

0-06-77

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

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COUNSEL

July 25, 1977

William H. Cossaboon, Treasurer
Evesham Citizens in Anger
203 Park Avenue, R.R. #1
Atco, New Jersey 08004

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973 as
Amended and Supplemented ("the Act")
Your Letter Dated February 17, 1977
Opinion #(0-06-77)

RECEIVED
JUL 27 1977
ELECTION
LAW ENFORCEMENT
COMMISSION

Dear Mr. Cossaboon:

Your letter dated February 17, 1977 to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

An election to recall a candidate of the kind described
in your letter is deemed by the Commission to be a special
election within the meaning of Section 4 of the Act and the
reporting and other provisions of the Act are applicable to
such election. A political committee of the kind described
in your letter would be required to comply with the reporting
and other requirements of the Act with respect to such
election.

However, expenditures involved in the effort to obtain
a recall petition made or incurred prior to the filing of
the recall petition with the municipal clerk, do not constitute
expenditures with respect to an election and are not subject
to the reporting or other requirements of the Act.

We regret that the press of other Commission business
has caused a delay in our response to your letter. You are
of course protected from proceedings by the Commission
arising out of the particular facts and circumstances set
forth in your request until the date of receipt by you of
this opinion.

Yours very truly,

Edward J. Farrell
Edward J. Farrell
Legal Counsel

EJF:jj