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P.L. 2023, CHAPTER 30, *approved April 3, 2023*
Senate Committee Substitute (*Second Reprint*) for
Senate, No. 2866

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)

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted March 16, 2023.

²Assembly AAP committee amendments adopted March 23, 2023.

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

3 22. a. Not later than December 1 **【**of each year preceding any
4 year in which a general election is to be held to fill the offices of
5 Governor and Lieutenant Governor for a four-year term**】**, 2023 and
6 every two years thereafter, the Election Law Enforcement
7 Commission shall adjust the amounts, set forth in subsection b. of
8 this section, which shall be applicable under P.L.1973, c.83
9 (C.19:44A-1 et al.) to primary and general elections for any public
10 office other than the offices of Governor and Lieutenant Governor
11 at a percentage which shall be **【the same】** calculated in the same
12 manner as the percentage of change that the commission applies to
13 the amounts used for the primary election for the office of Governor
14 and the general election for the offices of Governor and Lieutenant
15 Governor **【held in the third year preceding the year in which that**
16 **December 1 occurs】**, pursuant to section 19 of P.L.1980, c.74
17 (C.19:44A-7.1), and any amount so adjusted shall be rounded in the
18 same manner as provided in that section.

19 b. The amounts subject to adjustment as provided under this
20 section shall be:

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

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

28 (3) the minimum amount of a contribution to a political
29 committee, continuing political committee, legislative leadership
30 committee or a political party committee received during the period
31 between the 13th day prior to the election and the date of the
32 election, the minimum amount of an expenditure by a political
33 committee during that period, and the minimum amount of an
34 expenditure by a continuing political committee during the period
35 beginning after March 31 and ending on the date of the primary
36 election and the period beginning after September 30 and ending on
37 the date of the general election which triggers an obligation to
38 report that contribution to the commission pursuant to section 8 of
39 P.L.1973, c.83 (C.19:44A-8), and the minimum amount of a
40 contribution to a candidate, candidate committee or joint candidates
41 committee received during the period between the 13th day prior to
42 the election and the date of the election which triggers an obligation
43 to report that contribution to the commission pursuant to section 16
44 of P.L.1973, c.83 (C.19:44A-16);

45 (4) the maximum amount which may be expended by the
46 campaign organizations of two or more candidates forming a joint

1 candidates committee without being required to file contribution
2 reports, pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8);

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

14 (6) the maximum amount that may be expended, in the
15 aggregate, on behalf of a candidate without requiring that candidate
16 to file contribution reports with the commission and the maximum
17 amount that may be expended, in the aggregate, on behalf of a
18 candidate seeking election to a public office of a school district,
19 without requiring that candidate to file contribution reports with the
20 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-
21 16);

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

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

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

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

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

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

45 c. Not later than December 15 **【**of each year preceding any
46 year in which a general election is to be held to fill the offices of
47 Governor and Lieutenant Governor for a four-year term**】**, 2023 and
48 every two years thereafter, the commission shall report to the

1 Legislature and make public its adjustment of limits in accordance
2 with the provisions of this section. Whenever, following the
3 transmittal of that report, the commission shall have notice that a
4 person has declared as a candidate for nomination for election or for
5 election to any public office in a forthcoming primary or general
6 election, it shall promptly notify that candidate of the amounts of
7 those adjusted limits.

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

9

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

12 2. a. No later than July 1 **[of each year preceding any year in**
13 **which a general election is to be held to fill the offices of Governor**
14 **and Lieutenant Governor for a four-year term]**, 2024 and every two
15 years thereafter, the commission shall **[issue a report setting forth**
16 **its recommendations for the adjustment of]** adjust the amounts, set
17 forth in subsection b. of this section and applicable to P.L.1973,
18 c.83 (C.19:44A-1 et seq.), to primary and general elections for any
19 public office other than the offices of Governor and Lieutenant
20 Governor, to limitations on contributions to and from political
21 committees, continuing political committees, candidate committees,
22 joint candidates committees, political party committees and
23 legislative leadership committees and to other amounts, at a
24 percentage which shall be **[the same]** calculated in the same
25 manner as the percentage of change that the commission applies to
26 the amounts used for the primary election for the office of Governor
27 and the general election for the offices of Governor and Lieutenant
28 Governor **[held in the third year preceding the year in which that**
29 **December 1 occurs]**, pursuant to section 19 of P.L.1980, c.74
30 (C.19:44A-7.1). Any amount so **[recommended for adjustment]**
31 adjusted shall be rounded in the same manner as provided in that
32 section.

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

35 (1) the maximum amount of contributions permitted to be made
36 by an individual, a corporation or labor organization to a candidate,
37 candidate committee or joint candidates committee, the maximum
38 amount of contributions permitted to be made by a political
39 committee or a continuing political committee to a candidate,
40 candidate committee or joint candidates committee other than the
41 committee of a candidate for nomination for the office of Governor
42 or the committee of candidates for election to the offices of
43 Governor and Lieutenant Governor and the maximum amount of
44 contributions permitted to be made by one candidate, candidate
45 committee or joint candidates committee, other than the committee
46 of a candidate for nomination for the office of Governor or the
47 committee for election to the offices of Governor and Lieutenant

1 Governor, to another candidate, candidate committee or joint
2 candidates committee other than the committee of a candidate for
3 nomination for the office of Governor or the committee for election
4 to the offices of Governor and Lieutenant Governor pursuant to
5 section 18 of P.L.1993, c.65 (C.19:44A-11.3);

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

12 (3) the maximum amount of contributions permitted to be made
13 by a candidate, candidate committee or joint candidates committee
14 to a political committee or a continuing political committee and the
15 maximum amount of contributions permitted to be made by one
16 political committee or continuing political committee to another
17 political committee or continuing political committee pursuant to
18 section 20 of P.L.1993, c.65 (C.19:44A-11.5).

19 c. No later than July 15 **【of each year preceding any year in**
20 **which a general election is to be held to fill the offices of Governor**
21 **and Lieutenant Governor for a four-year term】**, 2024 and every two
22 years thereafter, the commission shall **【transmit a copy of its report**
23 **to each member of】** report to the Legislature and make public its
24 **【recommended】** adjustment of limits pursuant to this section. **【The**
25 **Legislature shall have the option of adopting all or part of the**
26 **recommended adjustments by the passage of appropriate**
27 **legislation】** Whenever, following the transmittal of that report, the
28 commission shall have notice that a person has declared as a
29 candidate for nomination for election or for election to any public
30 office in a forthcoming primary or general election, it shall
31 promptly notify that candidate of the amounts of those adjusted
32 limits.

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

34
35 4. Section 8 of P.L.1973, c.83 (C.19:44A-8) is amended to read
36 as follows:

37 8. a. (1) Each political committee shall make a full cumulative
38 report, upon a form prescribed by the Election Law Enforcement
39 Commission, of all contributions in excess of \$200 in the form of
40 moneys, loans, paid personal services, or other things of value made
41 to it and all expenditures made, incurred, or authorized by it in
42 furtherance of the nomination, election, or defeat of any candidate,
43 or in aid of the passage or defeat of any public question, or to
44 provide political information on any candidate or public question,
45 during the period ending 48 hours preceding the date of the report
46 and beginning on the date on which the first of those contributions
47 was received or the first of those expenditures was made, whichever

1 occurred first. The cumulative report, except as hereinafter
2 provided, shall contain the name and mailing address of each person
3 or group from whom moneys, loans, paid personal services or other
4 things of value in excess of \$200 have been contributed since 48
5 hours preceding the date on which the previous such report was
6 made and the amount contributed by each person or group, and
7 where the contributor is an individual, the report shall indicate the
8 occupation of the individual and the name and mailing address of
9 the individual's employer. In the case of any loan reported pursuant
10 to this subsection, the report shall contain the name and mailing
11 address of each person who has cosigned such loan since 48 hours
12 preceding the date on which the previous such report was made, and
13 where an individual has cosigned such loans, the report shall
14 indicate the occupation of the individual and the name and mailing
15 address of the individual's employer. The cumulative report shall
16 also contain the name and address of each person, firm or
17 organization to whom expenditures have been paid since 48 hours
18 preceding the date on which the previous such report was made and
19 the amount and purpose of each such expenditure. The cumulative
20 report shall be filed with the Election Law Enforcement
21 Commission on the dates designated in section 16 hereof.

22 The campaign treasurer of the political committee reporting shall
23 certify to the correctness of each report.

24 Each campaign treasurer of a political committee shall file
25 written notice with the commission of a contribution in excess of
26 **[\$500]** \$200 received during the period between the 13th day prior
27 to the election and the date of the election, and of an expenditure of
28 money or other thing of value in excess of **[\$500]** \$200 made,
29 incurred or authorized by the political committee to support or
30 defeat a candidate in an election, or to aid the passage or defeat of
31 any public question, during the period between the 13th day prior to
32 the election and the date of the election. The notice of a
33 contribution shall be filed in writing or by electronic transmission
34 within **[48]** 72 hours of the receipt of the contribution **[and]** when
35 the contribution is received between the 13th day and the eighth day
36 prior to the election, or within 24 hours of the receipt of the
37 contribution when the contribution is received between the seventh
38 day prior to the election and the date of the election. The notice
39 shall set forth the amount and date of the contribution, the name and
40 mailing address of the contributor, and where the contributor is an
41 individual, the individual's occupation and the name and mailing
42 address of the individual's employer. The notice of an expenditure
43 shall be filed in writing or by electronic transmission within **[48]**
44 72 hours of the making, incurring or authorization of the
45 expenditure **[and]** when the expenditure is made, incurred, or
46 authorized between the 13th day and the eighth day prior to the
47 election, or within 24 hours when the expenditure is made, incurred,

1 or authorized between the seventh day prior to the election and the
2 date of the election. The notice shall set forth the name and mailing
3 address of the person, firm or organization to whom or which the
4 expenditure was paid and the amount and purpose of the
5 expenditure.

6 (2) When a political committee or an individual seeking party
7 office makes or authorizes an expenditure on behalf of a candidate,
8 it shall provide immediate written notification to the candidate of
9 the expenditure.

10 b. (1) A group of two or more persons acting jointly, or any
11 corporation, partnership, or any other incorporated or
12 unincorporated association including a political club, political
13 action committee, civic association or other organization, which in
14 any calendar year contributes or expects to contribute at least
15 \$2,500.00 to the aid or promotion of the candidacy of an individual,
16 or of the candidacies of individuals, for elective public office or the
17 passage or defeat of a public question or public questions and which
18 expects to make contributions toward such aid or promotion, or
19 toward such passage or defeat, during a subsequent election shall
20 certify that fact to the commission, and the commission, upon
21 receiving that certification and on the basis of any information as it
22 may require of the group, corporation, partnership, association or
23 other organization, shall determine whether the group, corporation,
24 partnership, association or other organization is a continuing
25 political committee for the purposes of this act. If the commission
26 determines that the group, corporation, partnership, association or
27 other organization is a continuing political committee, it shall so
28 notify that continuing political committee.

29 No person serving as the chairman of a political party committee
30 or a legislative leadership committee shall be eligible to be
31 appointed or to serve as the chairman of a continuing political
32 committee.

33 (2) A continuing political committee shall file with the Election
34 Law Enforcement Commission, not later than April 15, July 15,
35 October 15 and January 15 of each calendar year, a cumulative
36 quarterly report of all moneys, loans, paid personal services or other
37 things of value in excess of \$200 contributed to it during the period
38 ending on the 15th day preceding that date and commencing on
39 January 1 of that calendar year or, in the case of the cumulative
40 quarterly report to be filed not later than January 15, of the previous
41 calendar year, and all expenditures made, incurred, or authorized by
42 it during the period, whether or not such expenditures were made,
43 incurred or authorized in furtherance of the election or defeat of any
44 candidate, or in aid of the passage or defeat of any public question
45 or to provide information on any candidate or public question.

46 The cumulative quarterly report shall contain the name and
47 mailing address of each person or group from whom moneys, loans,
48 paid personal services or other things of value in excess of \$200

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

15 Each continuing political committee shall provide immediate
16 written notification to each candidate of all expenditures made or
17 authorized on behalf of the candidate.

