

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2866

STATE OF NEW JERSEY
220th LEGISLATURE

ADOPTED FEBRUARY 23, 2023

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

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

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Judiciary Committee.



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

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

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

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

24 (cf: P.L.2009, c.66, s.7)

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

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

44 b. The amounts subject to adjustment as provided under this
45 section shall be:

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

Matter underlined thus is new matter.

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

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

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

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

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

40 (6) the maximum amount that may be expended, in the
41 aggregate, on behalf of a candidate without requiring that candidate
42 to file contribution reports with the commission and the maximum
43 amount that may be expended, in the aggregate, on behalf of a
44 candidate seeking election to a public office of a school district,
45 without requiring that candidate to file contribution reports with the
46 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-
47 16);

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

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

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

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

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

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

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

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

36
37 3. Section 2 of P.L.2004, c.174 (C.19:44A-7.3) is amended to
38 read as follows:

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

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

13 b. The amounts to be **[recommended for adjustment]** adjusted
14 as provided under this section shall be:

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

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

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

46 c. No later than July 15 **[of each year preceding any year in**
47 **which a general election is to be held to fill the offices of Governor**

1 and Lieutenant Governor for a four-year term], 2024 and every two
2 years thereafter, the commission shall [transmit a copy of its report
3 to each member of] report to the Legislature and make public its
4 [recommended] adjustment of limits pursuant to this section. [The
5 Legislature shall have the option of adopting all or part of the
6 recommended adjustments by the passage of appropriate
7 legislation] Whenever, following the transmittal of that report, the
8 commission shall have notice that a person has declared as a
9 candidate for nomination for election or for election to any public
10 office in a forthcoming primary or general election, it shall
11 promptly notify that candidate of the amounts of those adjusted
12 limits.

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

14

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

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

1 report shall be filed with the Election Law Enforcement
2 Commission on the dates designated in section 16 hereof.

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

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

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

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

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

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

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

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

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

47 If any continuing political committee submitting cumulative
48 quarterly reports as provided under this subsection receives a

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

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

37 c. Each political party committee and each legislative
38 leadership committee shall file with the Election Law Enforcement
39 Commission, not later than April 15, July 15, October 15 and
40 January 15 of each calendar year, a cumulative quarterly report of
41 all moneys, loans, paid personal services or other things of value in
42 excess of \$200 contributed to it during the period ending on the
43 15th day preceding that date and commencing on January 1 of that
44 calendar year or, in the case of the cumulative quarterly report to be
45 filed not later than January 15, of the previous calendar year, and all
46 expenditures made, incurred, or authorized by it during the period,
47 whether or not such expenditures were made, incurred or authorized
48 in furtherance of the election or defeat of any candidate, or in aid of

1 the passage or defeat of any public question or to provide
2 information on any candidate or public question.

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

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

1 Election Law Enforcement Commission, of all contributions
2 received in excess of \$7,500 in the form of moneys, loans, paid
3 personal services, or other things of value made to it, and of all
4 independent expenditures made, incurred, or authorized by it
5 beginning on the first day of the preceding calendar year and ending
6 on the reporting date. The report, except as hereinafter provided,
7 shall contain the name and mailing address of each person or group
8 from whom moneys, loans, paid personal services or other things of
9 value have been contributed since 48 hours preceding the date on
10 which such previous report was made and the amount contributed
11 by each person or group in excess of **[\$10,000]** \$7,500, and when
12 the contributor is an individual, the report shall indicate the
13 occupation of the individual and the name and mailing address of
14 the individual's employer. In the case of any loan reported pursuant
15 to this subsection, the report shall contain the name and mailing
16 address of each person who has cosigned such loan since 48 hours
17 preceding the date on which the previous such report was made, and
18 when 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 **[quarterly]** report shall
21 also contain the name and address of each person, firm, or
22 organization to whom expenditures have been paid since 48 hours
23 preceding the date on which the previous such report was made and
24 the amount and purpose of each such expenditure.

25 (2) **[An independent expenditure committee shall disclose all**
26 **expenditures made by it in excess of \$3,000, including, but not**
27 **limited to, for electioneering communications, voter registration,**
28 **get-out-the-vote efforts, polling, and research. The disclosures**
29 **required by this paragraph shall be reported to the Election Law**
30 **Enforcement Commission on the same schedule as required for**
31 **continuing political committees pursuant to this section.]**

32 The treasurer of the reporting independent expenditure
33 committee shall certify the correctness of each report and shall
34 maintain all records of contributions and expenditures for a period
35 of not less than four years.

36 The **[\$10,000]** \$7,500 contribution amount **[and the \$3,000**
37 **expenditure amount established in this subsection]** shall remain as
38 stated in this subsection without further adjustment by the
39 commission pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
40 7.2).

41 e. When a political party committee **[,]** or legislative
42 leadership committee **[or independent expenditure committee]**
43 receives a contribution from a single source of more than **[\$500]**
44 \$200 after the final day of a quarterly reporting period and on or
45 before a primary, general, municipal, school, or special election
46 which occurs after that final day but prior to the final day of the
47 next reporting period it shall, in writing or by electronic

1 transmission, report that contribution to the commission within
2 **[48]** 72 hours of the receipt thereof, except that a contribution
3 received between the seventh day prior to the election and the date
4 of the election shall be reported within 24 hours of the receipt
5 thereof, including in that report the amount and date of the
6 contribution; the name and mailing address of the contributor; and
7 where the contributor is an individual, the individual's occupation
8 and the name and mailing address of the individual's employer.
9 When a political party committee **[.]** or legislative leadership
10 committee **[, or an independent expenditure committee]** makes or
11 authorizes an expenditure of money or other thing of value in
12 excess of \$800, or incurs any obligation therefor, to support or
13 defeat a candidate in an election, or to aid the passage or defeat of
14 any public question, **[or to aid the passage or defeat of legislation**
15 **or regulation in the case of an independent expenditure committee,]**
16 after March 31 and on or before the day of the primary election, or
17 after September 30 and on or before the day of the general election,
18 it shall, in writing or by electronic transmission, report that
19 expenditure to the commission within **[48]** 72 hours of the making,
20 authorizing or incurring thereof, except that an expenditure made,
21 authorized, or incurred between the seventh day prior to the election
22 and the date of the election shall be reported within 24 hours of the
23 making, authorizing, or incurring thereof.

24 f. In any report filed pursuant to the provisions of this section
25 the organization or committee reporting may exclude from the
26 report the name of and other information relating to any contributor
27 whose contributions during the period covered by the report did not
28 exceed **[\$300]** \$200, provided, however, that (1) such exclusion is
29 unlawful if any person responsible for the preparation or filing of
30 the report knew that it was made with respect to any person whose
31 contributions relating to the same election or issue and made to the
32 reporting organization or committee aggregate, in combination with
33 the contribution in respect of which such exclusion is made, more
34 than **[\$300]** \$200 and (2) any person who knowingly prepares,
35 assists in preparing, files or acquiesces in the filing of any report
36 from which the identification of a contributor has been excluded
37 contrary to the provisions of this section is subject to the provisions
38 of section 21 of P.L.1973, c.83 (C.19:44A-21), but (3) nothing in
39 this proviso shall be construed as requiring any committee or
40 organization reporting pursuant to this act to report the amounts,
41 dates or other circumstantial data regarding contributions made to
42 any other organization or political committee, political party
43 committee or campaign organization of a candidate.

44 g. Any report filed pursuant to the provisions of this section
45 shall include an itemized accounting of all receipts and
46 expenditures relative to any testimonial affairs held since the date
47 of the most recent report filed, which accounting shall include the

1 name and mailing address of each contributor in excess of **[\$300]**
2 \$200 to such testimonial affair and the amount contributed by each;
3 in the case of an individual contributor, the occupation of the
4 individual and the name and mailing address of the individual's
5 employer; the expenses incurred; and the disposition of the
6 proceeds of such testimonial affair.

