

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
COMMISSION

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November 16, 1979

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N. J. ELECTION
LAW ENFORCEMENT
COMMISSION

Lawrence J. Roberts
SCA Services, Inc.
60 State Street
Boston, Massachusetts 02109

Re: The New Jersey Campaign Contributions and
Expenditures Reporting Act, Chapter 83, Laws
of 1973 as Amended and Supplemented ("the Act")
Your letter dated August 30, 1979
Opinion #0-12-79

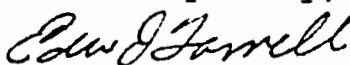
Dear Mr. Roberts:

Your letter dated August 30, 1979 to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

A business corporation organized for profit and not for
political purposes is not in the opinion of the Commission
subject to the same filing requirements as a "political committee"
by virtue of making a cash contribution to a political campaign.
While the language which you quote is capable of being read
to support the opposite conclusion, the Commission is of the
opinion that the Legislature intended to preserve the distinction
between a contributor on the one hand, and a political committee
on the other, and that the action of a business corporation
in making a cash contribution to the campaign of a candidate
is not such involvement in the campaign of the candidate as
to render the business corporation a political committee.
Accordingly, the answer to your question No. 1 is that the
business corporation is not subject to the requirement of filing
pre- and post-election reports by virtue of having made cash
contributions to a candidate in that election.

No. 2. As indicated above, the language in the opinion
of the Commission does not require the conclusion that any
corporate contribution to a political campaign renders the
corporation subject to the filing requirements of a political
committee and it is the conclusion of the Commission that
the fact of such cash contribution without more does not create
a reporting obligation on the part of that business corporation.

Yours very truly,



Edward J. Farrell
Legal Counsel

EJF:no