18 If any continuing political committee submitting cumulative
19 quarterly reports as provided under this subsection receives a
20 contribution from a single source of more than ~~[\$500]~~ \$200 after
21 the final day of a quarterly reporting period and on or before a
22 primary, general, municipal, school or special election which occurs
23 after that final day but prior to the final day of the next reporting
24 period it shall, in writing or by electronic transmission, report that
25 contribution to the commission within ~~[48]~~ 72 hours of the receipt
26 thereof ¹if that contribution is received between the 15th day prior
27 to that election and the day of the election¹, except that a
28 contribution received between the seventh day prior to the election
29 and the date of the election shall be reported within 24 hours of the
30 receipt thereof, including in that report the amount and date of the
31 contribution; the name and mailing address of the contributor; and
32 where the contributor is an individual, the individual's occupation
33 and the name and mailing address of the individual's employer. If
34 any continuing political committee makes or authorizes an
35 expenditure of money or other thing of value in excess of ~~[\$500]~~
36 \$200, or incurs any obligation therefor, to support or defeat a
37 candidate in an election, or to aid the passage or defeat of any
38 public question, ¹~~【after March 31 and on or before】~~ between the
39 15th day prior to the day of the primary election and¹ the day of the
40 primary election, or ¹【after September 30 and on or before】
41 between the 15th day prior to the day of the general election and¹
42 the day of the general election, it shall, in writing or by electronic
43 transmission, report that expenditure to the commission within [48]
44 72 hours of the making, authorizing or incurring thereof, except
45 that an expenditure made, authorized, or incurred between the
46 seventh day prior to the election and the date of the election shall be

1 reported within 24 hours of the making, authorizing, or incurring
2 thereof.

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

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

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

45 d. (1) Each independent expenditure committee making an
46 electioneering communication pertaining to a primary election shall
47 file with the Election Law Enforcement Commission, **[**not later
48 than April 15, July 15, October 15 and January 15 of each calendar

1 year, a cumulative quarterly report] a cumulative report on the 11th
2 day preceding the primary election, and after the primary election
3 file a report on the 20th day following the election, upon a form
4 prescribed by the Election Law Enforcement Commission, of all
5 contributions received in excess of [\$10,000] \$7,500 in the form of
6 moneys, loans, paid personal services, or other things of value made
7 to it ¹for the purpose of furthering the independent expenditure¹,
8 and of all independent expenditures [in excess of \$3,000] made,
9 incurred, or authorized by it [in influencing or attempting to
10 influence the outcome of any election or the nomination, election,
11 or defeat of any person to State or local elective public office or the
12 passage or defeat of any public question, legislation, or regulation,
13 or in providing political information on any candidate or public
14 question, legislation, or regulation, during the period ending 48
15 hours preceding the date of the report and beginning on the date on
16 which the first of those contributions was received or the first of
17 those expenditures was made, whichever occurred first. The
18 quarterly] beginning on the first day of the preceding calendar year
19 and ending on the reporting date. Each independent expenditure
20 committee making an electioneering communication pertaining to a
21 municipal, runoff, school board, special, or general election shall
22 file with the Election Law Enforcement Commission a cumulative
23 report on the 29th day preceding the election, a report on the 11th
24 day preceding the election, and after the election file a report on the
25 20th day following the election, upon a form prescribed by the
26 Election Law Enforcement Commission, of all contributions
27 received in excess of \$7,500 in the form of moneys, loans, paid
28 personal services, or other things of value made to it ¹for the
29 purpose of furthering the independent expenditure¹ , and of all
30 independent expenditures made, incurred, or authorized by it
31 beginning on the first day of the preceding calendar year and ending
32 on the reporting date. The report, except as hereinafter provided,
33 shall contain the name and mailing address of each person or group
34 from whom moneys, loans, paid personal services or other things of
35 value have been contributed since 48 hours preceding the date on
36 which such previous report was made and the amount contributed
37 by each person or group in excess of [\$10,000] \$7,500, and when
38 the contributor is an individual, the report shall indicate the
39 occupation of the individual and the name and mailing address of
40 the individual's employer. In the case of any loan reported pursuant
41 to this subsection, the report shall contain the name and mailing
42 address of each person who has cosigned such loan since 48 hours
43 preceding the date on which the previous such report was made, and
44 when an individual has cosigned such loans, the report shall
45 indicate the occupation of the individual and the name and mailing
46 address of the individual's employer. The [quarterly] report shall
47 also contain the name and address of each person, firm, or

1 organization to whom expenditures have been paid since 48 hours
2 preceding the date on which the previous such report was made and
3 the amount and purpose of each such expenditure.

4 (2) **【An independent expenditure committee shall disclose all**
5 **expenditures made by it in excess of \$3,000, including, but not**
6 **limited to, for electioneering communications, voter registration,**
7 **get-out-the-vote efforts, polling, and research. The disclosures**
8 **required by this paragraph shall be reported to the Election Law**
9 **Enforcement Commission on the same schedule as required for**
10 **continuing political committees pursuant to this section.】**

11 The treasurer of the reporting independent expenditure
12 committee shall certify the correctness of each report and shall
13 maintain all records of contributions and expenditures for a period
14 of not less than four years.

15 The **【\$10,000】** \$7,500 contribution amount **【and the \$3,000**
16 **expenditure amount established in this subsection】** shall remain as
17 stated in this subsection without further adjustment by the
18 commission pursuant to section 22 of P.L.1993, c.65 (C.19:44A-
19 7.2).

20 e. When a political party committee **【,】** or legislative
21 leadership committee **【or independent expenditure committee】**
22 receives a contribution from a single source of more than **【\$500】**
23 \$200 after the final day of a quarterly reporting period and on or
24 before a primary, general, municipal, school, or special election
25 which occurs after that final day but prior to the final day of the
26 next reporting period it shall, in writing or by electronic
27 transmission, report that contribution to the commission within
28 **【48】** 72 hours of the receipt thereof ¹if that contribution is received
29 between the 15th day prior to that election and the day of the
30 election¹, except that a contribution received between the seventh
31 day prior to the election and the date of the election shall be
32 reported within 24 hours of the receipt thereof, including in that
33 report the amount and date of the contribution; the name and
34 mailing address of the contributor; and where the contributor is an
35 individual, the individual's occupation and the name and mailing
36 address of the individual's employer. When a political party
37 committee **【,】** or legislative leadership committee **【,** or an
38 independent expenditure committee**】** makes or authorizes an
39 expenditure of money or other thing of value in excess of \$800, or
40 incurs any obligation therefor, to support or defeat a candidate in an
41 election, or to aid the passage or defeat of any public question, **【or**
42 **to aid the passage or defeat of legislation or regulation in the case of**
43 **an independent expenditure committee,】** ¹**【after March 31 and on or**
44 **before】** between the 15th day prior to the day of the primary
45 election and¹ the day of the primary election, or ¹【after September
46 30 and on or before】 between the 15th day prior to the day of the

1 general election and¹ the day of the general election, it shall, in
2 writing or by electronic transmission, report that expenditure to the
3 commission within ~~48~~ 72 hours of the making, authorizing or
4 incurring thereof, except that an expenditure made, authorized, or
5 incurred between the seventh day prior to the election and the date
6 of the election shall be reported within 24 hours of the making,
7 authorizing, or incurring thereof.

8 f. In any report filed pursuant to the provisions of this section
9 the organization or committee reporting may exclude from the
10 report the name of and other information relating to any contributor
11 whose contributions during the period covered by the report did not
12 exceed ~~300~~ 200, provided, however, that (1) such exclusion is
13 unlawful if any person responsible for the preparation or filing of
14 the report knew that it was made with respect to any person whose
15 contributions relating to the same election or issue and made to the
16 reporting organization or committee aggregate, in combination with
17 the contribution in respect of which such exclusion is made, more
18 than ~~300~~ 200 and (2) any person who knowingly prepares,
19 assists in preparing, files or acquiesces in the filing of any report
20 from which the identification of a contributor has been excluded
21 contrary to the provisions of this section is subject to the provisions
22 of section 21 of P.L.1973, c.83 (C.19:44A-21), but (3) nothing in
23 this proviso shall be construed as requiring any committee or
24 organization reporting pursuant to this act to report the amounts,
25 dates or other circumstantial data regarding contributions made to
26 any other organization or political committee, political party
27 committee or campaign organization of a candidate.

28 g. Any report filed pursuant to the provisions of this section
29 shall include an itemized accounting of all receipts and
30 expenditures relative to any testimonial affairs held since the date
31 of the most recent report filed, which accounting shall include the
32 name and mailing address of each contributor in excess of ~~300~~
33 200 to such testimonial affair and the amount contributed by each;
34 in the case of an individual contributor, the occupation of the
35 individual and the name and mailing address of the individual's
36 employer; the expenses incurred; and the disposition of the
37 proceeds of such testimonial affair.

38 The ~~300~~ 200 limit established in this subsection shall
39 remain as stated in this subsection without further adjustment by the
40 commission in the manner prescribed by section 22 of P.L.1993,
41 c.65 (C.19:44A-7.2).

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

43
44 5. Section 11 of P.L.1973, c.83 (C.19:44A-11) is amended to
45 read as follows:

46 11. No contribution of money or other thing of value, nor
47 obligation therefor, including but not limited to contributions, loans

1 or obligations of a candidate himself or of his family, shall be made
2 or received, and no expenditure of money or other thing of value,
3 nor obligation therefor, including expenditures, loans or obligations
4 of a candidate himself or of his family, shall be made or incurred,
5 directly or indirectly, to support or defeat a candidate in any
6 election, or to aid the passage or defeat of any public question, or
7 **【to aid the passage or defeat of legislation or regulation】** as an
8 independent expenditure or electioneering communication in the
9 case of an independent expenditure committee, except through:

10 a. The duly appointed campaign treasurer or deputy campaign
11 treasurers of the candidate committee or joint candidates
12 committee;

13 b. The duly appointed organizational treasurer or deputy
14 organizational treasurers of a political party committee or a
15 continuing political committee;

16 c. The duly appointed campaign treasurer or deputy campaign
17 treasurers of a political committee;

18 d. The duly appointed organizational treasurer or deputy
19 organizational treasurer of a legislative leadership committee; or

20 e. The duly appointed organizational treasurer or deputy
21 organizational treasurer of an independent expenditure committee.

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

1 No contribution of money shall be made in currency, except
2 contributions in response to a public solicitation, provided that
3 cumulative currency contributions of up to \$200 may be made to a
4 candidate committee or joint candidates committee, a political
5 committee, a continuing political committee, an independent
6 expenditure committee, a legislative leadership committee or a
7 political party committee if the contributor submits with the
8 currency contribution a written statement of a form as prescribed by
9 the commission, indicating the contributor's name, mailing address
10 and occupation and the amount of the contribution, including the
11 contributor's signature and the name and mailing address of the
12 contributor's employer. Adjustments to the \$200 limit established in
13 this paragraph which have been made by the Election Law
14 Enforcement Commission, pursuant to section 22 of P.L.1993, c.65
15 (C.19:44A-7.2), prior to the effective date of P.L.2004, c.28 are
16 rescinded. The \$200 limit established in this paragraph shall remain
17 as stated in this paragraph without further adjustment by the
18 commission in the manner prescribed by section 22 of P.L.1993,
19 c.65 (C.19:44A-7.2).

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

24 No person, partnership or association, either directly or through
25 an agent, shall make any loan or advance, the proceeds of which
26 that person, partnership or association knows or has reason to know
27 or believe are intended to be used by the recipient thereof to make a
28 contribution or expenditure, except by check or money order
29 identifying the name, mailing address and occupation or business of
30 the maker of the loan, and, if the maker is an individual, the name
31 and mailing address of that individual's employer; provided,
32 however, that such loans or advances to a single individual, up to a
33 cumulative amount of \$50 in any calendar year, may be made in
34 currency.