7 The **[\$300]** \$200 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 (cf: P.L.2019, c.124, s.2)

12

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

15 11. No contribution of money or other thing of value, nor
16 obligation therefor, including but not limited to contributions, loans
17 or obligations of a candidate himself or of his family, shall be made
18 or received, and no expenditure of money or other thing of value,
19 nor obligation therefor, including expenditures, loans or obligations
20 of a candidate himself or of his family, shall be made or incurred,
21 directly or indirectly, to support or defeat a candidate in any
22 election, or to aid the passage or defeat of any public question, or
23 **[to aid the passage or defeat of legislation or regulation]** as an
24 independent expenditure or electioneering communication in the
25 case of an independent expenditure committee, except through:

26 a. The duly appointed campaign treasurer or deputy campaign
27 treasurers of the candidate committee or joint candidates
28 committee;

29 b. The duly appointed organizational treasurer or deputy
30 organizational treasurers of a political party committee or a
31 continuing political committee;

32 c. The duly appointed campaign treasurer or deputy campaign
33 treasurers of a political committee;

34 d. The duly appointed organizational treasurer or deputy
35 organizational treasurer of a legislative leadership committee; or

36 e. The duly appointed organizational treasurer or deputy
37 organizational treasurer of an independent expenditure committee.

38 It shall be lawful, however, for any person, not acting in concert
39 with any other person or group, to expend personally from his own
40 funds a sum which is not to be repaid to him for any purpose not
41 prohibited by law, or to contribute his own personal services and
42 personal traveling expenses, to support or defeat a candidate or to
43 aid the passage or defeat of a public question; provided, however,
44 that any person making such expenditure shall be required to report
45 his or her name and mailing address and the amount of all such
46 expenditures and expenses, except personal traveling expenses, if
47 the total of the money so expended, exclusive of such traveling
48 expenses, exceeds **[\$500]** \$200, and also, where the person is an

1 individual, to report the individual's occupation and the name and
2 mailing address of the individual's employer, to the Election Law
3 Enforcement Commission at the same time and in the same manner
4 as a political committee subject to the provisions of section 8 of
5 P.L.1973, c.83 (C.19:44A-8). Such expenditure made during the
6 period between the 13th day and the eighth day prior to the election
7 **【and the date of the election】** shall be filed in writing or by
8 **【telegram】** electronic transmission within **【48】** 72 hours of the
9 making, incurring or authorization of the expenditure, and such
10 expenditure made during the period between the seventh day prior
11 to the election and the date of the election shall be reported within
12 24 hours of the making, incurring, or authorization of the
13 expenditure, which filing shall set forth the name and mailing
14 address of the person, firm or organization to whom or which the
15 expenditure was paid and the amount and purpose of the
16 expenditure.

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

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

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

1 cumulative amount of \$50 in any calendar year, may be made in
2 currency.

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

4

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

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

1 campaign treasurers, deputy campaign treasurers, or candidate
2 committee or joint candidates committee shall knowingly accept
3 from any such source any contribution of money or other thing of
4 value which in the aggregate exceeds **[\$2,600]** \$5,200 per election.

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

42 (2) The limitation upon the knowing acceptance by a candidate,
43 campaign treasurer, deputy campaign treasurer, candidate
44 committee or joint candidates committee of any contribution of
45 money or other thing of value from a political committee or
46 continuing political committee under the provisions of paragraph
47 (1) of this subsection shall also be applicable to the knowing

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

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

40 With respect to the limitations in this paragraph, the Legislature
41 finds and declares that:

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

46 (b) The practice of allowing a county committee to use funds
47 raised with this expectation to make unlimited contributions to
48 candidates for the Legislature who may have a limited, or even

1 nonexistent, connection with that county serves to undermine public
2 confidence in the integrity of the electoral process;

3 (c) Furthermore, the risk of actual or perceived corruption is
4 raised by the potential for contributors to circumvent limits on
5 contributions to candidates by funneling money to candidates
6 through county committees;

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

12 (e) It is, therefore, reasonable for the State to promote this
13 compelling interest by limiting the amount a county committee may
14 give to a legislative candidate based upon the degree to which the
15 population of the legislative district overlaps with the population of
16 that county.

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

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

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

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

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

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

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

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

23 e. For the purpose of determining the amount of a contribution
24 to be attributed as given to or by each candidate in a joint
25 candidates committee, the amount of the contribution to or by such
26 a committee shall be divided equally among all the candidates in the
27 committee.

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

29

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

32 19. a. (1) Except as otherwise provided in paragraph (2) of this
33 subsection, no individual, no corporation of any kind organized and
34 incorporated under the laws of this State or any other state or any
35 country other than the United States, no labor organization of any
36 kind which exists or is constituted for the purpose, in whole or in
37 part, of collective bargaining, or of dealing with employers
38 concerning the grievances, terms or conditions of employment, or
39 of other mutual aid or protection in connection with employment,
40 no political committee, continuing political committee, candidate
41 committee or joint candidates committee or any other group, shall
42 pay or make any contribution of money or other thing of value to
43 the campaign treasurer, deputy treasurer or other representative of
44 the State committee of a political party or the campaign treasurer,
45 deputy campaign treasurer or other representative of any legislative
46 leadership committee, which in the aggregate exceeds ~~【\$25,000】~~
47 \$75,000 per year, or in the case of a joint candidates committee
48 when that is the only committee established by the candidates,

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

25 (2) No national committee of a political party shall pay or make
26 any contribution of money or other thing of value to the campaign
27 treasurer, deputy treasurer or other representative of the State
28 committee of a political party which in the aggregate exceeds
29 **[\$72,000]** \$144,000 per year, and no campaign treasurer, deputy
30 campaign treasurer or other representative of the State committee of
31 a political party shall knowingly accept from the national committee
32 of a political party any contribution of money or other thing of
33 value which in the aggregate exceeds **[\$72,000]** \$144,000 per year.

34 b. 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 employers
39 concerning the grievances, terms or conditions of employment, or
40 of other mutual aid or protection in connection with employment,
41 no political committee, continuing political committee, candidate
42 committee or joint candidates committee or any other group, shall
43 pay or make any contribution of money or other thing of value to
44 any county committee of a political party, which in the aggregate
45 exceeds **[\$37,000]** \$75,000 per year, or in the case of a joint
46 candidates committee when that is the only committee established
47 by the candidates, **[\$37,000]** \$75,000 per year per candidate in the

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

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

1 employment, or of other mutual aid or protection in connection with
2 employment, a political committee, a continuing political
3 committee, a candidate committee or a joint candidates committee
4 or any other group, any contribution of money or other thing of
5 value which in the aggregate exceeds ~~【\$7,200】~~ \$14,400 per year, or
6 in the case of a joint candidates committee when that is the only
7 committee established by the candidates, ~~【\$7,200】~~ \$14,400 per year
8 per candidate in the joint candidates committee, or in the case of a
9 candidate committee and a joint candidates committee when both
10 are established by a candidate, ~~【\$7,200】~~ \$14,400 per year from that
11 candidate.

