be voted
27 upon in a primary election for a general election in which the office
28 of Governor is to be filled, (a) notifies the Election Law
29 Enforcement Commission in writing that the candidate intends that
30 application will be made on the candidate's behalf for monies for
31 primary election campaign expenses under subsection a. of section
32 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of
33 agreement, in a form to be prescribed by the commission, to
34 participate in two interactive gubernatorial primary debates under
35 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
36 45 through C.19:44A-47).

37 n. The term "continuing political committee" means any group
38 of two or more persons acting jointly, or any corporation,
39 partnership, or any other incorporated or unincorporated
40 association, including a political club, political action committee,
41 civic association or other organization, which in any calendar year
42 contributes or expects to contribute at least \$5,500 to the aid or
43 promotion of the candidacy of an individual, or of the candidacies
44 of individuals, for elective public office, or the passage or defeat of
45 a public question or public questions, and which may be expected to
46 make contributions toward such aid or promotion or passage or
47 defeat during a subsequent election, provided that the group,
48 corporation, partnership, association or other organization has been
49 determined to be a continuing political committee under subsection

1 b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided that for the
2 purposes of this act, the term "continuing political committee" shall
3 not include a "political party committee," as defined by subsection
4 p. of this section, a "legislative leadership committee," as defined
5 by subsection s. of this section, or an "independent expenditure
6 committee," as defined by subsection t. of this section.

7 o. The term "statement of agreement" means a written
8 declaration, by a candidate for nomination for election to the office
9 of Governor, or by joint candidates for election to the offices of
10 Governor and Lieutenant Governor who intend that application will
11 be made on behalf of the candidate for the office of Governor to
12 receive monies for the primary election or on behalf of the
13 candidates for the office of Governor and the office of Lieutenant
14 Governor for general election campaign expenses under subsection
15 a. or subsection b., respectively, of section 8 of P.L.1974, c.26
16 (C.19:44A-33), that the candidates undertake to abide by the terms
17 of any rules established by any private organization sponsoring a
18 gubernatorial primary or general election debate, as appropriate, to
19 be held under the provisions of sections 9 through 11 of P.L.1989,
20 c.4 (C.19:44A-45 through C.19:44A-47) and in which the
21 candidates are to participate. The statement of agreement shall
22 include an acknowledgment of notice to the candidates who sign it
23 that failure on the candidates' part to participate in any of the
24 gubernatorial debates may be cause for the termination of the
25 payment of such monies on the candidates' behalf and for the
26 imposition of liability for the return to the commission of such
27 monies as may previously have been so paid.

28 p. The term "political party committee" means the State
29 committee of a political party, as organized pursuant to R.S.19:5-4,
30 any county committee of a political party, as organized pursuant to
31 R.S.19:5-3, or any municipal committee of a political party, as
32 organized pursuant to R.S.19:5-2.

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

37 r. The term "joint candidates committee" means a committee
38 established pursuant to subsection a. of section 9 of P.L.1973, c.83
39 (C.19:44A-9) by at least two candidates for the same elective public
40 offices in the same election in a legislative district, county,
41 municipality or school district, but not more candidates than the
42 total number of the same elective public offices to be filled in that
43 election, for the purpose of receiving contributions and making
44 expenditures. For the purpose of this subsection: the offices of
45 member of the Senate and members of the General Assembly shall
46 be deemed to be the same elective public offices in a legislative
47 district; the offices of member of the board of chosen freeholders
48 and county executive shall be deemed to be the same elective public
49 offices in a county; and the offices of mayor and member of the

1 municipal governing body shall be deemed to be the same elective
2 public offices in a municipality.

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

10 t. The term "independent expenditure committee" means a
11 person organized under section 527 of the federal Internal Revenue
12 Code (26 U.S.C. s.527) or under paragraph (4) of subsection (c) of
13 section 501 of the federal Internal Revenue Code (26 U.S.C. s.501)
14 that does not fall within the definition of any other organization
15 subject to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.),
16 that [engages in influencing or attempting to influence the outcome
17 of any election or the nomination, election, or defeat of any person
18 to any State or local elective public office, or the passage or defeat
19 of any public question, legislation, or regulation, or in providing
20 political information on any candidate or public question,
21 legislation, or regulation, and raises or expends \$3,000 or more in
22 the aggregate for any such purpose annually, but does not
23 coordinate its activities with any candidate or political party as
24 determined by the Election Law Enforcement Commission pursuant
25 to the provisions of section 11 of P.L.2019, c.124 (C.19:44A-3.1)]
26 makes independent expenditures ²in excess of \$10,000, in the
27 aggregate per election².