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

36
37 6. Section 18 of P.L.1993, c.65 (C.19:44A-11.3) is amended to
38 read as follows:

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

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

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

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

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

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

24 With respect to the limitations in this paragraph, the Legislature
25 finds and declares that:

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

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

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

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

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

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

41 (2) No candidates who have established only a joint candidates
42 committee, their campaign treasurer, deputy campaign treasurer, or
43 joint candidates committee shall (a) pay or make any contribution
44 of money or other thing of value to another candidate who has
45 established only a candidate committee, his campaign treasurer,
46 deputy campaign treasurer or candidate committee, other than a
47 candidate for nomination for election for the office of Governor or

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

43 (3) No candidate who has established both a candidate
44 committee and a joint candidates committee, the campaign
45 treasurers, deputy campaign treasurers, or candidate committee or
46 joint candidates committee shall (a) pay or make any contribution
47 of money or other thing of value to another candidate who has

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

39 (4) Expenditures by a candidate for nomination for election or
40 for election to the office of member of the Legislature or to an
41 office of a political subdivision of the State, or by the campaign
42 treasurer, deputy treasurer, candidate committee or joint candidates
43 committee of such a candidate, which are made in furtherance of the
44 nomination or election, respectively, of another candidate for the
45 same office in the same legislative district or the same political
46 subdivision shall not be construed to be subject to any limitation
47 under this subsection; for the purposes of this sentence, the offices

1 of member of the State Senate and member of the General
2 Assembly shall be deemed to be the same office.

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

8 e. For the purpose of determining the amount of a contribution
9 to be attributed as given to or by each candidate in a joint
10 candidates committee, the amount of the contribution to or by such
11 a committee shall be divided equally among all the candidates in the
12 committee.

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

14

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

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

1 continuing political committee, a candidate committee or a joint
2 candidates committee or any other group, any contribution of
3 money or other thing of value which in the aggregate exceeds
4 ~~【\$25,000】~~ \$75,000 per year, or in the case of a joint candidates
5 committee when that is the only committee established by the
6 candidates, ~~【\$25,000】~~ \$75,000 per year per candidate in the joint
7 candidates committee, or in the case of a candidate committee and a
8 joint candidates committee when both are established by a
9 candidate, ~~【\$25,000】~~ \$75,000 per year from that candidate.

10 (2) No national committee of a political party shall pay or make
11 any contribution of money or other thing of value to the campaign
12 treasurer, deputy treasurer or other representative of the State
13 committee of a political party which in the aggregate exceeds
14 ~~【\$72,000】~~ \$144,000 per year, and no campaign treasurer, deputy
15 campaign treasurer or other representative of the State committee of
16 a political party shall knowingly accept from the national committee
17 of a political party any contribution of money or other thing of
18 value which in the aggregate exceeds ~~【\$72,000】~~ \$144,000 per year.

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

1 value which in the aggregate exceeds **[\$37,000]** \$75,000 per year,
2 or in the case of a joint candidates committee when that is the only
3 committee established by the candidates, **[\$37,000]** \$75,000 per
4 year per candidate in the joint candidates committee, or in the case
5 of a candidate committee and a joint candidates committee when
6 both are established by a candidate, **[\$37,000]** \$75,000 per year
7 from that candidate.

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

44 No county committee of a political party in any county shall pay
45 or make any contribution of money or other thing of value to a
46 municipal committee of a political party in a municipality not
47 located in that county which in the aggregate exceeds the amount of

1 aggregate contributions which, under this subsection, a continuing
2 political committee is permitted to pay or make to a municipal
3 committee of a political party. No campaign treasurer, deputy
4 campaign treasurer or other representative of a municipal committee
5 of a political party in any municipality shall knowingly accept from
6 any county committee of a political party in any county other than
7 the county in which the municipality is located any contribution of
8 money or other thing of value which in the aggregate exceeds the
9 amount of contributions permitted to be so paid or made under that
10 subsection.

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

16

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

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

1 campaign treasurer, deputy treasurer or candidate committee, any
2 contribution of money or other thing of value which in the
3 aggregate exceeds, in the case of such a political committee,
4 **[\$7,200]** \$14,400 per election, or in the case of a continuing
5 political committee, **[\$7,200]** \$14,400 per year, and no such
6 political committee or continuing political committee shall
7 knowingly accept from candidates who have established only a joint
8 candidates committee, their campaign treasurer, deputy campaign
9 treasurer, or joint candidates committee, any contribution of money
10 or other thing of value which in the aggregate exceeds, in the case
11 of such a political committee, **[\$7,200]** \$14,400 per election per
12 candidate in the joint candidates committee, or in the case of a
13 continuing political committee, **[\$7,200]** \$14,400 per year per
14 candidate in the joint candidates committee, and no such political
15 committee or continuing political committee shall knowingly accept
16 from a candidate who has established both a candidate committee
17 and a joint candidates committee any contribution of money or
18 other thing of value which in the aggregate exceeds, in the case of
19 such a political committee, **[\$7,200]** \$14,400 per election from that
20 candidate, or in the case of a continuing political committee,
21 **[\$7,200]** \$14,400 per year from that candidate. For the purpose of
22 determining the amount of a contribution to be attributed as given
23 by each candidate in a joint candidates committee, the amount of
24 the contribution by such a committee shall be divided equally
25 among all the candidates in the committee.

26 b. No political committee, other than a political committee
27 which is organized to, or does, aid or promote the passage or defeat
28 of a public question in any election, and no continuing political
29 committee shall pay or make any contribution of money or other
30 thing of value to another political committee, other than a political
31 committee which is organized to, or does, aid or promote the
32 passage or defeat of a public question in any election, or another
33 continuing political committee which in the aggregate exceeds, in
34 the case of a recipient continuing political committee, **[\$7,200]**
35 \$14,400 per year, or in the case of a recipient political committee,
36 **[\$7,200]** \$14,400 per election. No political committee, other than
37 a political committee which is organized to, or does, aid or promote
38 the passage or defeat of a public question in any election, and no
39 continuing political committee shall knowingly accept from another
40 political committee, other than a political committee which is
41 organized to, or does, aid or promote the passage or defeat of a
42 public question in any election, or another continuing political
43 committee any contribution of money or other thing of value which
44 in the aggregate exceeds, in the case of a recipient continuing
45 political committee, **[\$7,200]** \$14,400 per year, or in the case of a
46 recipient political committee, **[\$7,200]** \$14,400 per election.

1 c. No individual, no corporation of any kind organized and
2 incorporated under the laws of this State or any other state or any
3 country other than the United States, no labor organization of any
4 kind which exists or is constituted for the purpose, in whole or in
5 part, of collective bargaining, or of dealing with employees
6 concerning the grievances, terms or conditions of employment, or
7 of other mutual aid or protection in connection with employment,
8 nor any other group, shall pay or make any contribution of money
9 or other thing of value to a political committee, other than a
10 political committee which is organized to, or does, aid or promote
11 the passage or defeat of a public question in any election, or a
12 continuing political committee, which in the aggregate exceeds, in
13 the case of such a political committee, ~~[\$7,200]~~ \$14,400 per
14 election, or in the case of a continuing political committee,
15 ~~[\$7,200]~~ \$14,400 per year, and no such political committee or
16 continuing political committee shall knowingly accept any
17 contribution in excess of those amounts from an individual or from
18 such corporation, labor organization, or other group.
19 (cf: P.L.2001, c.384, s.3)

20

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

23 16. a. The campaign treasurer of each candidate committee and
24 joint candidates committee shall make a ~~[full]~~ cumulative quarterly
25 report, upon a form prescribed by the Election Law Enforcement
26 Commission, of all contributions in excess of \$200 in the form of
27 moneys, loans, paid personal services or other things of value, made
28 to him or to the deputy campaign treasurers of the candidate
29 committee or joint candidates committee, and all expenditures paid
30 out of the election fund of the candidate or candidates, during the
31 period ending with the second day preceding the date of the
32 cumulative quarterly report and beginning on the date of the first of
33 those contributions, the date of the first of those expenditures, or the
34 date of the appointment of the campaign treasurer, whichever
35 occurred first. The report shall also contain the name and mailing
36 address of each person or group from whom moneys, loans, paid
37 personal services or other things of value in excess of \$200 were
38 contributed after the second day preceding the date of the previous
39 cumulative quarterly report and the amount contributed by each
40 person or group, and where an individual has made such
41 contributions, the report shall indicate the occupation of the
42 individual and the name and mailing address of the individual's
43 employer. In the case of any loan reported pursuant to this section,
44 the report shall further contain the name and mailing address of
45 each person who cosigns such loan, the occupation of the person
46 and the name and mailing address of the person's employer. If no
47 moneys, loans, paid personal services or other things of value were
48 contributed, the report shall so indicate, and if no expenditures were

1 paid or incurred, the report shall likewise so indicate. The
2 campaign treasurer and the candidate or several candidates shall
3 certify the correctness of the report.

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

28 The Election Law Enforcement Commission shall promulgate
29 regulations providing for the termination of post-election campaign
30 reporting requirements applicable to political committees, candidate
31 committees and joint candidates committees. The requirements to
32 file quarterly reports after the first post-election report may be
33 waived by the commission, notwithstanding that the certification
34 has not been filed, if the commission determines under any
35 regulations so promulgated that the outstanding obligations of the
36 political committee, candidate committee or joint candidates
37 committee do not exceed 10% of the expenditures of the campaign
38 fund with respect to the election or \$1,000.00, whichever is less, or
39 are likely to be discharged or forgiven.

40 A candidate committee or joint candidates committee shall file
41 with the Election Law Enforcement Commission, not later than
42 April 15, July 15, October 15 of each calendar year in which the
43 candidate or candidates in control of the committee does or do not
44 run for election or reelection and January 15 of each calendar year
45 in which the candidate or candidates does or do run for election or
46 reelection, a cumulative quarterly report of all moneys, loans, paid
47 personal services or other things of value in excess of \$200
48 contributed to it or to the candidate or candidates during the period

1 ending on the 15th day preceding that date and commencing on
2 January 1 of that calendar year or, in the case of the cumulative
3 quarterly report to be filed not later than January 15, of the previous
4 calendar year, and all expenditures made, incurred, or authorized by
5 it or the candidate or candidates during the period, whether or not
6 such expenditures were made, incurred or authorized in furtherance
7 of the election or defeat of any candidate, or in aid of the passage or
8 defeat of any public question or to provide information on any
9 candidate or public question. The commission may by regulation
10 require any such candidate committee or joint candidates committee
11 to file during any calendar year one or more additional cumulative
12 reports of such contributions received and expenditures made as
13 may be necessary to ensure that no more than five months shall
14 elapse between the last day of a period covered by one such report
15 and the last day of the period covered by the next such report.

16 The commission, on any form it shall prescribe for the reporting
17 of expenditures by a candidate committee or joint candidates
18 committee, shall provide for the grouping together of all
19 expenditures under the category of "campaign expenses" under
20 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
21 identified as such, and for the grouping together, separately, of all
22 other expenditures under the categories prescribed by paragraphs
23 (2) through (6) of that subsection. The cumulative quarterly report
24 due on April 15 in a year immediately after the year in which the
25 candidate or candidates does or do run for election or reelection
26 shall contain a report of all of the contributions received and
27 expenditures made by the candidate or candidates since the 18th day
28 after that election.

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

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

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

25 e. There shall be no obligation imposed upon a candidate
26 seeking election to a public office of a school district to file either
27 the reports required under subsection b. of this section or the sworn
28 statement referred to in subsection d. of this section, if the total
29 amount expended and to be expended in behalf of his candidacy by
30 the candidate committee, any political committee, any continuing
31 political committee, or a political party committee or by any person,
32 does not in the aggregate exceed \$2,000.00 per election or \$4,000
33 for any joint candidates committee containing two candidates or
34 \$6,000 for any joint candidates committee containing three or more
35 candidates; provided, that if such candidate receives contributions
36 from any one source aggregating more than ~~[\$300]~~ \$200, he shall
37 forthwith make a report of the same, including the name and
38 mailing address of the source, the aggregate total of contributions
39 therefrom, and where the source is an individual, the occupation of
40 the individual and the name and mailing address of the individual's
41 employer, to the commission.