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

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

31

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

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

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

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

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

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

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

34

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

37 16. a. The campaign treasurer of each candidate committee and
38 joint candidates committee shall make a **[full]** cumulative quarterly
39 report, upon a form prescribed by the Election Law Enforcement
40 Commission, of all contributions in excess of \$200 in the form of
41 moneys, loans, paid personal services or other things of value, made
42 to him or to the deputy campaign treasurers of the candidate
43 committee or joint candidates committee, and all expenditures paid
44 out of the election fund of the candidate or candidates, during the
45 period ending with the second day preceding the date of the
46 cumulative quarterly report and beginning on the date of the first of
47 those contributions, the date of the first of those expenditures, or the

1 date of the appointment of the campaign treasurer, whichever
2 occurred first. The report shall also contain the name and mailing
3 address of each person or group from whom moneys, loans, paid
4 personal services or other things of value in excess of \$200 were
5 contributed after the second day preceding the date of the previous
6 cumulative quarterly report and the amount contributed by each
7 person or group, and where an individual has made such
8 contributions, the report shall indicate the occupation of the
9 individual and the name and mailing address of the individual's
10 employer. In the case of any loan reported pursuant to this section,
11 the report shall further contain the name and mailing address of
12 each person who cosigns such loan, the occupation of the person
13 and the name and mailing address of the person's employer. If no
14 moneys, loans, paid personal services or other things of value were
15 contributed, the report shall so indicate, and if no expenditures were
16 paid or incurred, the report shall likewise so indicate. The
17 campaign treasurer and the candidate or several candidates shall
18 certify the correctness of the report.

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

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

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

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

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

44 The cumulative quarterly report shall contain the name and
45 mailing address of each person or group from whom moneys, loans,
46 paid personal services or other things of value in excess of \$200
47 have been contributed and the amount contributed by each person or
48 group, and where an individual has made such contributions, the

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

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

16 d. There shall be no obligation to file the reports required by
17 this section on behalf of a candidate if such candidate files with the
18 Election Law Enforcement Commission a sworn statement to the
19 effect that the total amount to be expended in behalf of his
20 candidacy by the candidate committee, by any political party
21 committee, by any political committee, or by any person shall not in
22 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
23 committee containing two candidates or \$6,000 for any joint
24 candidates committee containing three or more candidates. The
25 sworn statement may be submitted at the time when the name and
26 address of the campaign treasurer and depository is filed with the
27 Election Law Enforcement Commission, provided that in any case
28 the sworn statement is filed no later than the 29th day before an
29 election. If a candidate who has filed such a sworn statement
30 receives contributions from any one source aggregating more than
31 ~~[\$300]~~ \$200 he shall forthwith make report of the same, including
32 the name and mailing address of the source and the aggregate total
33 of contributions therefrom, and where the source is an individual,
34 the occupation of the individual and the name and mailing address
35 of the individual's employer, to the Election Law Enforcement
36 Commission. The ~~[\$300]~~ \$200 limit established in this subsection
37 shall remain as stated in this subsection without further adjustment
38 by the commission in the manner prescribed by section 22 of
39 P.L.1993, c.65 (C.19:44A-7.2).

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

1 \$6,000 for any joint candidates committee containing three or more
2 candidates; provided, that if such candidate receives contributions
3 from any one source aggregating more than **[\$300]** \$200, he shall
4 forthwith make a report of the same, including the name and
5 mailing address of the source, the aggregate total of contributions
6 therefrom, and where the source is an individual, the occupation of
7 the individual and the name and mailing address of the individual's
8 employer, to the commission.

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

13 f. In any report filed pursuant to the provisions of this section,
14 the names and addresses of contributors whose contributions during
15 the period covered by the report did not exceed **[\$300]** \$200 may
16 be excluded; provided, however, that (1) such exclusion is unlawful
17 if any person responsible for the preparation or filing of the report
18 knew that such exclusion was made with respect to any person
19 whose total contributions relating to the same election and made to
20 the reporting candidate or to an allied campaign organization or
21 organizations aggregate, in combination with the total contributions
22 in respect of which such exclusion is made, more than **[\$300]**
23 \$200, and (2) any person who knowingly prepares, assists in
24 preparing, files or acquiesces in the filing of any report from which
25 the identity of any contributor has been excluded contrary to the
26 provisions of this section is subject to the provisions of section 21
27 of this act, but (3) nothing in this proviso shall be construed as
28 requiring any candidate committee or joint candidates committee
29 reporting pursuant to this act to report the amounts, dates or other
30 circumstantial data regarding contributions made to any other
31 candidate committee, joint candidates committee, political
32 committee, continuing political committee, political party
33 committee or legislative leadership committee.

34 The **[\$300]** \$200 limit established in this subsection shall
35 remain as stated in this subsection 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 g. Any report filed pursuant to the provisions of this section
39 shall include an itemized accounting of all receipts and
40 expenditures relative to any testimonial affair held since the date of
41 the most recent report filed, which accounting shall include the
42 name and mailing address of each contributor in excess of **[\$300]**
43 \$200 to such testimonial affair and the amount contributed by each;
44 in the case of any individual contributor, the occupation of the
45 individual and the name and mailing address of the individual's
46 employer; the expenses incurred; and the disposition of the
47 proceeds of such testimonial affair.

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

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

6 i. Each campaign treasurer of a candidate committee or joint
7 candidates committee shall file written notice with the commission
8 of a contribution in excess of ~~[\$500]~~ \$200 received during the
9 period between the 13th day prior to the election and the date of the
10 election and of an expenditure of money or other thing of value in
11 excess of \$800 made, incurred or authorized by the candidate
12 committee or joint candidates committee to support or defeat a
13 candidate in an election, or to aid the passage or defeat of any
14 public question, during the period between the 13th day prior to the
15 election and the date of the election, provided that a candidate shall
16 not be required to file written notice pursuant to this subsection of
17 an expenditure made to support his or her own candidacy, or to
18 support or defeat a candidate for the same office in an election. For
19 the purposes of this subsection, the offices of member of the Senate
20 and member of the General Assembly shall be deemed to be the
21 same office in a legislative district; the offices of member of the
22 board of chosen freeholders and county executive shall be deemed
23 to be the same office in a county; and the offices of mayor and
24 member of the municipal governing body shall be deemed to be the
25 same office in a municipality.

26 The notice of a contribution shall be filed in writing or by
27 ~~[telegram]~~ electronic transmission within ~~[48]~~ 72 hours of the
28 receipt of the contribution ~~[and]~~ , except that a contribution
29 received between the seventh day prior to the election and the date
30 of the election shall be reported within 24 hours of the receipt
31 thereof. The notice shall set forth the amount and date of the
32 contribution, the name and mailing address of the contributor, and
33 where the contributor is an individual, the occupation of the
34 individual and the name and mailing address of the individual's
35 employer. The notice of an expenditure shall be filed in writing or
36 by [telegram] electronic transmission within [48] 72 hours of the
37 making, incurring or authorization of the expenditure [and] , except
38 that such expenditure made during the period between the seventh
39 day prior to the election and the date of the election shall be
40 reported within 24 hours of the making, incurring, or authorization
41 of the expenditure. The notice shall set forth the name and mailing
42 address of the person, firm or organization to whom or which the
43 expenditure was paid and the amount and purpose of the
44 expenditure.

45 j. Each county shall provide on its Internet site a link to the
46 Internet site for the Election Law Enforcement Commission for the

1 purpose of providing public access to the reports that are required to
2 be submitted to the commission pursuant to this section.

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

4

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

7 2. Notwithstanding the provisions of any other law to the
8 contrary:

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

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

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

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

35

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

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

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

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

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

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

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

25

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

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

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

43 a business entity that has entered into a contract having an
44 anticipated value in excess of \$17,500 with a municipality, or any
45 agency or instrumentality thereof, except a contract that is awarded
46 pursuant to a fair and open process, shall not make such a
47 contribution, reportable by the recipient under P.L.1973, c.83

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

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

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

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

16

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

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

21 "business entity" means any natural or legal person, business
22 corporation, professional services corporation, limited liability
23 company, partnership, limited partnership, business trust,
24 association or any other legal commercial entity organized under
25 the laws of this State or of any other state or foreign jurisdiction;

26 "interest" means the ownership or control of more than 10% of
27 the profits or assets of a business entity or 10% of the stock in the
28 case of a business entity that is a corporation for profit, as
29 appropriate;

30 "fair and open process" means, at a minimum, that the contract
31 shall be: publicly advertised in newspapers or on the Internet
32 website maintained by the public entity in sufficient time to give
33 notice in advance of the contract; awarded under a process that
34 provides for public solicitation of proposals or qualifications and
35 awarded and disclosed under criteria established in writing by the
36 public entity prior to the solicitation of proposals or qualifications;
37 and publicly opened and announced when awarded. A contract
38 awarded under a process that includes public bidding or competitive
39 contracting pursuant to the "Local Public Contracts Law,"
40 P.L.1971, c.198 (C.40A:11-1 et seq.) shall constitute a fair and open
41 process. The decision of a public entity as to what constitutes a fair
42 and open process shall be final.

