



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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June 15, 1981

Louis J. Santore, P.A.
5801 Broadway
West New York, NJ 07093

ADVISORY OPINION NO. 28-81

Dear Mr. Santore:

I am writing on behalf of the Election Law Enforcement Commission in response to your letter dated May 29, 1981 requesting an advisory opinion from the Commission. You have asked what the reporting and record retention responsibilities of a political committee supporting a candidate for public office are pursuant to the Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.) when it receives a contribution from another political committee.

A "political committee" is defined at N.J.S.A. 19:44A-3(i) to mean "... any two or more persons acting jointly, or any corporation, partnership, or any other incorporation or unincorporated association which is organized to, or does, aid or promote the nomination, election or defeat of any candidate or candidates for public office..." You have indicated that you are the attorney representing the "Committee to Re-Elect Freeholder Simunovich June 1981" (hereafter, "Simunovich Committee"), and that the Simunovich Committee has received two contributions from another committee which is an entirely different entity with a different treasurer. Specifically, you have asked whether the Simunovich Committee may list the contributions as transfers from another committee, or has an obligation to determine the identity of the persons who contributed to the separate committee and if the Simunovich Committee must keep records of the names of such contributors.

The Reporting Act requires that a political committee make a full report of all moneys contributed to it in furtherance of the nomination, election or defeat of any candidate, which report "...shall contain the name and address of each person or group from whom moneys, loans, paid personal services or other things of value have been contributed and the amount contributed by each person or group." N.J.S.A. 19:44A-8 (emphasis added). The Simunovich Committee must report the required information concerning any "group" that contributes to it. A "political committee," as that term is defined by

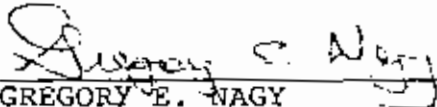
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N.J.S.A. 19:44A-3(i), would constitute a "group" within the meaning of that word as used in N.J.S.A. 19:44A-8. Therefore, the Simunovich Committee would be required to report the name and address of the political committee contributor, and the amount contributed by it. However, the Simunovich Committee would not be required to identify contributors to the political committee, or retain records concerning those persons. The contributing political committee would itself be required to report the name and address of its contributors, and the amounts contributed to it, among other things, pursuant to N.J.S.A. 19:44A-8.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By:



GREGORY E. NAGY
Staff Counsel

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