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

46 f. In any report filed pursuant to the provisions of this section,
47 the names and addresses of contributors whose contributions during

1 the period covered by the report did not exceed **[\$300]** \$200 may
2 be excluded; provided, however, that (1) such exclusion is unlawful
3 if any person responsible for the preparation or filing of the report
4 knew that such exclusion was made with respect to any person
5 whose total contributions relating to the same election and made to
6 the reporting candidate or to an allied campaign organization or
7 organizations aggregate, in combination with the total contributions
8 in respect of which such exclusion is made, more than **[\$300]**
9 \$200, and (2) any person who knowingly prepares, assists in
10 preparing, files or acquiesces in the filing of any report from which
11 the identity of any contributor has been excluded contrary to the
12 provisions of this section is subject to the provisions of section 21
13 of this act, but (3) nothing in this proviso shall be construed as
14 requiring any candidate committee or joint candidates committee
15 reporting pursuant to this act to report the amounts, dates or other
16 circumstantial data regarding contributions made to any other
17 candidate committee, joint candidates committee, political
18 committee, continuing political committee, political party
19 committee or legislative leadership committee.

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

24 g. Any report filed pursuant to the provisions of this section
25 shall include an itemized accounting of all receipts and
26 expenditures relative to any testimonial affair held since the date of
27 the most recent report filed, which accounting shall include the
28 name and mailing address of each contributor in excess of **[\$300]**
29 \$200 to such testimonial affair and the amount contributed by each;
30 in the case of any individual contributor, the occupation of the
31 individual and the name and mailing address of the individual's
32 employer; the expenses incurred; and the disposition of the
33 proceeds of such testimonial affair.

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

39 i. Each campaign treasurer of a candidate committee or joint
40 candidates committee shall file written notice with the commission
41 of a contribution in excess of **[\$500]** \$200 received during the
42 period between the 13th day prior to the election and the date of the
43 election and of an expenditure of money or other thing of value in
44 excess of \$800 made, incurred or authorized by the candidate
45 committee or joint candidates committee to support or defeat a
46 candidate in an election, or to aid the passage or defeat of any
47 public question, during the period between the 13th day prior to the

1 election and the date of the election, provided that a candidate shall
2 not be required to file written notice pursuant to this subsection of
3 an expenditure made to support his or her own candidacy, or to
4 support or defeat a candidate for the same office in an election. For
5 the purposes of this subsection, the offices of member of the Senate
6 and member of the General Assembly shall be deemed to be the
7 same office in a legislative district; the offices of member of the
8 board of chosen freeholders and county executive shall be deemed
9 to be the same office in a county; and the offices of mayor and
10 member of the municipal governing body shall be deemed to be the
11 same office in a municipality.

12 The notice of a contribution shall be filed in writing or by
13 **[telegram]** electronic transmission within **[48]** 72 hours of the
14 receipt of the contribution **[and]** , except that a contribution
15 received between the seventh day prior to the election and the date
16 of the election shall be reported within 24 hours of the receipt
17 thereof. The notice shall set forth the amount and date of the
18 contribution, the name and mailing address of the contributor, and
19 where the contributor is an individual, the occupation of the
20 individual and the name and mailing address of the individual's
21 employer. The notice of an expenditure shall be filed in writing or
22 by [telegram] electronic transmission within [48] 72 hours of the
23 making, incurring or authorization of the expenditure [and] , except
24 that such expenditure made during the period between the seventh
25 day prior to the election and the date of the election shall be
26 reported within 24 hours of the making, incurring, or authorization
27 of the expenditure. The notice shall set forth the name and mailing
28 address of the person, firm or organization to whom or which the
29 expenditure was paid and the amount and purpose of the
30 expenditure.

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

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

36

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

39 2. Notwithstanding the provisions of any other law to the
40 contrary:

41 a State agency in the Legislative Branch shall not enter into a
42 contract having an anticipated value in excess of \$17,500, as
43 determined in advance and certified in writing by the State agency,
44 with a business entity, that requires approval by a presiding officer
45 of either or both houses of the Legislature, except a contract that is
46 awarded pursuant to a fair and open process, if, during the
47 preceding one-year period, that business entity has made a
48 contribution, reportable by the recipient under P.L.1973, c.83

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

15 No such committee shall accept such a contribution from a
16 business entity during the term of its contract with a State agency in
17 the Legislative Branch.

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

19

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

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

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

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

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

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

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

10
11 12. Section 4 of P.L.2004, c.19 (C.19:44A-20.5) is amended to
12 read as follows:

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

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

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

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

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

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

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

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

5 "business entity" means any natural or legal person, business
6 corporation, professional services corporation, limited liability
7 company, partnership, limited partnership, business trust,
8 association or any other legal commercial entity organized under
9 the laws of this State or of any other state or foreign jurisdiction;

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

14 "fair and open process" means, at a minimum, that the contract
15 shall be: publicly advertised in newspapers or on the Internet
16 website maintained by the public entity in sufficient time to give
17 notice in advance of the contract; awarded under a process that
18 provides for public solicitation of proposals or qualifications and
19 awarded and disclosed under criteria established in writing by the
20 public entity prior to the solicitation of proposals or qualifications;
21 and publicly opened and announced when awarded. A contract
22 awarded under a process that includes public bidding or competitive
23 contracting pursuant to the "Local Public Contracts Law,"
24 P.L.1971, c.198 (C.40A:11-1 et seq.) shall constitute a fair and open
25 process. The decision of a public entity as to what constitutes a fair
26 and open process shall be final.

27 "State agency in the Legislative Branch" means the Legislature
28 of the State and any office, board, bureau or commission within or
29 created by the Legislative Branch.

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

31

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

34 1. The Legislature finds and declares that:

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

38 All individuals, businesses, associations, and other persons have
39 a right to participate fully in the political process of New Jersey,
40 including making and soliciting contributions to candidates,
41 political parties and holders of public office; and

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

47 The growing infusion of funds donated by business entities into
48 the political process at all levels of government has generated

1 widespread cynicism among the public that special interest groups
2 are "buying" favors from elected officeholders; and

3 For the purposes of protecting the integrity of government
4 contractual decisions and of improving the public's confidence in
5 government, it is a compelling interest of this State to prohibit
6 awarding government contracts to business entities which are also
7 contributors to candidates **【, political parties】** and the holders of
8 public office; and

9 **【There exists the perception that campaign contributions are**
10 **often made to a State or county political party committee by an**
11 **individual or business seeking favor with State elected officials,**
12 **with the understanding that the money given to such a committee**
13 **will be transmitted to other committees in other parts of the State,**
14 **or is otherwise intended to circumvent legal restrictions on the**
15 **making of political contributions or gifts directly to elected State**
16 **officials, thus again making elected State officials beholden to those**
17 **contributors; and**

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

22 Recent legal and policy changes have led to the proliferation of
23 entities using their nonprofit tax status to promote candidates and
24 spend money in political campaigns in an unlimited and unregulated
25 fashion, allowing those entities to raise and spend significant sums
26 of money in the political process in a manner that is not disclosed to
27 the public; and

28 Although the right of the public and organizations to participate
29 in the political process and to support candidates of their choosing
30 is fundamental to a vibrant democracy, reasonable safeguards on
31 campaign contributions are an important part of the political
32 process to ensure the public is protected from public corruption or
33 the appearance thereof; and

34 It is contrary to the public interest to allow unlimited campaign
35 contributions to be made to entities supporting or opposing
36 candidates for political office that are not subject to public
37 disclosure; and

38 It is preferable that campaign contributions to candidates,
39 political party committees, legislative leadership committees, and
40 other committees be regulated and subject to public disclosure,
41 rather than be unlimited, unregulated, and undisclosed; and

42 Encouraging entities to support candidates for public office in a
43 regulated and transparent manner is essential to build public trust in
44 their elected officials; and

45 Transparent and regulated campaign contributions serve as an
46 important safeguard against corruption by ensuring the public has
47 essential information available to make informed decisions when
48 exercising their voting preferences; and

1 The so-called dark money political committees serve to weaken
2 the trust of the public in their elected officials, whether those
3 officials are benefitting from contributions from those entities or
4 not; and

5 Although the right of individuals and businesses to make
6 campaign contributions is unequivocal, that right may be limited,
7 even abrogated, when such contributions promote the actuality or
8 appearance of public corruption; and

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

13 It has long been the public policy of this State to secure for the
14 taxpayers the benefits of competition, to promote the public good
15 by promoting the honesty and integrity of bidders for public
16 contracts and the system, and to guard against favoritism,
17 improvidence, extravagance and corruption in order to benefit the
18 taxpayers; and

19 In the procurement process, our public policy grants to the State
20 broad discretion, taking into consideration all factors, to award a
21 contract to a bidder whose proposal will be most advantageous to
22 the State; and

23 The operations of the State government must be effectively and
24 fairly managed to ensure public order and prosperity, and
25 malfeasance, in whatever form it may take, must be confronted and
26 uprooted; and

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

33
34 15. Section 2 of P.L.2005, c.51 (C.19:44A-20.14) is amended to
35 read as follows:

36 2. The State or any of its purchasing agents or agencies or
37 those of its independent authorities, as the case may be, shall not
38 enter into an agreement or otherwise contract to procure from any
39 business entity services or any material, supplies or equipment, or
40 to acquire, sell, or lease any land or building, except for a contract
41 or agreement awarded pursuant to a fair and open process, where
42 the value of the transaction exceeds \$17,500, if that business entity
43 has solicited or made any contribution of money, or pledge of
44 contribution, including in-kind contributions to a candidate
45 committee or election fund of any candidate or holder of the public
46 office of Governor or of Lieutenant Governor **],** or to any State or
47 county political party committee**]**: (i) within the eighteen months
48 immediately preceding the commencement of negotiations for the

1 contract or agreement; (ii) during the term of office of a Governor
2 and a Lieutenant Governor, in the case of contributions to a
3 candidate committee or election fund of the holder of one of those
4 offices **】, or to any State or county political party committee of a**
5 **political party nominating such Governor and Lieutenant Governor**
6 **in the last gubernatorial election preceding the commencement of**
7 **such term**】; or (iii) within the eighteen months immediately****
8 **preceding the last day of the term of office of Governor and**
9 **Lieutenant Governor, in which case such prohibition shall continue**
10 **through the end of the next immediately following term of the**
11 **office of Governor and Lieutenant Governor, in the case of**
12 **contributions to a candidate committee or election fund of the**
13 **holder of one of those offices**】, or to any State or county political****
14 **party committee of a political party nominating such Governor and**
15 **Lieutenant Governor in the last gubernatorial election preceding the**
16 **commencement of the latter term**】.****

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

18

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

21 3. No business entity which agrees to any contract or
22 agreement, except for a contract or agreement awarded pursuant to
23 a fair and open process, with the State or any department or agency
24 thereof or its independent authorities either for the rendition of
25 services or furnishing of any material, supplies or equipment or for
26 the acquisition, sale, or lease of any land or building, if the value of
27 the transaction exceeds \$17,500, shall knowingly solicit or make
28 any contribution of money, or pledge of a contribution, including
29 in-kind contributions, to a candidate committee or election fund of
30 any candidate or holder of the public office of Governor or
31 Lieutenant Governor **【or to any State or county political party**
32 **committee prior to the completion of the contract or agreement**】.****

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

34

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

37 7. Prior to awarding any contract or agreement, except for a
38 contract or agreement awarded pursuant to a fair and open process,
39 to procure services or any material, supplies or equipment from, or
40 for the acquisition, sale, or lease of any land or building from or to,
41 any business entity, the State or any of its purchasing agents or
42 agencies or independent authorities, as the case may be, shall
43 require the business entity to provide a written certification that it
44 has not made a contribution that would bar the award of the contract
45 pursuant to this act. The business entity shall have a continuing
46 duty to report any contribution it makes during the term of the
47 contract. Such reports shall be subject to review by the State

1 Treasurer. If the State Treasurer determines that any such
2 contribution **【poses a conflict of interest】** constitutes a violation,
3 such contribution shall be deemed a material breach of such
4 contract or agreement.

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

6

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

9 9. It shall be a breach of the terms of the government contract
10 for a business entity to: (i) make or solicit a contribution in
11 violation of this act; (ii) knowingly conceal or misrepresent a
12 contribution given or received; (iii) make or solicit contributions
13 through intermediaries for the purpose of concealing or
14 misrepresenting the source of the contribution; (iv) make or solicit
15 any contribution on the condition or with the agreement that it will
16 be contributed to a campaign committee of any candidate or holder
17 of the public office of Governor or Lieutenant Governor **【**, or to any
18 State or county party committee**】**; (v) engage or employ a lobbyist
19 or consultant with the intent or understanding that such lobbyist or
20 consultant would make or solicit any contribution, which if made or
21 solicited by the business entity itself, would subject that entity to
22 the restrictions of this act; (vi) fund contributions made by third
23 parties, including consultants, attorneys, family members, and
24 employees; (vii) engage in any exchange or contributions to
25 circumvent the intent of this act; or (viii) directly or indirectly,
26 through or by any other person or means, do any act which would
27 subject that entity to the restrictions of this act.