43 "State agency in the Legislative Branch" means the Legislature
44 of the State and any office, board, bureau or commission within or
45 created by the Legislative Branch.

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

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

3 1. The Legislature finds and declares that:

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

7 All individuals, businesses, associations, and other persons have
8 a right to participate fully in the political process of New Jersey,
9 including making and soliciting contributions to candidates,
10 political parties and holders of public office; and

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

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

20 For the purposes of protecting the integrity of government
21 contractual decisions and of improving the public's confidence in
22 government, it is a compelling interest of this State to prohibit
23 awarding government contracts to business entities which are also
24 contributors to candidates **【, political parties】** and the holders of
25 public office; and

26 **【There exists the perception that campaign contributions are**
27 **often made to a State or county political party committee by an**
28 **individual or business seeking favor with State elected officials,**
29 **with the understanding that the money given to such a committee**
30 **will be transmitted to other committees in other parts of the State,**
31 **or is otherwise intended to circumvent legal restrictions on the**
32 **making of political contributions or gifts directly to elected State**
33 **officials, thus again making elected State officials beholden to those**
34 **contributors; and**

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

39 Recent legal and policy changes have led to the proliferation of
40 entities using their nonprofit tax status to promote candidates and
41 spend money in political campaigns in an unlimited and unregulated
42 fashion, allowing those entities to raise and spend significant sums
43 of money in the political process in a manner that is not disclosed to
44 the public; and

45 Although the right of the public and organizations to participate
46 in the political process and to support candidates of their choosing
47 is fundamental to a vibrant democracy, reasonable safeguards on
48 campaign contributions are an important part of the political

1 process to ensure the public is protected from public corruption or
2 the appearance thereof; and

3 It is contrary to the public interest to allow unlimited campaign
4 contributions to be made to entities supporting or opposing
5 candidates for political office that are not subject to public
6 disclosure; and

7 It is preferable that campaign contributions to candidates,
8 political party committees, legislative leadership committees, and
9 other committees be regulated and subject to public disclosure,
10 rather than be unlimited, unregulated, and undisclosed; and

11 Encouraging entities to support candidates for public office in a
12 regulated and transparent manner is essential to build public trust in
13 their elected officials; and

14 Transparent and regulated campaign contributions serve as an
15 important safeguard against corruption by ensuring the public has
16 essential information available to make informed decisions when
17 exercising their voting preferences; and

18 The so-called dark money political committees serve to weaken
19 the trust of the public in their elected officials, whether those
20 officials are benefitting from contributions from those entities or
21 not; and

22 Although the right of individuals and businesses to make
23 campaign contributions is unequivocal, that right may be limited,
24 even abrogated, when such contributions promote the actuality or
25 appearance of public corruption; and

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

30 It has long been the public policy of this State to secure for the
31 taxpayers the benefits of competition, to promote the public good
32 by promoting the honesty and integrity of bidders for public
33 contracts and the system, and to guard against favoritism,
34 improvidence, extravagance and corruption in order to benefit the
35 taxpayers; and

36 In the procurement process, our public policy grants to the State
37 broad discretion, taking into consideration all factors, to award a
38 contract to a bidder whose proposal will be most advantageous to
39 the State; and

40 The operations of the State government must be effectively and
41 fairly managed to ensure public order and prosperity, and
42 malfeasance, in whatever form it may take, must be confronted and
43 uprooted; and

44 The Legislature must safeguard the integrity of State government
45 procurement by imposing restrictions on State agencies and
46 independent authorities to insulate the negotiation and award of
47 State contracts from political contributions that pose the risk of

1 improper influence, purchase of access, or the appearance thereof.
2 (cf: P.L.2005, c.51, s.1)

3

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

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

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

36

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

39 3. No business entity which agrees to any contract or
40 agreement, except for a contract or agreement awarded pursuant to
41 a fair and open process, with the State or any department or agency
42 thereof or its independent authorities either for the rendition of
43 services or furnishing of any material, supplies or equipment or for
44 the acquisition, sale, or lease of any land or building, if the value of
45 the transaction exceeds \$17,500, shall knowingly solicit or make
46 any contribution of money, or pledge of a contribution, including
47 in-kind contributions, to a candidate committee or election fund of

1 any candidate or holder of the public office of Governor or
2 Lieutenant Governor **【**or to any State or county political party
3 committee prior to the completion of the contract or agreement**】**.

4 (cf: P.L.2009, c.66, s.35)

5

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

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

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

24

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

27 9. It shall be a breach of the terms of the government contract
28 for a business entity to: (i) make or solicit a contribution in
29 violation of this act; (ii) knowingly conceal or misrepresent a
30 contribution given or received; (iii) make or solicit contributions
31 through intermediaries for the purpose of concealing or
32 misrepresenting the source of the contribution; (iv) make or solicit
33 any contribution on the condition or with the agreement that it will
34 be contributed to a campaign committee of any candidate or holder
35 of the public office of Governor or Lieutenant Governor **【**, or to any
36 State or county party committee**】**; (v) engage or employ a lobbyist
37 or consultant with the intent or understanding that such lobbyist or
38 consultant would make or solicit any contribution, which if made or
39 solicited by the business entity itself, would subject that entity to
40 the restrictions of this act; (vi) fund contributions made by third
41 parties, including consultants, attorneys, family members, and
42 employees; (vii) engage in any exchange or contributions to
43 circumvent the intent of this act; or (viii) directly or indirectly,
44 through or by any other person or means, do any act which would
45 subject that entity to the restrictions of this act.

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

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

3 11. This act shall apply to all State agencies including any of the
4 principal departments in the Executive Branch, and any division,
5 board, bureau, office, commission or other instrumentality within or
6 created by such department and any independent State authority,
7 board, commission, instrumentality or agency, with respect to any
8 contract or agreement other than that awarded pursuant to a fair and
9 open process.

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

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

24

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

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

1 of that county in which that public entity is located, of another
2 public entity within that county, or of a legislative district in which
3 that public entity is located or, when the public entity is a county, of
4 any legislative district which includes all or part of the county, or
5 any continuing political committee.

6 The provisions of this section shall not apply to a contract when
7 a public emergency requires the immediate delivery of goods or
8 services.

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

23 c. As used in this section:

24 "business entity" means a for-profit entity that is a natural or
25 legal person, business corporation, professional services
26 corporation, limited liability company, partnership, limited
27 partnership, business trust, association or any other legal
28 commercial entity organized under the laws of this State or of any
29 other state or foreign jurisdiction;

30 "interest" means the ownership or control of more than 10% of
31 the profits or assets of a business entity or 10% of the stock in the
32 case of a business entity that is a corporation for profit, as
33 appropriate; and

34 "State agency" means any of the principal departments in the
35 Executive Branch of the State Government, and any division, board,
36 bureau, office, commission or other instrumentality within or
37 created by such department, the Legislature of the State and any
38 office, board, bureau or commission within or created by the
39 Legislative Branch, and any independent State authority,
40 commission, instrumentality or agency.

