S T A T E O F N E W Y O R K

S. 1163 A. 898

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

January 5, 2011

IN SENATE -- Introduced by Sens. BRESLIN, HASSELL-THOMPSON, HUNTLEY, KRUEGER, OPPENHEIMER, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

IN ASSEMBLY -- Introduced by M. of A. McENENY -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to providing that campaign accounts be transferred to the state treasury upon death of a candidate

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The election law is amended by adding a new section 14-131 to read as follows:

S 14-131. REQUIRED DISPOSAL OF CAMPAIGN FUNDS. 1. UPON THE DEATH OF A CANDIDATE, FORMER CANDIDATE OR HOLDER OF ELECTIVE OFFICE, WHO RECEIVED CAMPAIGN CONTRIBUTIONS, ANY MONEYS REMAINING IN THE ACCOUNT OF A POLITICAL COMMITTEE FORMED FOR THE PURPOSE OF PROMOTING OR ELECTING SUCH CANDIDATE NOT OTHERWISE DUE AND OWED TO ANY PARTY SHALL BE PAID OVER TO THE COMPTROLLER OF THE STATE OF NEW YORK FOR DEPOSIT IN THE GENERAL TREASURY OF THE STATE.

2. THE TREASURER OF A POLITICAL COMMITTEE SHALL NOTIFY THE STATE BOARD OF ELECTIONS UPON THE DEATH OF A CANDIDATE, FORMER CANDIDATE OR HOLDER OF ELECTIVE OFFICE. SUCH NOTICE SHALL BE FILED IN THE OFFICE IN WHICH THE COMMITTEE IS REQUIRED TO FILE STATEMENTS UNDER SECTION 14-110 OF THIS ARTICLE, WITHIN THIRTY DAYS OF THE DEATH OF SUCH PERSON.

3. NOTWITHSTANDING SUBDIVISION ONE OF THIS SECTION, A CANDIDATE, FORMER CANDIDATE OR HOLDER OF ELECTIVE OFFICE MAY, AT ANY TIME, DESIGNATE A CHARITABLE ORGANIZATION TO RECEIVE THE BALANCE OF ANY MONEYS REMAINING IN THE ACCOUNT OF A POLITICAL COMMITTEE FORMED FOR THE PURPOSE OF PROMOTING OR ELECTING SUCH CANDIDATE UPON THE DEATH OF SUCH PERSON BY FILING A NOTICE TO THAT EFFECT WITH THE STATE BOARD OF ELECTIONS. THE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD01835-01-1

STATE BOARD OF ELECTIONS SHALL DEVELOP A FORM FOR SUCH PURPOSE. IF A CHARITABLE ORGANIZATION DESIGNATED BY A CANDIDATE UNDER THIS SECTION IS NO LONGER IN EXISTENCE UPON THE DEATH OF SUCH PERSON THEN SUCH REMAINING MONEYS SHALL BE PAID INTO THE GENERAL TREASURY OF THE STATE IN ACCORDANCE WITH THIS SECTION.

S 2. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that this act shall apply to contributions received after such effective date; and provided, further, that the state board of elections shall notify all registered campaign committees of the applicable provisions of this act within thirty days after this act shall have become a law.