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

29

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

32 11. This act shall apply to all State agencies including any of the
33 principal departments in the Executive Branch, and any division,
34 board, bureau, office, commission or other instrumentality within or
35 created by such department and any independent State authority,
36 board, commission, instrumentality or agency, with respect to any
37 contract or agreement other than that awarded pursuant to a fair and
38 open process.

39 As used in P.L.2005, c.51 (C.19:44A-20.13 et seq.), “fair and
40 open process” means, at a minimum, that the contract shall be:
41 publicly advertised in newspapers or on the Internet website
42 maintained by the public entity in sufficient time to give notice in
43 advance of the contract; awarded under a process that provides for
44 public solicitation of proposals or qualifications and awarded and
45 disclosed under criteria established in writing by the public entity
46 prior to the solicitation of proposals or qualifications; and publicly
47 opened and announced when awarded. A contract awarded under a
48 process that includes public bidding or competitive contracting

1 pursuant to State contracts law shall constitute a fair and open
2 process. The decision of a public entity as to what constitutes a fair
3 and open process shall be final.

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

5

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

8 2. a. Not later than 10 days prior to entering into any contract
9 having an anticipated value in excess of \$17,500, except for a
10 contract that is required by law to be publicly advertised for bids, a
11 State agency, county, municipality, independent authority, board of
12 education, or fire district shall require any business entity bidding
13 thereon or negotiating therefor, to submit along with its bid or price
14 quote, a list of political contributions as set forth in this subsection
15 that are reportable by the recipient pursuant to the provisions of
16 P.L.1973, c.83 (C.19:44A-1 et al.) and that were made by the
17 business entity during the preceding 12-month period, along with
18 the date and amount of each contribution and the name of the
19 recipient of each contribution. A business entity contracting with a
20 State agency shall disclose contributions to any [State, county, or
21 municipal committee of a political party, legislative leadership
22 committee,] candidate committee of a candidate for, or holder of, a
23 State elective office, or any continuing political committee. A
24 business entity contracting with a county, municipality, independent
25 authority, other than an independent authority that is a State agency,
26 board of education, or fire district shall disclose contributions to:
27 [any State, county, or municipal committee of a political party; any
28 legislative leadership committee; or] any candidate committee of a
29 candidate for, or holder of, an elective office of that public entity,
30 of that county in which that public entity is located, of another
31 public entity within that county, or of a legislative district in which
32 that public entity is located or, when the public entity is a county, of
33 any legislative district which includes all or part of the county, or
34 any continuing political committee.

35 The provisions of this section shall not apply to a contract when
36 a public emergency requires the immediate delivery of goods or
37 services.

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

1 the business entity, other than a candidate committee, election fund,
2 or political party committee, shall be deemed to be a contribution
3 by the business entity.

4 c. As used in this section:

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

11 "interest" means the ownership or control of more than 10% of
12 the profits or assets of a business entity or 10% of the stock in the
13 case of a business entity that is a corporation for profit, as
14 appropriate; and

15 "State agency" means any of the principal departments in the
16 Executive Branch of the State Government, and any division, board,
17 bureau, office, commission or other instrumentality within or
18 created by such department, the Legislature of the State and any
19 office, board, bureau or commission within or created by the
20 Legislative Branch, and any independent State authority,
21 commission, instrumentality or agency.

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

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

28

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

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

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

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

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

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

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

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

30 As used in this section:

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

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

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

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

1 22. Section 4 of P.L.1974, c.26 (C.19:44A-29) is amended to
2 read as follows:
3 4. a. Except in the case of a candidate, as provided in
4 subsection g. of this section, no person, candidate committee or
5 joint candidates committee, political committee, continuing political
6 committee or legislative leadership committee, otherwise eligible to
7 make contributions, shall make any contribution or contributions to
8 a candidate, his campaign treasurer or deputy campaign treasurer,
9 candidate committee, a political party committee, or to any other
10 person or committee, in aid of the candidacy of or in behalf of a
11 candidate for nomination for election for the office of Governor in a
12 primary election or candidates for election to the offices of
13 Governor and Lieutenant Governor in any general election in the
14 aggregate in excess of ~~【\$1,500.00】~~ \$4,900, or in the case of a joint
15 candidates committee when that is the only committee established
16 by the candidates, in excess of ~~【\$1,500.00】~~ \$4,900 per candidate in
17 the joint candidates committee, or in the case of a candidate
18 committee and a joint candidates committee when both are
19 established by a candidate, ~~【\$1,500.00】~~ \$4,900 from that candidate.
20 No candidate for nomination for election for the office of Governor
21 in a primary election or candidates for election to the offices of
22 Governor and Lieutenant Governor in any general election and no
23 campaign treasurer or deputy campaign treasurer of such candidate
24 or candidates shall knowingly accept from any person, candidate,
25 candidate committee, joint candidates committee, political
26 committee, continuing political committee or legislative leadership
27 committee any contribution or contributions in aid of the candidacy
28 of or in behalf of such candidate or candidates in the aggregate in
29 excess of ~~【\$1,500.00】~~ \$4,900, or in the case of a joint candidates
30 committee when that is the only committee established by the
31 candidates, in excess of ~~【\$1,500.00】~~ \$4,900 per candidate in the
32 joint candidates committee, or in the case of a candidate committee
33 and a joint candidates committee when both are established by a
34 candidate, ~~【\$1,500.00】~~ \$4,900 from that candidate, in any primary
35 or general election. No provision of this act shall be construed to
36 prohibit a contribution or contributions in the aggregate in aid of the
37 candidacy of or in behalf of any candidate for nomination for
38 election to the office of Governor in a primary election not in
39 excess of ~~【\$1,500.00】~~ \$4,900, or in the case of a contribution or
40 contributions by a joint candidates committee when that is the only
41 committee established by the candidates, in excess of ~~【\$1,500.00】~~
42 \$4,900 per candidate in the joint candidates committee, or in the
43 case of a candidate committee and a joint candidates committee
44 when both are established by a candidate, ~~【\$1,500.00】~~ \$4,900 from
45 that candidate, and another contribution or contributions in the
46 aggregate in the aid of the candidacy of or in behalf of any
47 candidates for election to the offices of Governor and Lieutenant

1 Governor in a general election not in excess of ~~【\$1,500.00】~~ \$4,900,
2 or in the case of a contribution or contributions by a joint
3 candidates committee when that is the only committee established
4 by the candidates, in excess of ~~【\$1,500.00】~~ \$4,900 per candidate in
5 the joint candidates committee, or in the case of a candidate
6 committee and a joint candidates committee when both are
7 established by a candidate, ~~【\$1,500.00】~~ \$4,900 from that candidate.
8 For the purpose of determining the amount of a contribution to be
9 attributed as given by each candidate in a joint candidates
10 committee, the amount of the contribution by such a committee
11 shall be divided equally among all the candidates in the committee.

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

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

18 d. No State committee of any political party shall knowingly
19 accept from any person, candidate committee, joint candidates
20 committee, political committee, continuing political committee or
21 legislative leadership committee, any contribution or contributions
22 in the aggregate in aid of the candidacy of or in behalf of candidates
23 for election to the offices of Governor and Lieutenant Governor in a
24 general election in excess of ~~【\$1,500.00】~~ \$4,900, or in the case of a
25 contribution or contributions by a joint candidates committee when
26 that is the only committee established by the candidates, in excess
27 of ~~【\$1,500.00】~~ \$4,900 per candidate in the joint candidates
28 committee, or in the case of a candidate committee and a joint
29 candidates committee when both are established by a candidate,
30 ~~【\$1,500.00】~~ \$4,900 from that candidate. A State committee may
31 allocate a contribution of up to ~~【\$1,500.00】~~ \$4,900, and up to
32 ~~【\$1,500.00】~~ \$4,900 of a contribution in excess of ~~【\$1,500.00】~~
33 \$4,900 in aid of the candidacy of or in behalf of such candidates,
34 except that in the case of a contribution from a joint candidates
35 committee when that is the only committee established by the
36 candidates, the amounts which may be so allocated shall be
37 ~~【\$1,500.00】~~ \$4,900 per candidate in the joint candidates committee,
38 and in the case of a candidate committee and a joint candidates
39 committee when both are established by a candidate, the amount
40 which may be so allocated shall be ~~【\$1,500.00】~~ \$4,900 from that
41 candidate. For the purpose of determining the amount of a
42 contribution to be attributed as given by each candidate in a joint
43 candidates committee, the amount of the contribution by such a
44 committee shall be divided equally among all the candidates in the
45 committee. A State committee shall create an account in a national
46 or State bank in behalf of any candidates the committee intends to
47 or does assist for election to the offices of Governor and Lieutenant

1 Governor in a general election, shall deposit in such account and
2 report to the Election Law Enforcement Commission the name of
3 the contributor of all moneys accepted or allocated in aid of the
4 candidacy of or in behalf of such candidates, and may make a
5 contribution or contributions from such account in any amount in
6 aid of the candidacy of or in behalf of such candidates. No State
7 committee may make any contribution or contributions in aid of the
8 candidacy of or in behalf of such candidates of moneys not
9 deposited in a bank account pursuant to this subsection, and no
10 State committee may make a contribution or contributions in aid of
11 the candidacy of or in behalf of such candidates of moneys or other
12 thing of value pledged or received in a calendar year in which no
13 gubernatorial election was held.

14 e. The county committee of a political party in a county and the
15 municipal committees of that political party in the same county may
16 make an expenditure or expenditures in the aggregate of \$10,000.00
17 in aid of the candidacy of or in behalf of any candidates for election
18 to the offices of Governor and Lieutenant Governor in a general
19 election. No county committee or municipal committee may
20 transfer or contribute any funds to any such candidate or to such
21 candidates' campaign treasurer or deputy campaign treasurer, or to
22 any political committee supporting such candidates. Candidates or
23 their campaign treasurer or deputy campaign treasurer shall
24 determine the exact amount that individual county committees or
25 municipal committees may contribute in aid of the candidacy of or
26 in behalf of such candidates, and shall file a report of such
27 determination with the Election Law Enforcement Commission no
28 later than the seventh day prior to the general election being funded.

29 f. Communications on any subject by a corporation to its
30 stockholders and their families, or by a labor organization to its
31 members and their families, and nonpartisan registration and get-
32 out-the-vote campaigns by a corporation aimed at its stockholders
33 and their families, or by a labor organization aimed at its members
34 and their families, shall not be construed to be in aid of the
35 candidacy of or in behalf of a candidate for election to the office of
36 Governor in any primary election or in behalf of candidates for the
37 offices of Governor and Lieutenant Governor in a general election.

38 g. No candidate receiving public funds may make expenditures
39 from his own funds, including any contributions from his own
40 funds, in aid of his candidacy for nomination for election to the
41 office of Governor in excess of \$25,000.00 for the primary election
42 and in aid of the candidacy of candidates for election to the offices
43 of Governor and Lieutenant Governor in excess of \$25,000.00 each
44 for the general election.

45 As used in this subsection "own funds" means funds to which the
46 candidate is legally and beneficially entitled, but shall not include
47 funds as to which he is a trustee, or funds given or otherwise

1 transferred to the candidate by any person other than the spouse of
2 the candidate for use in aid of his candidacy.

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

4

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

7 8. a. The campaign treasurer or deputy campaign treasurer of
8 any qualified candidate for nomination for election to the office of
9 Governor in a primary election upon application to the commission
10 shall promptly receive in behalf of the qualified candidate from the
11 fund for election campaign expenses, but not prior to January 1 of
12 the year of the election, moneys in an amount equal to twice the
13 amount of no more than **【\$1,500.00】** \$4,900 of each contribution
14 deposited in the qualified candidate's primary election bank account
15 described in section 7 of P.L.1974, c.26 (C.19:44A-32), except that
16 no payment shall be made from the fund to any candidate for the
17 first **【\$50,000.00】** \$156,000 deposited in the qualified candidate's
18 bank account. The maximum amount which any qualified candidate
19 for nomination for election to the office of Governor in a primary
20 election may receive from the fund for election campaign expenses
21 shall not exceed **【\$1,350,000】** \$4,600,000. Applications for
22 payments and payments under this subsection following the date on
23 which a candidate is determined to be a qualified candidate shall be
24 made only on the basis of no less than \$12,500.00 of such
25 contributions.

