

STATE OF NEW YORK

8182

2021-2022 Regular Sessions

IN ASSEMBLY

August 25, 2021

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

AN ACT to amend the election law, in relation to recurring contributions solicited by a person, political campaign, political committee, party committee, constituted committee or other entity

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The election law is amended by adding a new section
2 14-114-a to read as follows:

3 § 14-114-a. Recurring contributions. 1. Any person, political
4 campaign, political committee, party committee, constituted committee or
5 other entity soliciting a recurring contribution to a political
6 campaign, political committee, party committee, constituted committee or
7 other entity, must receive the affirmative consent of the contributor at
8 the time of arrangement of the recurring contribution.

9 2. No solicitation of a contribution, whether electronically or by
10 paper, may have as its default, a recurring contribution.

11 3. All solicitations for contributions as described in subdivision one
12 of this section must state that the contribution may be cancelled by the
13 contributor at any time and the contributor will receive a full refund
14 of the recurring contributions made which refund shall be equal to all
15 contributions made less the initial installment of the contribution.

16 4. An entity as described in subdivision one of this section accepting
17 a recurring contribution shall:

18 a. provide the contributor with a receipt for an initial contribution
19 and each recurrence that clearly and conspicuously discloses all materi-
20 al terms of the contribution made and recurring commitment made;

21 b. provide the contributor with all information needed to cancel
22 recurring contributions in each communication with the contributor with
23 respect to the recurring contribution and any solicitation for addi-
24 tional contributions; and

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

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1 c. immediately cancel recurring contributions upon request of the
2 contributor and refund to the contributor prior contributions, less the
3 initial installment of the contribution, if requested to do so.

4 5. Any entity that violates this chapter shall return the entire
5 amount of contributions made, less the initial installment of the
6 contribution, and pay a civil fine of five times the amount of the
7 contribution to be refunded or one thousand dollars, whichever is great-
8 er.

9 § 2. This act shall take effect immediately.