28 u. The term "electioneering communication" means any
29 communication [made within the period beginning on January 1 of
30 an election year and the date of the election and refers to: (1) a
31 clearly identified candidate for office and promotes or supports a
32 candidate for that office or opposes a candidate for that office,
33 regardless of whether the communication expressly advocates a
34 vote for or against a candidate; or (2) a public question and
35 promotes or supports the passage or defeat of that question,
36 regardless of whether the communication expressly advocates a
37 vote for or against the passage of the question. The term includes
38 communications published in any newspaper or periodical;
39 broadcast on radio, television, or the Internet or digital media, or
40 any public address system; placed on any billboard, outdoor
41 facility, button, motor vehicle, window display, poster, card,
42 pamphlet, leaflet, flyer, or other circular; or contained in any direct
43 mailing, robotic phone calls, or mass e-mails] ²made within 30
44 days of a primary election and made within 60 days of a municipal,
45 runoff, school board, special or general election,² that mentions a
46 clearly identified candidate and expressly supports or opposes that
47 candidate or, by virtue of the communication, is the functional
48 equivalent of express advocacy, meaning the communication is
49 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] electioneering communication
29 expenditure, which is not coordinated with a candidate or political
30 party, and is made for the purpose of expressly advocating the
31 election or defeat of a clearly identified candidate, or that amounts
32 to the functional equivalent of express advocacy. The term
33 "independent expenditure" also includes an electioneering
34 communication expenditure made for the purpose of expressly
35 advocating the passage or defeat of a public question or referendum,
36 or that amounts to the functional equivalent of express advocacy.
37 An independent expenditure qualifies as the functional equivalent
38 of express advocacy if it can only be interpreted by a reasonable
39 person as advocating the election or defeat of a candidate or the
40 passage or defeat of a public question or referendum, taking into
41 consideration whether the communication mentions a candidate,
42 public question, or referendum and discusses a candidate's
43 character, qualifications, fitness for office, position on an issue, or
44 in the case of a public question or referendum, its merits or lack
45 thereof.¹

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

47

48 ¹20. Section 21 of P.L.1993, c.65 (C.19:44A-8.1) is amended to
49 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】 making independent expenditures; (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**
49 **"Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et**

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

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

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

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

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

12 e. No foreign national, government, instrumentality, or agent
13 may register as an independent expenditure committee for the
14 purpose of making independent expenditures in any State or local
15 election.¹

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

17

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

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

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

42 Every independent expenditure committee may designate a
43 chairman of the committee, but no person serving as the chairman
44 of a political party committee or a legislative leadership committee
45 shall be eligible to be appointed or to serve as the chairman of an
46 independent expenditure committee. No candidate or holder of
47 public office, directly or indirectly, shall establish, authorize the
48 establishment of, maintain, or participate in the management or
49 control of any independent expenditure committee. Every

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

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

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

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

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

11 Any political party committee, any political committee, any
12 independent expenditure committee, any continuing political
13 committee, and any legislative leadership committee may remove
14 its organizational or campaign treasurer or deputy treasurer. In the
15 case of the death, resignation or removal of its organizational or
16 campaign treasurer, the committee shall appoint a successor as soon
17 as practicable and shall file his name and address with the Election
18 Law Enforcement Commission within three days.²

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

20

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

23 11. No contribution of money or other thing of value, nor
24 obligation therefor, including but not limited to contributions, loans
25 or obligations of a candidate himself or of his family, shall be made
26 or received, and no expenditure of money or other thing of value,
27 nor obligation therefor, including expenditures, loans or obligations
28 of a candidate himself or of his family, shall be made or incurred,
29 directly or indirectly, to support or defeat a candidate in any
30 election, or to aid the passage or defeat of any public question, or
31 **【to aid the passage or defeat of legislation or regulation】** as an
32 independent expenditure in the case of an independent expenditure
33 committee, except through:

34 a. The duly appointed campaign treasurer or deputy campaign
35 treasurers of the candidate committee or joint candidates
36 committee;

37 b. The duly appointed organizational treasurer or deputy
38 organizational treasurers of a political party committee or a
39 continuing political committee;

40 c. The duly appointed campaign treasurer or deputy campaign
41 treasurers of a political committee;

42 d. The duly appointed organizational treasurer or deputy
43 organizational treasurer of a legislative leadership committee; or

44 e. The duly appointed organizational treasurer or deputy
45 organizational treasurer of an independent expenditure committee.

46 It shall be lawful, however, for any person, not acting in concert
47 with any other person or group, to expend personally from his own
48 funds a sum which is not to be repaid to him for any purpose not
49 prohibited by law, or to contribute his own personal services and

1 personal traveling expenses, to support or defeat a candidate or to
2 aid the passage or defeat of a public question; provided, however,
3 that any person making such expenditure shall be required to report
4 his or her name and mailing address and the amount of all such
5 expenditures and expenses, except personal traveling expenses, if
6 the total of the money so expended, exclusive of such traveling
7 expenses, exceeds \$500, and also, where the person is an individual,
8 to report the individual's occupation and the name and mailing
9 address of the individual's employer, to the Election Law
10 Enforcement Commission at the same time and in the same manner
11 as a political committee subject to the provisions of section 8 of
12 P.L.1973, c.83 (C.19:44A-8). Such expenditure made during the
13 period between the 13th day prior to the election and the date of the
14 election shall be filed in writing or by telegram within 48 hours of
15 the making, incurring or authorization of the expenditure and shall
16 set forth the name and mailing address of the person, firm or
17 organization to whom or which the expenditure was paid and the
18 amount and purpose of the expenditure.