26 b. The campaign treasurer or deputy campaign treasurer of any
27 qualified candidates for election to the offices of Governor and
28 Lieutenant Governor in a general election upon application to the
29 commission shall promptly receive in behalf of such qualified
30 candidates from the fund for election campaign expenses, but not
31 prior to the primary election, moneys in an amount equal to twice
32 the amount of no more than **【\$1,500.00】** \$4,900 of each
33 contribution deposited in such qualified candidates' bank account
34 described in section 7 of P.L.1974, c.26 (C.19:44A-32), except that
35 no payment shall be made from the fund to any candidates for the
36 first **【\$50,000.00】** \$156,000 deposited in such qualified candidates'
37 bank account.

38 The maximum amount which any qualified candidates for
39 election to the offices of Governor and Lieutenant Governor in a
40 general election may receive from the fund for election campaign
41 expenses shall not exceed **【\$3,300,000】** \$10,500,000. Applications
42 for payments and payments under this subsection following the date
43 on which joint candidates are determined to be qualified candidates
44 shall be made only on the basis of no less than \$12,500.00 of such
45 contributions.

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

1 24. (New section) ²[a. The Election Law Enforcement
2 Commission shall create and maintain a database containing
3 information that business entities are required to disclose and report
4 to the commission or to the State Treasurer pursuant to section 7 of
5 P.L.2004, c.19 (C.19:44A-20.8), section 7 of P.L.2005, c.51
6 (C.19:44A-20.19), and section 3 of P.L.2005, c.271 (C.19:44A-
7 20.27), concerning contributions made by the business entity and
8 any contribution made during the duration of a public entity
9 contract held by the business entity.

10 b.]² Notwithstanding the provisions of any law, rule, or
11 regulation to the contrary, a business entity that fails to disclose a
12 contribution or the existence of a public contract shall be subject to
13 a fine of not less than \$250.
14

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

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

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

3 2. It is hereby declared to be in the public interest and to be the
4 policy of the State to limit political contributions and to require the
5 reporting of **[all]** contributions received and expenditures made to
6 aid or promote the nomination, election or defeat of any candidate
7 for public office or to aid or promote the passage or defeat of a
8 public question in any election and to require the reporting of **[all]**
9 contributions received and expenditures made to provide political
10 information on any candidate for public office, or on any public
11 question.

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

13

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

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

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

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

20 c. The term "candidate" means: (1) an individual seeking
21 election to a public office of the State or of a county, municipality
22 or school district at an election; except that the term shall not
23 include an individual seeking party office; (2) an individual who
24 shall have been elected or failed of election to an office, other than
25 a party office, for which he sought election and who receives
26 contributions and makes expenditures for any of the purposes
27 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during
28 the period of his service in that office; and (3) an individual who
29 has received funds or other benefits or has made payments solely
30 for the purpose of determining whether the individual should
31 become a candidate as defined in paragraphs (1) and (2) of this
32 subsection.

33 d. The terms "contributions" and "expenditures" include all
34 loans and transfers of money or other thing of value to or by any
35 candidate, candidate committee, joint candidates committee,
36 political committee, continuing political committee, independent
37 expenditure committee, political party committee or legislative
38 leadership committee, and all pledges or other commitments or
39 assumptions of liability to make any such transfer; and for purposes
40 of reports required under the provisions of this act shall be deemed
41 to have been made upon the date when such commitment is made or
42 liability assumed.

43 e. The term "election" means any election described in section
44 4 of this act.

45 f. The term "paid personal services" means personal, clerical,
46 administrative or professional services of every kind and nature
47 including, without limitation, public relations, research, legal,
48 canvassing, telephone, speech writing or other such services,

1 performed other than on a voluntary basis, the salary, cost or
2 consideration for which is paid, borne or provided by someone
3 other than the committee, candidate or organization for whom such
4 services are rendered. In determining the value, for the purpose of
5 reports required under this act, of contributions made in the form of
6 paid personal services, the person contributing such services shall
7 furnish to the treasurer through whom such contribution is made a
8 statement setting forth the actual amount of compensation paid by
9 said contributor to the individuals actually performing said services
10 for the performance thereof. But if any individual or individuals
11 actually performing such services also performed for the contributor
12 other services during the same period, and the manner of payment
13 was such that payment for the services contributed cannot readily
14 be segregated from contemporary payment for the other services,
15 the contributor shall in his statement to the treasurer so state and
16 shall either (1) set forth his best estimate of the dollar amount of
17 payment to each such individual which is attributable to the
18 contribution of his paid personal services, and shall certify the
19 substantial accuracy of the same, or (2) if unable to determine such
20 amount with sufficient accuracy, set forth the total compensation
21 paid by him to each such individual for the period of time during
22 which the services contributed by him were performed. If any
23 candidate is a holder of public office to whom there is attached or
24 assigned, by virtue of said office, any aide or aides whose services
25 are of a personal or confidential nature in assisting him to carry out
26 the duties of said office, and whose salary or other compensation is
27 paid in whole or part out of public funds, the services of such aide
28 or aides which are paid for out of public funds shall be for public
29 purposes only; but they may contribute their personal services, on a
30 voluntary basis, to such candidate for election campaign purposes.

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

32 h. The term "political information" means any statement
33 including, but not limited to, press releases, pamphlets, newsletters,
34 advertisements, flyers, form letters, Internet or digital
35 advertisements, or radio or television programs or advertisements
36 which reflects the opinion of the members of the organization on
37 any candidate or candidates for public office, on any public
38 question, or which contains facts on any such candidate, or public
39 question whether or not such facts are within the personal
40 knowledge of members of the organization.

41 i. The term "political committee" means any two or more
42 persons acting jointly, or any corporation, partnership, or any other
43 incorporated or unincorporated association which is organized to, or
44 does, aid or promote the nomination, election or defeat of any
45 candidate or candidates for public office, or which is organized to,
46 or does, aid or promote the passage or defeat of a public question in
47 any election, if the persons, corporation, partnership or incorporated
48 or unincorporated association raises or expends \$2,400 or more to

1 so aid or promote the nomination, election or defeat of a candidate
2 or candidates or the passage or defeat of a public question; provided
3 that for the purposes of this act, the term "political committee" shall
4 not include a "continuing political committee," as defined by
5 subsection n. of this section, a "political party committee," as
6 defined by subsection p. of this section, a "candidate committee," as
7 defined by subsection q. of this section, a "joint candidates
8 committee," as defined by subsection r. of this section, a
9 "legislative leadership committee," as defined by subsection s. of
10 this section, or an "independent expenditure committee," as defined
11 by subsection t. of this section.

12 j. The term "public solicitation" means any activity by or on
13 behalf of any candidate, political committee, continuing political
14 committee, candidate committee, joint candidates committee,
15 legislative leadership committee, independent expenditure
16 committee, or political party committee whereby either (1)
17 members of the general public are personally solicited for cash
18 contributions not exceeding \$20.00 from each person so solicited
19 and contributed on the spot by the person so solicited to a person
20 soliciting or through a receptacle provided for the purpose of
21 depositing contributions, or (2) members of the general public are
22 personally solicited for the purchase of items having some tangible
23 value as merchandise, at a price not exceeding \$20.00 per item,
24 which price is paid on the spot in cash by the person so solicited to
25 the person so soliciting, when the net proceeds of such solicitation
26 are to be used by or on behalf of such candidate, political
27 committee, continuing political committee, candidate committee,
28 joint candidates committee, legislative leadership committee,
29 independent expenditure committee, or political party committee.

30 k. The term "testimonial affair" means an affair of any kind or
31 nature including, without limitation, cocktail parties, breakfasts,
32 luncheons, dinners, dances, picnics or similar affairs directly or
33 indirectly intended to raise campaign funds in behalf of a person
34 who holds, or who is or was a candidate for nomination or election
35 to a public office in this State, or directly or indirectly intended to
36 raise funds in behalf of any political party committee or in behalf of
37 a political committee, continuing political committee, candidate
38 committee, joint candidates committee, independent expenditure
39 committee, or legislative leadership committee.

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

43 m. The term "qualified candidate" means:

44 (1) Joint candidates for election to the offices of Governor and
45 Lieutenant Governor whose names appear on the general election
46 ballot; who have deposited and expended ~~[\$150,000.00]~~ \$490,000
47 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,
48 not later than September 1 preceding a general election in which the

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

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

26 (3) Any candidate for nomination for election to the office of
27 Governor whose name appears on the primary election ballot; who
28 has deposited and expended **[\$150,000.00]** \$490,000 pursuant to
29 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than
30 the last day for filing petitions to nominate candidates to be voted
31 upon in a primary election for a general election in which the office
32 of Governor is to be filled, (a) notifies the Election Law
33 Enforcement Commission in writing that the candidate intends that
34 application will be made on the candidate's behalf for monies for
35 primary election campaign expenses under subsection a. of section
36 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of
37 agreement, in a form to be prescribed by the commission, to
38 participate in two interactive gubernatorial primary debates under
39 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-
40 45 through C.19:44A-47); or

41 (4) Any candidate for nomination for election to the office of
42 Governor whose name does not appear on the primary election
43 ballot; who has deposited and expended **[\$150,000.00]** \$490,000
44 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,
45 not later than the last day for filing petitions to nominate candidates
46 to be voted upon in a primary election for a general election in
47 which the office of Governor is to be filled, (a) notifies the Election
48 Law Enforcement Commission in writing that the candidate intends

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

8 n. The term "continuing political committee" means any group
9 of two or more persons acting jointly, or any corporation,
10 partnership, or any other incorporated or unincorporated
11 association, including a political club, political action committee,
12 civic association or other organization, which in any calendar year
13 contributes or expects to contribute at least \$5,500 to the aid or
14 promotion of the candidacy of an individual, or of the candidacies
15 of individuals, for elective public office, or the passage or defeat of
16 a public question or public questions, and which may be expected to
17 make contributions toward such aid or promotion or passage or
18 defeat during a subsequent election, provided that the group,
19 corporation, partnership, association or other organization has been
20 determined to be a continuing political committee under subsection
21 b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided that for the
22 purposes of this act, the term "continuing political committee" shall
23 not include a "political party committee," as defined by subsection
24 p. of this section, a "legislative leadership committee," as defined
25 by subsection s. of this section, or an "independent expenditure
26 committee," as defined by subsection t. of this section.

27 o. The term "statement of agreement" means a written
28 declaration, by a candidate for nomination for election to the office
29 of Governor, or by joint candidates for election to the offices of
30 Governor and Lieutenant Governor who intend that application will
31 be made on behalf of the candidate for the office of Governor to
32 receive monies for the primary election or on behalf of the
33 candidates for the office of Governor and the office of Lieutenant
34 Governor for general election campaign expenses under subsection
35 a. or subsection b., respectively, of section 8 of P.L.1974, c.26
36 (C.19:44A-33), that the candidates undertake to abide by the terms
37 of any rules established by any private organization sponsoring a
38 gubernatorial primary or general election debate, as appropriate, to
39 be held under the provisions of sections 9 through 11 of P.L.1989,
40 c.4 (C.19:44A-45 through C.19:44A-47) and in which the
41 candidates are to participate. The statement of agreement shall
42 include an acknowledgment of notice to the candidates who sign it
43 that failure on the candidates' part to participate in any of the
44 gubernatorial debates may be cause for the termination of the
45 payment of such monies on the candidates' behalf and for the
46 imposition of liability for the return to the commission of such
47 monies as may previously have been so paid.

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

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

10 r. The term "joint candidates committee" means a committee
11 established pursuant to subsection a. of section 9 of P.L.1973, c.83
12 (C.19:44A-9) by at least two candidates for the same elective public
13 offices in the same election in a legislative district, county,
14 municipality or school district, but not more candidates than the
15 total number of the same elective public offices to be filled in that
16 election, for the purpose of receiving contributions and making
17 expenditures. For the purpose of this subsection: the offices of
18 member of the Senate and members of the General Assembly shall
19 be deemed to be the same elective public offices in a legislative
20 district; the offices of member of the board of chosen freeholders
21 and county executive shall be deemed to be the same elective public
22 offices in a county; and the offices of mayor and member of the
23 municipal governing body shall be deemed to be the same elective
24 public offices in a municipality.

