

0-29-76

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
COMMISSION
NATIONAL STATE BANK BLDG.
SUITE 1114
TRENTON, N. J. 08605
(609) 292-8700

LEWIS B. THURSTON, III
EXECUTIVE DIRECTOR
EDWARD J. FARRELL
COUNSEL

FRANK P. REICHE
CHAIRMAN
SIDNEY GOLDMANN
VICE CHAIRMAN
JOSEPHINE S. MARGETTS
ARCHIBALD S. ALEXANDER

September 20, 1976

Mr. Nathan McClure
86 Knollwood Drive
New Providence, New Jersey 07974

Re: The New Jersey Campaign Contributions and
Expenditures Reporting Act, Chapter 83, Laws of 1973
as Amended and Supplemented ("the Act")
Your Letter Dated July 31, 1976
Opinion No. 0-29-76

Dear Mr. McClure:

Your letter dated July 31, 1976, to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

There is no requirement that the affidavit (sworn state-
ment) be filed as of each of the three filing dates for pre-
election and post-election reports. The sworn statement
must be filed only once, twenty-five days before the election.

In the event that the Commission wishes to obtain
confirmation or other information from the depository bank,
the Commission will contact the depository bank directly and
the candidate would not have any obligation with respect to
filing by a depository. Where a candidate receives a contri-
bution (from a borough political committee or any other
person) in excess of \$100.00, that fact should be reported
to the Commission by letter or on form C-1 as an amendment
to the sworn statement A-1.

Assuming that the candidate does not expend more than
\$1,000 and that any contribution in excess of \$100.00 has
been properly reported, there is no final report or other
additional report required of the candidate.

As a general rule, if persons who are partners make
contributions, each from his own personal funds, those contri-
butions will not be aggregated for purposes of determining
whether the contribution must be reported as being in excess

Mr. Nathan McClure

-2-

September 20, 1976

of \$100.00; if, however, persons who are partners make a contribution from partnership funds, such a contribution would be regarded as a single contribution and, in the event that it exceeded \$100.00, the name, address and amount of contribution would be required to be reported.

Based upon the facts set forth in your letter, including the fact that some members of the partnership may make contribution to competing candidates, it would appear that the probable source of the contribution is the individual funds of each of the partners. In that circumstance, the fact that they are partners would not result in a combination of the amounts of the contribution for purposes of determining whether the total amount of the contribution of all such partners exceed \$100.00 and therefore subject to the reporting requirements of the Act.

Yours very truly,



Edward J. Farrell
Legal Counsel

EJF:ja