41 d. 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.1)

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

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

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

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

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

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

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

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

48 As used in this section:

1 "business entity" means a for-profit entity that is a natural or
2 legal person, business corporation, professional services
3 corporation, limited liability company, partnership, limited
4 partnership, business trust, association or any other legal
5 commercial entity organized under the laws of this State or of any
6 other state or foreign jurisdiction; and

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

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

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

17

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

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

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

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

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

35 d. No State committee of any political party shall knowingly
36 accept from any person, candidate committee, joint candidates
37 committee, political committee, continuing political committee or
38 legislative leadership committee, any contribution or contributions
39 in the aggregate in aid of the candidacy of or in behalf of candidates
40 for election to the offices of Governor and Lieutenant Governor in a
41 general election in excess of ~~【\$1,500.00】~~ \$4,900, or in the case of a
42 contribution or contributions by a joint candidates committee when
43 that is the only committee established by the candidates, in excess
44 of ~~【\$1,500.00】~~ \$4,900 per candidate in the joint candidates
45 committee, or in the case of a candidate committee and a joint
46 candidates committee when both are established by a candidate,
47 ~~【\$1,500.00】~~ \$4,900 from that candidate. A State committee may

1 allocate a contribution of up to ~~【\$1,500.00】~~ \$4,900, and up to
2 ~~【\$1,500.00】~~ \$4,900 of a contribution in excess of ~~【\$1,500.00】~~
3 \$4,900 in aid of the candidacy of or in behalf of such candidates,
4 except that in the case of a contribution from a joint candidates
5 committee when that is the only committee established by the
6 candidates, the amounts which may be so allocated shall be
7 ~~【\$1,500.00】~~ \$4,900 per candidate in the joint candidates committee,
8 and in the case of a candidate committee and a joint candidates
9 committee when both are established by a candidate, the amount
10 which may be so allocated shall be ~~【\$1,500.00】~~ \$4,900 from that
11 candidate. For the purpose of determining the amount of a
12 contribution to be attributed as given by each candidate in a joint
13 candidates committee, the amount of the contribution by such a
14 committee shall be divided equally among all the candidates in the
15 committee. A State committee shall create an account in a national
16 or State bank in behalf of any candidates the committee intends to
17 or does assist for election to the offices of Governor and Lieutenant
18 Governor in a general election, shall deposit in such account and
19 report to the Election Law Enforcement Commission the name of
20 the contributor of all moneys accepted or allocated in aid of the
21 candidacy of or in behalf of such candidates, and may make a
22 contribution or contributions from such account in any amount in
23 aid of the candidacy of or in behalf of such candidates. No State
24 committee may make any contribution or contributions in aid of the
25 candidacy of or in behalf of such candidates of moneys not
26 deposited in a bank account pursuant to this subsection, and no
27 State committee may make a contribution or contributions in aid of
28 the candidacy of or in behalf of such candidates of moneys or other
29 thing of value pledged or received in a calendar year in which no
30 gubernatorial election was held.

31 e. The county committee of a political party in a county and the
32 municipal committees of that political party in the same county may
33 make an expenditure or expenditures in the aggregate of \$10,000.00
34 in aid of the candidacy of or in behalf of any candidates for election
35 to the offices of Governor and Lieutenant Governor in a general
36 election. No county committee or municipal committee may
37 transfer or contribute any funds to any such candidate or to such
38 candidates' campaign treasurer or deputy campaign treasurer, or to
39 any political committee supporting such candidates. Candidates or
40 their campaign treasurer or deputy campaign treasurer shall
41 determine the exact amount that individual county committees or
42 municipal committees may contribute in aid of the candidacy of or
43 in behalf of such candidates, and shall file a report of such
44 determination with the Election Law Enforcement Commission no
45 later than the seventh day prior to the general election being funded.

46 f. Communications on any subject by a corporation to its
47 stockholders and their families, or by a labor organization to its
48 members and their families, and nonpartisan registration and get-

1 out-the-vote campaigns by a corporation aimed at its stockholders
2 and their families, or by a labor organization aimed at its members
3 and their families, shall not be construed to be in aid of the
4 candidacy of or in behalf of a candidate for election to the office of
5 Governor in any primary election or in behalf of candidates for the
6 offices of Governor and Lieutenant Governor in a general election.

7 g. No candidate receiving public funds may make expenditures
8 from his own funds, including any contributions from his own
9 funds, in aid of his candidacy for nomination for election to the
10 office of Governor in excess of \$25,000.00 for the primary election
11 and in aid of the candidacy of candidates for election to the offices
12 of Governor and Lieutenant Governor in excess of \$25,000.00 each
13 for the general election.

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

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

20

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

23 8. a. The campaign treasurer or deputy campaign treasurer of
24 any qualified candidate for nomination for election to the office of
25 Governor in a primary election upon application to the commission
26 shall promptly receive in behalf of the qualified candidate from the
27 fund for election campaign expenses, but not prior to January 1 of
28 the year of the election, moneys in an amount equal to twice the
29 amount of no more than **[\$1,500.00]** \$4,900 of each contribution
30 deposited in the qualified candidate's primary election bank account
31 described in section 7 of P.L.1974, c.26 (C.19:44A-32), except that
32 no payment shall be made from the fund to any candidate for the
33 first **[\$50,000.00]** \$156,000 deposited in the qualified candidate's
34 bank account. The maximum amount which any qualified candidate
35 for nomination for election to the office of Governor in a primary
36 election may receive from the fund for election campaign expenses
37 shall not exceed **[\$1,350,000]** \$4,600,000. Applications for
38 payments and payments under this subsection following the date on
39 which a candidate is determined to be a qualified candidate shall be
40 made only on the basis of no less than \$12,500.00 of such
41 contributions.

42 b. The campaign treasurer or deputy campaign treasurer of any
43 qualified candidates for election to the offices of Governor and
44 Lieutenant Governor in a general election upon application to the
45 commission shall promptly receive in behalf of such qualified
46 candidates from the fund for election campaign expenses, but not
47 prior to the primary election, moneys in an amount equal to twice
48 the amount of no more than **[\$1,500.00]** \$4,900 of each

1 contribution deposited in such qualified candidates' bank account
2 described in section 7 of P.L.1974, c.26 (C.19:44A-32), except that
3 no payment shall be made from the fund to any candidates for the
4 first ~~[\$50,000.00]~~ \$156,000 deposited in such qualified candidates'
5 bank account.

6 The maximum amount which any qualified candidates for
7 election to the offices of Governor and Lieutenant Governor in a
8 general election may receive from the fund for election campaign
9 expenses shall not exceed ~~[\$3,300,000]~~ \$10,500,000. Applications
10 for payments and payments under this subsection following the date
11 on which joint candidates are determined to be qualified candidates
12 shall be made only on the basis of no less than \$12,500.00 of such
13 contributions.

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

15

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

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

29

30 25. (New section) Notwithstanding the provisions of any law,
31 rule, or regulation to the contrary, any local ordinance, resolution,
32 or regulation, as may be appropriate, adopted by a county,
33 municipality, independent authority, board of education, or fire
34 district pursuant or prior to section 1 of P.L.2005, c.271 (C.40A:11-
35 51), limiting the awarding of public contracts therefrom to business
36 entities that have made a contribution pursuant to "The New Jersey
37 Campaign Contributions and Expenditures Reporting Act,"
38 P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions
39 that the holders of a contract can make during the term of a
40 contract, shall cease to be in effect and shall expire on the effective
41 date of this act, P.L. , c. (pending before the Legislature as this
42 bill). The awarding of public contracts by a county, municipality,
43 independent authority, board of education, or fire district shall be in
44 compliance with the provisions of sections 3 through 11 of
45 P.L.2004, c.19 (C.19:44A-20.4 through C.19:44A-20.12), sections 2
46 and 3 of P.L.2005, c.271 (C.19:44A-20.26 and C.19:44A-20.27),
47 and any other applicable provision of current law.

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

15

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

18 2. It is hereby declared to be in the public interest and to be the
19 policy of the State to limit political contributions and to require the
20 reporting of **[all]** contributions received and expenditures made to
21 aid or promote the nomination, election or defeat of any candidate
22 for public office or to aid or promote the passage or defeat of a
23 public question in any election and to require the reporting of **[all]**
24 contributions received and expenditures made to provide political
25 information on any candidate for public office, or on any public
26 question.