25 s. The term "legislative leadership committee" means a
26 committee established, authorized to be established, or designated
27 by the President of the Senate, the Minority Leader of the Senate,
28 the Speaker of the General Assembly or the Minority Leader of the
29 General Assembly pursuant to section 16 of P.L.1993, c.65
30 (C.19:44A-10.1) for the purpose of receiving contributions and
31 making expenditures.

32 t. The term "independent expenditure committee" means a
33 person organized under section 527 of the federal Internal Revenue
34 Code (26 U.S.C. s.527) or under paragraph (4) ¹or paragraph (6)¹ of
35 subsection (c) of section 501 of the federal Internal Revenue Code
36 (26 U.S.C. s.501) that does not fall within the definition of any
37 other organization subject to the provisions of P.L.1973, c.83
38 (C.19:44A-1 et seq.), that engages in influencing or attempting to
39 influence the outcome of any election or the nomination, election,
40 or defeat of any person to any State or local elective public office,
41 or the passage or defeat of any public question, legislation, or
42 regulation, or in providing political information on any candidate or
43 public question, legislation, or regulation, and raises or expends
44 \$3,000 or more in the aggregate for any such purpose annually, but
45 does not coordinate its activities with any candidate or political
46 party as determined by the Election Law Enforcement Commission
47 pursuant to the provisions of section 11 of P.L.2019, c.124

1 (C.19:44A-3.1) 】 makes independent expenditures in excess of
2 \$7,500, in the aggregate per election.

3 u. The term "electioneering communication" means any
4 communication **】**made within the period beginning on January 1 of
5 an election year and the date of the election and refers to: (1) a
6 clearly identified candidate for office and promotes or supports a
7 candidate for that office or opposes a candidate for that office,
8 regardless of whether the communication expressly advocates a
9 vote for or against a candidate; or (2) a public question and
10 promotes or supports the passage or defeat of that question,
11 regardless of whether the communication expressly advocates a
12 vote for or against the passage of the question. The term includes
13 communications published in any newspaper or periodical;
14 broadcast on radio, television, or the Internet or digital media, or
15 any public address system; placed on any billboard, outdoor
16 facility, button, motor vehicle, window display, poster, card,
17 pamphlet, leaflet, flyer, or other circular; or contained in any direct
18 mailing, robotic phone calls, or mass e-mails **】** made within 30 days
19 of a primary election and made within 60 days of a municipal,
20 runoff, school board, special or general election, that mentions a
21 clearly identified candidate and expressly supports or opposes that
22 candidate or, by virtue of the communication, is the functional
23 equivalent of express advocacy, meaning the communication is
24 unable to be interpreted by a reasonable person in any other way
25 than the communication is supporting or opposing the candidate.
26 An electioneering communication includes any communication that
27 clearly identifies a public question or referendum, or is the
28 functional equivalent of express advocacy, meaning the
29 communication is unable to be interpreted by a reasonable person in
30 any other way than the communication is supporting or opposing
31 the public question or referendum.

32 v. The term "independent expenditure" means an **】**expenditure
33 by a person expressly advocating, or the functional equivalent
34 thereof, the election or defeat of: (1) a clearly identified candidate
35 that is not made in concert or cooperation with or at the request or
36 suggestion of the candidate, the candidate's committee, a political
37 party committee, or an agent thereof; or (2) a public question,
38 legislation, or regulation, that is not made in concert or cooperation
39 with or at the request or suggestion of the sponsors, organizers, or
40 committee supporting or opposing the question, legislation, or
41 regulation, a political party, or agents thereof. The "functional
42 equivalent" of expressly advocating means specific advocacy that
43 can be interpreted by a reasonable person as advocating the election
44 or defeat of a candidate, or the passage or defeat of a public
45 question, legislation, or regulation, taking into account whether the
46 communication involved mentions a candidate, a political party, or
47 a challenger to a candidate, or takes a position on a candidate's
48 character, qualifications, or fitness for office, or that can be

1 interpreted by a reasonable person as taking a position on the merits
2 of a public question, legislation, or regulation, or taking a position
3 in favor or against the passage or defeat of a public question,
4 legislation, or regulation] expenditure, which is not coordinated
5 with a candidate or political party, and is made for the purpose of
6 expressly advocating the election or defeat of a clearly identified
7 candidate, or that amounts to the functional equivalent of express
8 advocacy. The term “independent expenditure” also includes an
9 expenditure made for the purpose of expressly advocating the
10 passage or defeat of a public question or referendum, or that
11 amounts to the functional equivalent of express advocacy. An
12 independent expenditure qualifies as the functional equivalent of
13 express advocacy if it can only be interpreted by a reasonable
14 person as advocating the election or defeat of a candidate or the
15 passage or defeat of a public question or referendum, taking into
16 consideration whether the communication mentions a candidate,
17 public question, or referendum and discusses a candidate’s
18 character, qualifications, fitness for office, position on an issue, or
19 in the case of a public question or referendum, its merits or lack
20 thereof.

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

22

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

25 21. a. Each political committee, as defined in subsection i. of
26 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes
27 the nomination for election or the election of a candidate or the
28 passage or defeat of a public question, each independent
29 expenditure committee, as defined in subsection t. of section 3 of
30 P.L.1973, c.83 (C.19:44A-3), each continuing political committee
31 as defined in subsection n. of section 3 of P.L.1973, c.83, and each
32 legislative leadership committee as defined in subsection s. of
33 section 3 of P.L.1973, c.83, shall submit to the commission a
34 statement of registration which includes:

35 (1) the complete name or identifying title of the committee and
36 the general category of entity or entities, including but not limited
37 to business organizations, labor organizations, professional or trade
38 associations, candidate for or holder of public office, political party,
39 ideological grouping or civic association, the interests of which are
40 shared by the leadership, members, or financial supporters of the
41 committee;

42 (2) the mailing address of the committee and the name and
43 resident address of a resident of this State who shall have been
44 designated by the committee as its agent to accept service of
45 process; and

46 (3) a descriptive statement prepared by the organizers or officers
47 of the committee that identifies (a) the names and mailing addresses
48 of the persons having control over the affairs of the committee,

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

34 b. After submission of a statement of registration to the
35 commission pursuant to this section, the committee shall use the
36 complete name or identifying title on all documents submitted to
37 the commission, in all solicitations for contributions, in all paid
38 media advertisements purchased or paid for by the committee in
39 support of or in opposition to any candidate or public question, and
40 in all contributions made by the committee to candidates or other
41 committees and, in the case of an independent expenditure
42 committee, any decision to **【**expend funds for the purpose of
43 influencing or attempting to influence the outcome of any election
44 or the selection, nomination, election, or defeat of any person to
45 State or local elective public office or the passage or defeat of any
46 public question, legislation, or regulation, or in providing political
47 information on any candidate or public question, legislation, or
48 regulation**】** make an independent expenditure.

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

16 d. Any political committee, continuing political committee,
17 independent expenditure committee, or legislative leadership
18 committee may at any time apply to the commission for approval of
19 an abbreviation or acronym of its complete, official name or title for
20 its exclusive use on documents which it shall submit to the
21 commission. Upon verification that the abbreviation or acronym
22 has not been approved for such use by any other political
23 committee, continuing political committee, independent expenditure
24 committee, or legislative leadership committee, the commission
25 shall approve the abbreviation or acronym for such use by the
26 applicant committee, and the committee, and any individual,
27 corporation, partnership, membership organization or incorporated
28 or unincorporated association which, under the provisions of
29 P.L.1973, c.83 (C.19:44A-1 et al.), submits any documents to the
30 commission containing a reference to that committee, shall
31 thereafter use that approved abbreviation or acronym in documents
32 submitted to the commission. The commission shall, during its
33 regular office hours, maintain for public inspection in its offices a
34 current alphabetically arranged list of all such approved
35 abbreviations and acronyms, indicating for each the name of the
36 committee for which it stands, and shall make copies of the list
37 available upon request.

38 e. No foreign national, government, instrumentality, or agent
39 may register as an independent expenditure committee for the
40 purpose of making independent expenditures in any State or local
41 election.

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

43
44 30. Section 10 of P.L.1973, c.83 (C.19:44A-10) is amended to
45 read as follows:

46 10. Each political party committee shall, on or before July 1 in
47 each year, designate a single organizational treasurer and an
48 organizational depository and shall, not later than the tenth day after

1 the designation of the organizational depository file the name and
2 address of that depository, and of the organizational treasurer, with
3 the Election Law Enforcement Commission.

4 Every political committee may designate a chairman of the
5 committee, but no person serving as the chairman of a political
6 party committee or a legislative leadership committee shall be
7 eligible to be appointed or to serve as the chairman of a political
8 committee. Every political committee shall, not later than the date
9 on which it first receives any contribution or makes or incurs any
10 expenditure in the furtherance or aid of the election or defeat of any
11 candidate or the passage or defeat of any public question, appoint a
12 single campaign treasurer and designate a campaign depository, but
13 no person serving as the chairman of a political party committee or
14 a legislative leadership committee shall be eligible to be appointed
15 or to serve as the campaign treasurer of a political committee. Not
16 later than the tenth day after the initial designation of the campaign
17 depository, the committee shall file the name and address of the
18 depository, and of the campaign treasurer, with the Election Law
19 Enforcement Commission.

20 Every independent expenditure committee may designate a
21 chairman of the committee, but no person serving as the chairman
22 of a political party committee or a legislative leadership committee
23 shall be eligible to be appointed or to serve as the chairman of an
24 independent expenditure committee. No candidate or holder of
25 public office, directly or indirectly, shall establish, authorize the
26 establishment of, maintain, or participate in the management or
27 control of any independent expenditure committee. Every
28 independent expenditure committee, not later than the date on
29 which it first receives any contribution or makes or incurs any
30 independent expenditure **【**for the purpose of influencing or
31 attempting to influence the outcome of any election or the
32 nomination, election, or defeat of any person to State or local
33 elective public office or the passage or defeat of any public
34 question, legislation, or regulation, or providing political
35 information on any candidate or public question, legislation, or
36 regulation**】**, shall appoint a single organizational treasurer and
37 designate an organizational depository, but no person serving as the
38 chairman of a political party committee or a legislative leadership
39 committee shall be eligible to be appointed or to serve as the
40 organizational treasurer of an independent expenditure committee.
41 Not later than the 10th day after the initial designation of the
42 organizational depository, the committee shall file the name and
43 address of the depository, and of the organizational treasurer, with
44 the Election Law Enforcement Commission.

45 Every continuing political committee shall, not later than the
46 date on which it first receives any contribution or makes or incurs
47 any expenditure in the furtherance or aid of the election or defeat of
48 any candidate or the passage or defeat of any public question,

1 appoint a single organizational treasurer and designate an
2 organizational depository, provided that no person who is the
3 chairman of a political party committee or a legislative leadership
4 committee shall be eligible to be appointed or to serve as the
5 organizational treasurer of a continuing political committee. Not
6 later than the tenth day after the initial designation of the
7 organizational depository, the committee shall file the name and
8 address of the depository, and of the organizational treasurer, with
9 the Election Law Enforcement Commission.

10 Every legislative leadership committee shall, not later than the
11 date on which it first receives any contribution or makes or incurs
12 any expenditure in the furtherance or aid of the election or defeat of
13 any candidate or the passage or defeat of any public question,
14 appoint a single organizational treasurer and designate an
15 organizational depository. Not later than the tenth day after the
16 initial designation of the organizational depository, the committee
17 shall file the name and address of the depository, and of the
18 organizational treasurer, with the Election Law Enforcement
19 Commission.

20 Each organizational treasurer of a State political party committee
21 or a legislative leadership committee shall be a trained treasurer,
22 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-
23 6), or shall acquire such training within 90 days of appointment as
24 an organizational treasurer. An organizational treasurer of any
25 other political party committee or a continuing political committee
26 or an independent expenditure committee and a campaign treasurer
27 of a political committee may be a trained treasurer.