19 No contribution of money shall be made in currency, except
20 contributions in response to a public solicitation, provided that
21 cumulative currency contributions of up to \$200 may be made to a
22 candidate committee or joint candidates committee, a political
23 committee, a continuing political committee, an independent
24 expenditure committee, a legislative leadership committee or a
25 political party committee if the contributor submits with the
26 currency contribution a written statement of a form as prescribed by
27 the commission, indicating the contributor's name, mailing address
28 and occupation and the amount of the contribution, including the
29 contributor's signature and the name and mailing address of the
30 contributor's employer. Adjustments to the \$200 limit established in
31 this paragraph which have been made by the Election Law
32 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
33 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
34 rescinded. The \$200 limit established in this paragraph shall remain
35 as stated in this paragraph without further adjustment by the
36 commission in the manner prescribed by section 22 of P.L.1993,
37 c.65 (C.19:44A-7.2).

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

42 No person, partnership or association, either directly or through
43 an agent, shall make any loan or advance, the proceeds of which
44 that person, partnership or association knows or has reason to know
45 or believe are intended to be used by the recipient thereof to make a
46 contribution or expenditure, except by check or money order
47 identifying the name, mailing address and occupation or business of
48 the maker of the loan, and, if the maker is an individual, the name
49 and mailing address of that individual's employer; provided,

1 however, that such loans or advances to a single individual, up to a
2 cumulative amount of \$50 in any calendar year, may be made in
3 currency.²

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

5

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

8 2. a. Whenever a candidate committee, joint candidates
9 committee, political committee, continuing political committee,
10 independent expenditure committee, political party committee or
11 legislative leadership committee, or any group other than such a
12 committee, or any person makes, incurs or authorizes an
13 expenditure for the purpose of financing a communication aiding or
14 promoting the nomination, election or defeat of any candidate or
15 providing political information on any candidate which is an
16 expenditure that the committee, group or person is required to
17 report to the Election Law Enforcement Commission pursuant to
18 P.L.1973, c.83 (C.19:44A-1 et seq.), the communication shall
19 clearly state the name and business or residence address of the
20 committee, group or person, as that information appears on reports
21 filed with the commission, and that the communication has been
22 financed by that committee, group or person.

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

40 c. A communication that is financed by an independent
41 expenditure committee or by any person, not acting in concert with
42 a candidate or any person or committee acting on behalf of a
43 candidate, shall contain a clear and conspicuous statement that the
44 expenditure was not made with the cooperation or prior consent of,
45 or in consultation with or at the request or suggestion of, any such
46 candidate, person or committee.

47 d. Any person who accepts compensation from a committee,
48 group or individual described in subsection a. or b. of this section
49 for the purpose of printing, broadcasting, or otherwise

1 disseminating to the electorate a communication shall require the
2 committee, group, or individual to file a copy of the statement of
3 registration required to be filed with the Election Law Enforcement
4 Commission pursuant to section 21 of P.L.1993, c.65 (C.19:44A-
5 8.1) and shall maintain a record of the transaction which shall
6 include an exact copy of the communication and a statement of the
7 number of copies made or the dates and times that the
8 communication was broadcast or otherwise transmitted, and the
9 name and address of the committee, group or individual paying for
10 the communication. The record shall be maintained on file at the
11 principal office of the person accepting the communication for at
12 least two years and shall be available for public inspection during
13 normal business hours.

14 e. As used in this section, "communication" means a press
15 release, pamphlet, flyer, form letter, sign, billboard, paid
16 advertisement printed in any newspaper or other publication or
17 broadcast on radio or television, or telephone call featuring a
18 recorded message, or any other form of advertising, including
19 Internet and digital advertising, directed to the electorate.

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

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

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

30 h. The Election Law Enforcement Commission shall
31 promulgate rules and regulations pursuant to the "Administrative
32 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate
33 the purpose of this section. The commission may, by regulation,
34 exempt from the provisions of this section small, tangible items of
35 de minimis value which are commonly used in campaigns to convey
36 a political message, including, but not limited to, buttons, combs,
37 and nail files. The commission may also, by regulation, exempt
38 from the provisions of this section advertising space purchased by a
39 candidate committee, joint candidates committee, political
40 committee, continuing political committee, political party
41 committee, legislative leadership committee or other person, in a
42 political program book distributed at a fund-raising event if the
43 financial transaction is otherwise subject to disclosure. An
44 exemption granted by the commission with respect to any item shall
45 not relieve the committee, group or individual making an
46 expenditure therefor from any applicable campaign finance
47 reporting requirements.

48 In addition, the commission shall have the authority to provide,
49 by regulation, that a communication need not include the address of

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1 the committee, group or person financing the communication in
2 circumstances where the name of a committee, group or person
3 would be sufficient to identify it from the commission's records.²
4 (cf: P.L.2019, c.124, s.10)

5

6 ¹~~18.~~ ²~~21.1~~ 24.² Section 1 of P.L.2005, c.271 (C.40A:11-51)
7 is repealed.

8

9 ~~19.~~ ²~~22.1~~ 25.² This act shall take effect on January 1, 2023.