

0-39-76

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
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November 15 1976

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ELECTION LAW ENFORCEMENT
COMMISSION

Helen D. Hiner, Treasurer
Bloomfield Democratic Club
15 Fulton Street
Bloomfield, New Jersey 07003

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973, as
Amended and Supplemented ("the Act")
Your Recent Letter
Opinion #(0-39-76)

Dear Ms. Hiner:

Your recent letter to the New Jersey Election Law
Enforcement Commission ("the Commission"), including a
request for advisory opinion, has been forwarded to me for
reply.

In the circumstances described in your letter, the
Bloomfield Democratic Club would be regarded as a political
club of a continuing nature, and would have the reporting
requirement which is imposed on a political party committee
only to the extent that it in fact carries on the functions
of a political party committee. Since, as described in your
letter, those functions are carried on by the Bloomfield
Democratic Committee, your political club would not be
obliged to comply with the reporting or other requirements
imposed on a political party committee.

The fact that your club makes contributions to the
Bloomfield Democratic Committee for use by candidates would
not, by itself, constitute the Bloomfield Democratic Club a
political committee and would not require your club to file
pre-election and post-election reports.

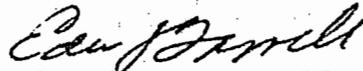
You should be aware, however, that some kinds of activity
by an organization such as yours might make the organization
a political committee on behalf of a candidate. Examples of
such activities would be the conducting of testimonial
dinners or other fundraising or similar affairs during a
time when the candidates to be benefited by the proceeds of
those affairs are known, or where the affair is in honor of

November 15, 1976

a specific person or otherwise related, by proximity to the election or otherwise, to a specific person who thereafter becomes a candidate. In such circumstances your organization might well become a political committee for such candidate or candidates with the obligation of filing pre-election and post-election reports. No such facts appear in your letter, and on the basis of the facts set forth in your letter there would be no requirement that your committee file pre-election and post-election reports during the 1976 primary or general election.

In any event, as a political club of a continuing nature, your organization would have the obligation of filing an annual report and, the obligation of naming a treasurer and depository on or before January 31st of each year.

Yours very truly,


Edward J. Farrell
Legal Counsel

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