28 An organizational treasurer of a political party committee, a
29 continuing political committee, an independent expenditure
30 committee, or a legislative leadership committee and a campaign
31 treasurer of a political committee may appoint deputy
32 organizational or campaign treasurers as may be required and may
33 designate additional organizational or campaign depositories. Such
34 committees shall file the names and addresses of such deputy
35 treasurers and additional depositories with the Election Law
36 Enforcement Commission not later than the fifth day after their
37 appointment or designation, respectively.

38 Any political party committee, any political committee, any
39 independent expenditure committee, any continuing political
40 committee, and any legislative leadership committee may remove
41 its organizational or campaign treasurer or deputy treasurer. In the
42 case of the death, resignation or removal of its organizational or
43 campaign treasurer, the committee shall appoint a successor as soon
44 as practicable and shall file his name and address with the Election
45 Law Enforcement Commission within three days.

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

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

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

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

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

42 d. Any person who accepts compensation from a committee,
43 group or individual described in subsection a. or b. of this section
44 for the purpose of printing, broadcasting, or otherwise
45 disseminating to the electorate a communication shall require the
46 committee, group, or individual to file a copy of the statement of
47 registration required to be filed with the Election Law Enforcement

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

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

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

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

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

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

45 In addition, the commission shall have the authority to provide,
46 by regulation, that a communication need not include the address of
47 the committee, group or person financing the communication in

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

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

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

10 (1) the payment of campaign expenses;

11 (2) contributions to any charitable organization described in
12 section 170(c) of the Internal Revenue Code of 1954, as amended or
13 modified, or nonprofit organization which is exempt from taxation
14 under section 501(c) of the Internal Revenue Code of 1954, except
15 any charitable organization of which the candidate or a member of
16 the candidate's immediate family is a paid officer, director or
17 employee or receives compensation for goods or services provided
18 to the organization;

19 (3) transmittal to another candidate, candidate committee, or
20 joint candidates committee, or to a political committee, continuing
21 political committee, legislative leadership committee or political
22 party committee, for the lawful use by such other candidate or
23 committee;

24 (4) the payment of the overhead and administrative expenses
25 related to the operation of the candidate committee or joint
26 candidates committee of a candidate or a legislative leadership
27 committee;

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

29 (6) the payment of ordinary and necessary expenses of holding
30 public office.

31 As used in this subsection, "campaign expenses" means any
32 expense incurred or expenditure made by a candidate, candidate
33 committee, joint candidates committee or legislative leadership
34 committee for the purpose of paying for or leasing items or services
35 used in connection with an election campaign, other than those
36 items or services which may reasonably be considered to be for the
37 personal use of the candidate, any person associated with the
38 candidate or any of the members of a legislative leadership
39 committee; and "member of the candidate's immediate family"
40 means the candidate's spouse, child, parent, or sibling, and the
41 child, parent, or sibling of the candidate's spouse.

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

47 c. Any funds remaining in the campaign depository of a
48 candidate's candidate committee or joint candidates committee upon

1 the death of the candidate shall be used only for one or more of the
2 purposes established in subsection a. of this section by the
3 committee's organizational treasurer or deputy treasurer or whoever
4 has control of the depository upon the death of the candidate.

5 d. Expenses incurred by the holder of a public office or a
6 candidate for child care may be paid from campaign contributions
7 received pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) only if the
8 expenses are for providing care for the well-being and protection of
9 the child outside of the home, in a child care facility, or in the home
10 of the office holder or candidate. Eligible expenses shall be those
11 that result directly from activities in which the office holder or
12 candidate engages for the purposes of holding public office or of a
13 campaign for public office, and would not have otherwise been
14 incurred but for those activities. Child care expenses shall not
15 include payments to a member of the office holder's or candidate's
16 household.

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

22 The Election Law Enforcement Commission shall promulgate
23 regulations regarding eligible expenses and shall provide written
24 guidance upon request from an office holder or candidate prior to
25 the expense being incurred or after the expense is incurred.
26 (cf: P.L.2020, c.102, s.1)

27
28 33. (New section) Notwithstanding any provision of P.L.1973,
29 c.83 (C.19:44A-1 et seq.), or any other law, rule, or regulation to
30 the contrary, the two major political parties in this State and their
31 respective county political party committees shall be permitted to
32 create a segregated depository account, separate from any campaign
33 depository account, to be deemed as the "housekeeping account."
34 The purpose of the housekeeping account shall be to pay eligible
35 expenses for non-political purposes of the State political party
36 committee or county political party committee including, but not
37 limited to, legal activity, accounting, compliance, human resources,
38 collective bargaining, capital expenses such as mortgage payments,
39 rent, utilities, and taxes, and expenses related to county, State, or
40 national political party conventions. The two major political parties
41 in this State and their respective county political party committees
42 shall be permitted to raise funds for deposit into the housekeeping
43 account, except that the maximum contribution or limit on the funds
44 raised from any given person, candidate, or committee shall be
45 equivalent to ¹**double** half¹ the amounts established under
46 P.L.1973, c.83 (C.19:44A-1 et seq.) for the State committee of a
47 political party or the county committee of a political party.
48 Gubernatorial campaigns shall be permitted to utilize the funds

1 deposited in a political party housekeeping account established
2 under this section for any non-political expenditures incurred
3 following the election in which the gubernatorial candidates
4 participated, and those non-political expenditures shall not be
5 considered an in-kind contribution. ¹Each State political party
6 committee and each county political party committee establishing a
7 housekeeping account as provided under this section shall file with
8 the Election Law Enforcement Commission a report of all
9 contributions received for the housekeeping account in excess of
10 \$200 and of all expenditures made from the account. The reports
11 shall contain the same information and shall be filed in the same
12 schedule as the reports of campaign contributions and expenditures
13 required to be filed by political party committees pursuant to
14 subsection c. of section 8 of P.L.1973, c.83 (C.19:44A-8).¹
15

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

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

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

36 6. a. The commission shall appoint a full-time executive
37 director, legal counsel and hearing officers, all of whom shall serve
38 at the pleasure of the commission and shall not have tenure by
39 reason of the provisions of chapter 16 of Title 38 of the Revised
40 Statutes. The commission shall also appoint such other employees
41 as are necessary to carry out the purposes of this act, which
42 employees shall be in the classified service of the civil service and
43 shall be appointed in accordance with and shall be subject to the
44 provisions of Title 11, Civil Service. Notwithstanding any provision
45 of this subsection to the contrary, following the date of enactment
46 of P.L. , c. (pending before the Legislature as this bill), the
47 executive director shall be appointed by the Governor, with the
48 advice and consent of the Senate, and shall serve at the pleasure of

1 the Governor. The executive director shall receive an annual salary
2 to be fixed and established by the Governor, which shall not exceed
3 \$175,000, and shall devote their entire time and attention to the
4 duties of the office. If an executive director has not been confirmed
5 by the Senate, the Governor may appoint an acting executive
6 director to temporarily fill the role.

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

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

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

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

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

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

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

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

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

- 1 (9) Hold public hearings, investigate allegations of any
2 violations of this act, and issue subpoenas for the production of
3 documents and the attendance of witnesses;
- 4 (10) Forward to the Attorney General or to the appropriate
5 county prosecutor information concerning any violations of this act
6 which may become the subject of criminal prosecution or which
7 may warrant the institution of other legal proceedings by the
8 Attorney General.
- 9 c. The commission shall take such steps as may be necessary or
10 appropriate to furnish timely and adequate information, in
11 appropriate printed summaries and in such other form as it may see
12 fit, to every candidate or prospective candidate for public office
13 who becomes or is likely to become subject to the provisions of this
14 act, and to every treasurer and depository duly designated under the
15 provisions of this act, informing them of their actual or prospective
16 obligations and responsibilities under this act. Such steps shall
17 include, but not be limited to, furnishing to every person on whose
18 behalf petitions of nomination are filed for any public office a copy
19 of such printed summary as aforesaid, which shall be furnished to
20 such person by the commission through the public official charged
21 with the responsibility of receiving and accepting such petitions of
22 nomination, at the time when such petitions are filed. The
23 commission shall also make available copies of such printed
24 summary to any other person requesting the same. The commission
25 shall also take such steps as it may deem necessary or effectual to
26 disseminate among the general public such information as may
27 serve to guide all persons who may become subject to the
28 provisions of this act by reason of their participation in election
29 campaigns or in the dissemination of political information, for the
30 purpose of facilitating voluntary compliance with the provisions
31 and purposes of this act. In the dissemination of such information,
32 the commission shall to the greatest extent practicable enlist the
33 cooperation of commercial purveyors, within and without the State,
34 of materials and services commonly used for political campaign
35 purposes.
- 36 d. If the nomination for or election to any public office or party
37 position becomes void under the terms of subsection c. of section
38 21 of this act, the withholding or revocation of his certificate of
39 election, the omission of his name from the ballot or the vacation of
40 the office into which he has been inducted as a result of such void
41 election, as the case may be, shall be subject to the provisions of
42 chapter 3, articles 2 and 3, of this Title (R.S.19:3-7 et seq.).
- 43 e. The commission shall be assigned suitable quarters for the
44 performance of its duties hereunder.
- 45 f. The commission through its legal counsel is authorized to
46 render advisory opinions as to whether a given set of facts and
47 circumstances would constitute a violation of any of the provisions
48 of this act, or whether a given set of facts and circumstances would

1 render any person subject to any of the reporting requirements of
2 this act.

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

14 g. The commission shall establish a training program for
15 campaign treasurers and organizational treasurers and shall make
16 the training program available through its Internet site within one
17 year of the effective date of this act, P.L.2004, c.22.
18 (cf: P.L.2004, c.22, s.1)】¹

19

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

22 5. a. There is hereby created a commission consisting of four
23 members which shall be designated as the New Jersey Election
24 Law Enforcement Commission. The members shall be appointed
25 by the Governor by and with the advice and consent of the Senate
26 for a term of 3 years, beginning on July 1 and ending June 30,
27 except as hereinafter provided. The Governor shall designate one
28 of the commission members to serve as chairman of the
29 commission. No more than two members shall belong to the same
30 political party, and no person holding a public office or an office in
31 any political party shall be eligible for appointment to the
32 commission. 【Of the members initially appointed, two shall be
33 appointed for a term of 3 years, one for a term of 2 years and one
34 for a term of 1 year.】 Each member shall serve until his successor
35 has been appointed and qualified. In case of a vacancy, however,
36 the successor shall be appointed in like manner for the unexpired
37 term only. The members shall 【serve without compensation, but
38 shall be reimbursed for necessary expenses incurred in the
39 performance of their duties under this act】 receive a salary of
40 \$30,000 annually. For the purpose of complying with the
41 provisions of Article V, Section IV, paragraph 1 of the New Jersey
42 Constitution, the Election Law Enforcement Commission is hereby
43 allocated within the Department of Law and Public Safety; but,
44 notwithstanding said allocation, the commission shall be
45 independent of any supervision or control by the department or by
46 any board or officer thereof, it being the intention of this act that the
47 assignment, direction, discipline and supervision of all the

1 employees of the commission shall be so far as possible, and except
2 as otherwise provided in this act, fully determined by the
3 commission or by such officers and employees thereof to whom the
4 commission may delegate the powers of such assignment,
5 direction, discipline and supervision.

6 b. Notwithstanding any provision of subsection a. of this
7 section, or any other law, rule, or regulation to the contrary, within
8 90 days following the enactment date of this act, P.L. , c.
9 (pending before the Legislature as this bill), the Governor shall
10 directly appoint four members to the commission, not more than
11 two of whom shall be of the same political party, and the terms of
12 office of the members of the commission currently serving shall
13 expire upon the Governor’s appointment of the new members. No
14 person holding a public office or an office in any political party
15 shall be eligible for appointment to the commission. Of the four
16 new members directly appointed by the Governor pursuant to this
17 subsection, two members who shall not be of the same political
18 party shall be appointed for a term of 3 years, and two members
19 who shall not be of the same political party shall be appointed for a
20 term of 2 years. Upon the expiration of the initial term of each
21 member appointed pursuant to this subsection, members of the
22 commission shall be appointed pursuant to subsection a. of this
23 section.¹

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

25

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

27

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

33

34

35

36

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