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

28

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

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

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

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

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

1 d. The terms "contributions" and "expenditures" include all
2 loans and transfers of money or other thing of value to or by any
3 candidate, candidate committee, joint candidates committee,
4 political committee, continuing political committee, independent
5 expenditure committee, political party committee or legislative
6 leadership committee, and all pledges or other commitments or
7 assumptions of liability to make any such transfer; and for purposes
8 of reports required under the provisions of this act shall be deemed
9 to have been made upon the date when such commitment is made or
10 liability assumed.

11 e. The term "election" means any election described in section
12 4 of this act.

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

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

1 h. The term "political information" means any statement
2 including, but not limited to, press releases, pamphlets, newsletters,
3 advertisements, flyers, form letters, Internet or digital
4 advertisements, or radio or television programs or advertisements
5 which reflects the opinion of the members of the organization on
6 any candidate or candidates for public office, on any public
7 question, or which contains facts on any such candidate, or public
8 question whether or not such facts are within the personal
9 knowledge of members of the organization.

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

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

47 k. The term "testimonial affair" means an affair of any kind or
48 nature including, without limitation, cocktail parties, breakfasts,

1 luncheons, dinners, dances, picnics or similar affairs directly or
2 indirectly intended to raise campaign funds in behalf of a person
3 who holds, or who is or was a candidate for nomination or election
4 to a public office in this State, or directly or indirectly intended to
5 raise funds in behalf of any political party committee or in behalf of
6 a political committee, continuing political committee, candidate
7 committee, joint candidates committee, independent expenditure
8 committee, or legislative leadership committee.

9 1. The term "other thing of value" means any item of real or
10 personal property, tangible or intangible, but shall not be deemed to
11 include personal services other than paid personal services.

12 m. The term "qualified candidate" means:

13 (1) Joint candidates for election to the offices of Governor and
14 Lieutenant Governor whose names appear on the general election
15 ballot; who have deposited and expended ~~【\$150,000.00】~~ \$490,000
16 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,
17 not later than September 1 preceding a general election in which the
18 offices of Governor and Lieutenant Governor are to be filled, (a)
19 notify the Election Law Enforcement Commission in writing that
20 the candidates intend that application will be made on the
21 candidates' behalf for monies for general election campaign
22 expenses under subsection b. of section 8 of P.L.1974, c.26
23 (C.19:44A-33), and (b) sign a statement of agreement, in a form to
24 be prescribed by the commission, to participate in interactive
25 gubernatorial election debates under the provisions of sections 9
26 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);
27 or

28 (2) Joint candidates for election to the offices of Governor and
29 Lieutenant Governor whose names do not appear on the general
30 election ballot; who have deposited and expended ~~【\$150,000.00】~~
31 \$490,000 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32);
32 and who, not later than September 1 preceding a general election in
33 which the offices of Governor and Lieutenant Governor are to be
34 filled, (a) notify the Election Law Enforcement Commission in
35 writing that the candidates intend that application will be made on
36 the candidates' behalf for monies for general election campaign
37 expenses under subsection b. of section 8 of P.L.1974, c.26
38 (C.19:44A-33), and (b) sign a statement of agreement, in a form to
39 be prescribed by the commission, to participate in interactive
40 gubernatorial election debates under the provisions of sections 9
41 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);
42 or

43 (3) Any candidate for nomination for election to the office of
44 Governor whose name appears on the primary election ballot; who
45 has deposited and expended ~~【\$150,000.00】~~ \$490,000 pursuant to
46 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than
47 the last day for filing petitions to nominate candidates to be voted
48 upon in a primary election for a general election in which the office

1 of Governor is to be filled, (a) notifies the Election Law
2 Enforcement Commission in writing that the candidate intends that
3 application will be made on the candidate's behalf for monies for
4 primary election campaign expenses under subsection a. of section
5 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of
6 agreement, in a form to be prescribed by the commission, to
7 participate in two interactive gubernatorial primary debates under
8 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
9 45 through C.19:44A-47); or

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

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

44 o. The term "statement of agreement" means a written
45 declaration, by a candidate for nomination for election to the office
46 of Governor, or by joint candidates for election to the offices of
47 Governor and Lieutenant Governor who intend that application will
48 be made on behalf of the candidate for the office of Governor to

1 receive monies for the primary election or on behalf of the
2 candidates for the office of Governor and the office of Lieutenant
3 Governor for general election campaign expenses under subsection
4 a. or subsection b., respectively, of section 8 of P.L.1974, c.26
5 (C.19:44A-33), that the candidates undertake to abide by the terms
6 of any rules established by any private organization sponsoring a
7 gubernatorial primary or general election debate, as appropriate, to
8 be held under the provisions of sections 9 through 11 of P.L.1989,
9 c.4 (C.19:44A-45 through C.19:44A-47) and in which the
10 candidates are to participate. The statement of agreement shall
11 include an acknowledgment of notice to the candidates who sign it
12 that failure on the candidates' part to participate in any of the
13 gubernatorial debates may be cause for the termination of the
14 payment of such monies on the candidates' behalf and for the
15 imposition of liability for the return to the commission of such
16 monies as may previously have been so paid.

17 p. The term "political party committee" means the State
18 committee of a political party, as organized pursuant to R.S.19:5-4,
19 any county committee of a political party, as organized pursuant to
20 R.S.19:5-3, or any municipal committee of a political party, as
21 organized pursuant to R.S.19:5-2.

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

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

41 s. The term "legislative leadership committee" means a
42 committee established, authorized to be established, or designated
43 by the President of the Senate, the Minority Leader of the Senate,
44 the Speaker of the General Assembly or the Minority Leader of the
45 General Assembly pursuant to section 16 of P.L.1993, c.65
46 (C.19:44A-10.1) for the purpose of receiving contributions and
47 making expenditures.

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

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

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

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

39

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

42 21. a. Each political committee, as defined in subsection i. of
43 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes
44 the nomination for election or the election of a candidate or the
45 passage or defeat of a public question, each independent
46 expenditure committee, as defined in subsection t. of section 3 of
47 P.L.1973, c.83 (C.19:44A-3), each continuing political committee
48 as defined in subsection n. of section 3 of P.L.1973, c.83, and each

1 legislative leadership committee as defined in subsection s. of
2 section 3 of P.L.1973, c.83, shall submit to the commission a
3 statement of registration which includes:

4 (1) the complete name or identifying title of the committee and
5 the general category of entity or entities, including but not limited
6 to business organizations, labor organizations, professional or trade
7 associations, candidate for or holder of public office, political party,
8 ideological grouping or civic association, the interests of which are
9 shared by the leadership, members, or financial supporters of the
10 committee;

11 (2) the mailing address of the committee and the name and
12 resident address of a resident of this State who shall have been
13 designated by the committee as its agent to accept service of
14 process; and

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

1 be exempt from the requirements of subparagraphs (a), (b) and (c)
2 of this paragraph.

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

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

33 d. Any political committee, continuing political committee,
34 independent expenditure committee, or legislative leadership
35 committee may at any time apply to the commission for approval of
36 an abbreviation or acronym of its complete, official name or title for
37 its exclusive use on documents which it shall submit to the
38 commission. Upon verification that the abbreviation or acronym
39 has not been approved for such use by any other political
40 committee, continuing political committee, independent expenditure
41 committee, or legislative leadership committee, the commission
42 shall approve the abbreviation or acronym for such use by the
43 applicant committee, and the committee, and any individual,
44 corporation, partnership, membership organization or incorporated
45 or unincorporated association which, under the provisions of
46 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the
47 commission containing a reference to that committee, shall
48 thereafter use that approved abbreviation or acronym in documents

1 submitted to the commission. The commission shall, during its
2 regular office hours, maintain for public inspection in its offices a
3 current alphabetically arranged list of all such approved
4 abbreviations and acronyms, indicating for each the name of the
5 committee for which it stands, and shall make copies of the list
6 available upon request.

