

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
COMMISSION
NATIONAL STATE BANK BLDG.
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April 3, 1980

Mr. Edward M. Lewis, Treasurer
Committee to Reelect Assemblyman
Kozloski - 1979
21 Brookwood Drive
Freehold, New Jersey 07728

Re: The New Jersey Campaign Contributions and
Expenditures Reporting Act, Chapter 83, Laws
of 1973 as Amended and Supplemented ("the Act")
Your letter dated March 13, 1980
Opinion #0-17-80

Dear Mr. Lewis:

Your letter dated March 13, 1980, to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

The Commission does not have authority to advise generally
with respect to the election laws, since its authority is
limited to the area of its responsibility, which is the New
Jersey Campaign Contributions and Expenditures Disclosure Act
(N.J.S.A. 19:44A-1 and following). This Act forms only a part
of the election law of New Jersey, which is contained in Title 19
of the New Jersey Statutes. The remainder of the election law
is under the jurisdiction of the Attorney General of New Jersey.

The Act does not prescribe what uses of political funds
(including excess funds remaining after a political campaign)
are lawful or unlawful and the Commission is not empowered
to express an opinion in this regard. The Commission has taken
the position that personal use of such funds is obviously
not appropriate and would in such case forward evidence of
such use to the appropriate law enforcement agency. Certain
other dispositions of such funds would not be challenged by
the Commission, such as the transfer of the funds to the County
or other political party committee of the candidate, or the
return of those funds pro rata to the contributors, or a transfer

of those funds to a charitable organization of the kind recognized by the Internal Revenue Service for purposes of deductions on Federal Income Tax returns.

The Commission is unable to express an opinion regarding specific use of such excess funds. For further information with respect to these or other possible specific uses of such funds, we would suggest that you contact Janice Mironov, Deputy Attorney General, whose area of responsibility includes the Election Law of the State of New Jersey.

Yours very truly,

Edward J. Farrell
Legal Counsel

EJF:no