7 e. No foreign national, government, instrumentality, or agent
8 may register as an independent expenditure committee for the
9 purpose of making independent expenditures in any State or local
10 election.

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

12

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

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

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

37 Every independent expenditure committee may designate a
38 chairman of the committee, but no person serving as the chairman
39 of a political party committee or a legislative leadership committee
40 shall be eligible to be appointed or to serve as the chairman of an
41 independent expenditure committee. No candidate or holder of
42 public office, directly or indirectly, shall establish, authorize the
43 establishment of, maintain, or participate in the management or
44 control of any independent expenditure committee. Every
45 independent expenditure committee, not later than the date on
46 which it first receives any contribution or makes or incurs any
47 independent expenditure [for the purpose of influencing or
48 attempting to influence the outcome of any election or the

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

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

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

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

45 An organizational treasurer of a political party committee, a
46 continuing political committee, an independent expenditure
47 committee, or a legislative leadership committee and a campaign
48 treasurer of a political committee may appoint deputy

1 organizational or campaign treasurers as may be required and may
2 designate additional organizational or campaign depositories. Such
3 committees shall file the names and addresses of such deputy
4 treasurers and additional depositories with the Election Law
5 Enforcement Commission not later than the fifth day after their
6 appointment or designation, respectively.

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

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

16

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

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

34 b. Whenever a candidate committee, joint candidates
35 committee, political committee, continuing political committee,
36 independent expenditure committee, political party committee or
37 legislative leadership committee, or any group other than such a
38 committee, or any person makes, incurs or authorizes an
39 expenditure for the purpose of financing a communication aiding
40 the passage or defeat of any public question or providing political
41 information on any public question, or **aiding the passage or defeat**
42 **of legislation or regulation** as an independent expenditure in the
43 case of an independent expenditure committee, which is an
44 expenditure that the committee, group or person is required to
45 report to the Election Law Enforcement Commission pursuant to
46 P.L.1973, c.83 (C.19:44A-1 et seq.), the communication shall
47 clearly state the name and business or residence address of the
48 committee, group or person, as that information appears on reports

- 1 filed with the commission, and that the communication has been
2 financed by that committee, group or person.
- 3 c. A communication that is financed by an independent
4 expenditure committee or by any person, not acting in concert with
5 a candidate or any person or committee acting on behalf of a
6 candidate, shall contain a clear and conspicuous statement that the
7 expenditure was not made with the cooperation or prior consent of,
8 or in consultation with or at the request or suggestion of, any such
9 candidate, person or committee.
- 10 d. Any person who accepts compensation from a committee,
11 group or individual described in subsection a. or b. of this section
12 for the purpose of printing, broadcasting, or otherwise
13 disseminating to the electorate a communication shall require the
14 committee, group, or individual to file a copy of the statement of
15 registration required to be filed with the Election Law Enforcement
16 Commission pursuant to section 21 of P.L.1993, c.65 (C.19:44A-
17 8.1) and shall maintain a record of the transaction which shall
18 include an exact copy of the communication and a statement of the
19 number of copies made or the dates and times that the
20 communication was broadcast or otherwise transmitted, and the
21 name and address of the committee, group or individual paying for
22 the communication. The record shall be maintained on file at the
23 principal office of the person accepting the communication for at
24 least two years and shall be available for public inspection during
25 normal business hours.
- 26 e. As used in this section, "communication" means a press
27 release, pamphlet, flyer, form letter, sign, billboard, paid
28 advertisement printed in any newspaper or other publication or
29 broadcast on radio or television, or telephone call featuring a
30 recorded message, or any other form of advertising, including
31 Internet and digital advertising, directed to the electorate.
- 32 f. The provisions of this section shall not be construed to apply
33 to any bona fide news item or editorial contained in any publication
34 of bona fide general circulation.
- 35 g. (1) A person who violates a provision of this section shall be
36 subject to the civil penalties provided in section 22 of P.L.1973,
37 c.83 (C.19:44A-22).
- 38 (2) A person who, with intent to injure anyone or to conceal
39 wrongdoing, purposely falsifies, conceals or misrepresents
40 information required by this section to be disclosed or maintained
41 on file is guilty of a crime of the fourth degree.
- 42 h. The Election Law Enforcement Commission shall
43 promulgate rules and regulations pursuant to the "Administrative
44 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate
45 the purpose of this section. The commission may, by regulation,
46 exempt from the provisions of this section small, tangible items of
47 de minimis value which are commonly used in campaigns to convey
48 a political message, including, but not limited to, buttons, combs,

1 and nail files. The commission may also, by regulation, exempt
2 from the provisions of this section advertising space purchased by a
3 candidate committee, joint candidates committee, political
4 committee, continuing political committee, political party
5 committee, legislative leadership committee or other person, in a
6 political program book distributed at a fund-raising event if the
7 financial transaction is otherwise subject to disclosure. An
8 exemption granted by the commission with respect to any item shall
9 not relieve the committee, group or individual making an
10 expenditure therefor from any applicable campaign finance
11 reporting requirements.

12 In addition, the commission shall have the authority to provide,
13 by regulation, that a communication need not include the address of
14 the committee, group or person financing the communication in
15 circumstances where the name of a committee, group or person
16 would be sufficient to identify it from the commission's records.

17 (cf: P.L.2019, c.124, s.10)

18

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

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

24 (1) the payment of campaign expenses;

25 (2) contributions to any charitable organization described in
26 section 170(c) of the Internal Revenue Code of 1954, as amended or
27 modified, or nonprofit organization which is exempt from taxation
28 under section 501(c) of the Internal Revenue Code of 1954, except
29 any charitable organization of which the candidate or a member of
30 the candidate's immediate family is a paid officer, director or
31 employee or receives compensation for goods or services provided
32 to the organization;

33 (3) transmittal to another candidate, candidate committee, or
34 joint candidates committee, or to a political committee, continuing
35 political committee, legislative leadership committee or political
36 party committee, for the lawful use by such other candidate or
37 committee;

38 (4) the payment of the overhead and administrative expenses
39 related to the operation of the candidate committee or joint
40 candidates committee of a candidate or a legislative leadership
41 committee;

42 (5) the pro rata repayment of contributors; or

43 (6) the payment of ordinary and necessary expenses of holding
44 public office.

45 As used in this subsection, "campaign expenses" means any
46 expense incurred or expenditure made by a candidate, candidate
47 committee, joint candidates committee or legislative leadership
48 committee for the purpose of paying for or leasing items or services

1 used in connection with an election campaign, other than those
2 items or services which may reasonably be considered to be for the
3 personal use of the candidate, any person associated with the
4 candidate or any of the members of a legislative leadership
5 committee; and "member of the candidate's immediate family"
6 means the candidate's spouse, child, parent, or sibling, and the
7 child, parent, or sibling of the candidate's spouse.

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

13 c. Any funds remaining in the campaign depository of a
14 candidate's candidate committee or joint candidates committee upon
15 the death of the candidate shall be used only for one or more of the
16 purposes established in subsection a. of this section by the
17 committee's organizational treasurer or deputy treasurer or whoever
18 has control of the depository upon the death of the candidate.

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

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

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

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

41

42 33. (New section) Notwithstanding any provision of P.L.1973,
43 c.83 (C.19:44A-1 et seq.), or any other law, rule, or regulation to
44 the contrary, the two major political parties in this State and their
45 respective county political party committees shall be permitted to
46 create a segregated depository account, separate from any campaign
47 depository account, to be deemed as the "housekeeping account."
48 The purpose of the housekeeping account shall be to pay eligible

1 expenses for non-political purposes of the State political party
2 committee or county political party committee including, but not
3 limited to, legal activity, accounting, compliance, human resources,
4 collective bargaining, capital expenses such as mortgage payments,
5 rent, utilities, and taxes, and expenses related to county, State, or
6 national political party conventions. The two major political parties
7 in this State and their respective county political party committees
8 shall be permitted to raise funds for deposit into the housekeeping
9 account, except that the maximum contribution or limit on the funds
10 raised from any given person, candidate, or committee shall be
11 equivalent to double the amounts established under P.L.1973, c.83
12 (C.19:44A-1 et seq.) for the State committee of a political party or
13 the county committee of a political party. Gubernatorial campaigns
14 shall be permitted to utilize the funds deposited in a political party
15 housekeeping account established under this section for any non-
16 political expenditures incurred following the election in which the
17 gubernatorial candidates participated, and those non-political
18 expenditures shall not be considered an in-kind contribution.

19

20 34. (New section) Within one year following the effective date
21 of this act, P.L. , c. (pending before the Legislature as this bill),
22 the Election Law Enforcement Commission shall make technical
23 updates to its campaign contributions and expenditures reporting
24 database to improve the performance and usability of the database.
25 The Legislature shall appropriate to the Election Law Enforcement
26 Commission any funds necessary for the implementation of this
27 section.

28

29 35. (New section) Any enforcement action brought by the
30 Election Law Enforcement Commission for any violations of
31 P.L.1973, c.83 (C.19:44A-1 et seq.) shall be subject to a statute of
32 limitations of two years following the occurrence of the alleged
33 violation. The statute of limitations provided in this section shall
34 apply retroactively to any alleged violations occurring prior to the
35 effective date of this act, P.L. , c. (pending before the Legislature
36 as this bill).

37

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

40 6. a. The commission shall appoint a full-time executive
41 director, legal counsel and hearing officers, all of whom shall serve
42 at the pleasure of the commission and shall not have tenure by
43 reason of the provisions of chapter 16 of Title 38 of the Revised
44 Statutes. The commission shall also appoint such other employees
45 as are necessary to carry out the purposes of this act, which
46 employees shall be in the classified service of the civil service and
47 shall be appointed in accordance with and shall be subject to the
48 provisions of Title 11, Civil Service. Notwithstanding any provision

1 of this subsection to the contrary, following the date of enactment
2 of P.L. , c. (pending before the Legislature as this bill), the
3 executive director shall be appointed by the Governor, with the
4 advice and consent of the Senate, and shall serve at the pleasure of
5 the Governor. The executive director shall receive an annual salary
6 to be fixed and established by the Governor, which shall not exceed
7 \$175,000, and shall devote their entire time and attention to the
8 duties of the office. If an executive director has not been confirmed
9 by the Senate, the Governor may appoint an acting executive
10 director to temporarily fill the role.

11 b. It shall be the duty of the commission to enforce the
12 provisions of this act, to conduct hearings with regard to possible
13 violations and to impose penalties; and for the effectual carrying out
14 of its enforcement responsibilities the commission shall have the
15 authority to initiate a civil action in any court of competent
16 jurisdiction for the purpose of enforcing compliance with the
17 provisions of this act or enjoining violations thereof or recovering
18 any penalty prescribed by this act. The commission shall
19 promulgate such regulations and official forms and perform such
20 duties as are necessary to implement the provisions of this act.
21 Without limiting the generality of the foregoing, the commission is
22 authorized and empowered to:

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

24 (2) Prepare and publish a manual for all candidates, political
25 committees and continuing political committees, prescribing the
26 requirements of the law, including uniform methods of bookkeeping
27 and reporting and requirements as to the length of time that any
28 person required to keep any records pursuant to the provisions of
29 this act shall retain such records, or any class or category thereof, or
30 any other documents, including canceled checks, deposit slips,
31 invoices and other similar documents, necessary for the compilation
32 of such records;

33 (3) Develop a filing, coding and cross-indexing system;

34 (4) Permit copying or photo-copying of any report required to
35 be submitted pursuant to this act as requested by any person;

36 (5) Prepare and make available for public inspection summaries
37 of all said reports grouped according to candidates, parties and
38 issues, containing the total receipts and expenditures, and the date,
39 name, address and amount contributed by each contributor;

40 (6) Prepare and publish, prior to May 1 of each year, an annual
41 report to the Legislature;

42 (7) Ascertain whether candidates, committees, organizations or
43 others have failed to file reports or have filed defective reports;
44 extend, for good cause shown, the dates upon which reports are
45 required to be filed; give notice to delinquents to correct or explain
46 defects; and make available for public inspection a list of such
47 delinquents;

1 (8) Ascertain the total expenditures for candidates and
2 determine whether they have exceeded the limits set forth in this
3 act; notify candidates, committees or others if they have exceeded
4 or are about to exceed the limits imposed;

5 (9) Hold public hearings, investigate allegations of any
6 violations of this act, and issue subpoenas for the production of
7 documents and the attendance of witnesses;

8 (10) Forward to the Attorney General or to the appropriate
9 county prosecutor information concerning any violations of this act
10 which may become the subject of criminal prosecution or which
11 may warrant the institution of other legal proceedings by the
12 Attorney General.

13 c. The commission shall take such steps as may be necessary or
14 appropriate to furnish timely and adequate information, in
15 appropriate printed summaries and in such other form as it may see
16 fit, to every candidate or prospective candidate for public office
17 who becomes or is likely to become subject to the provisions of this
18 act, and to every treasurer and depository duly designated under the
19 provisions of this act, informing them of their actual or prospective
20 obligations and responsibilities under this act. Such steps shall
21 include, but not be limited to, furnishing to every person on whose
22 behalf petitions of nomination are filed for any public office a copy
23 of such printed summary as aforesaid, which shall be furnished to
24 such person by the commission through the public official charged
25 with the responsibility of receiving and accepting such petitions of
26 nomination, at the time when such petitions are filed. The
27 commission shall also make available copies of such printed
28 summary to any other person requesting the same. The commission
29 shall also take such steps as it may deem necessary or effectual to
30 disseminate among the general public such information as may
31 serve to guide all persons who may become subject to the
32 provisions of this act by reason of their participation in election
33 campaigns or in the dissemination of political information, for the
34 purpose of facilitating voluntary compliance with the provisions
35 and purposes of this act. In the dissemination of such information,
36 the commission shall to the greatest extent practicable enlist the
37 cooperation of commercial purveyors, within and without the State,
38 of materials and services commonly used for political campaign
39 purposes.

40 d. If the nomination for or election to any public office or party
41 position becomes void under the terms of subsection c. of section
42 21 of this act, the withholding or revocation of his certificate of
43 election, the omission of his name from the ballot or the vacation of
44 the office into which he has been inducted as a result of such void
45 election, as the case may be, shall be subject to the provisions of
46 chapter 3, articles 2 and 3, of this Title (R.S.19:3-7 et seq.).

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

1 f. The commission through its legal counsel is authorized to
2 render advisory opinions as to whether a given set of facts and
3 circumstances would constitute a violation of any of the provisions
4 of this act, or whether a given set of facts and circumstances would
5 render any person subject to any of the reporting requirements of
6 this act.

7 Unless an extension of time is consented to by any person
8 requesting an advisory opinion, the commission shall render its
9 advisory opinion within 10 days of receipt of the request therefor.
10 Failure of the commission to reply to a request for an advisory
11 opinion within the time so fixed or agreed to shall preclude it from
12 instituting proceedings for imposition of a penalty upon any person
13 for a violation of this act arising out of the particular facts and
14 circumstances set forth in such request, except as such facts and
15 circumstances may give rise to a violation when taken in
16 conjunction with other facts and circumstances not set forth in such
17 request.

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

22 (cf: P.L.2004, c.22, s.1)

23

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

25

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