

10391

I N A S S E M B L Y

March 23, 2010

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

AN ACT to amend the election law, in relation to the ability of the state board of elections to administratively set standards for the change of mailing address and requiring a candidate to provide such board with depository information

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

1 Section 1. Subdivision 1 of section 14-118 of the election law, as
2 amended by chapter 70 of the laws of 1983, is amended to read as
3 follows:
4 1. Every political committee shall have a treasurer and a depository,
5 and shall cause the treasurer to keep detailed, bound accounts of all
6 receipts, transfers, loans, liabilities, contributions and expenditures,
7 made by the committee or any of its officers, members or agents acting
8 under its authority or in its behalf. All such accounts shall be
9 retained by a treasurer for a period of five years from the date of the
10 filing of the final statement with respect to the election, primary
11 election or convention to which they pertain. No officer, member or
12 agent of any political committee shall receive any receipt, transfer or
13 contribution, or make any expenditure or incur any liability until the
14 committee shall have chosen a treasurer and depository and filed their
15 names in accordance with this subdivision. There shall be filed in the
16 office in which the committee is required to file its statements under
17 section 14-110 of this article, within five days after the choice of a
18 treasurer and depository, a statement giving the name and address of the
19 treasurer chosen, the name and address of any person authorized to sign
20 checks by such treasurer, the name and address of the depository chosen
21 and the candidate or candidates or ballot proposal or proposals the
22 success or defeat of which the committee is to aid or take part;
23 provided, however, that such statement shall not be required of a
24 constituted committee and provided further that a political committee
25 which makes no expenditures, to aid or take part in the election or
26 defeat of a candidate, other than in the form of contributions, shall

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

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1 not be required to list the candidates being supported or opposed by
2 such committee. Such statement shall be signed by the treasurer and all
3 other persons authorized to sign checks. Any change in the information
4 required in any statement shall be reported, in an amended statement
5 filed in the same manner and in the same office as an original statement
6 filed under this section, within two days after it occurs EXCEPT THAT
7 ANY CHANGE TO THE MAILING ADDRESS ON ANY SUCH STATEMENT FILED WITH THE
8 STATE BOARD OF ELECTIONS MAY ALSO BE MADE IN ANY MANNER DEEMED ACCEPTA-
9 BLE BY THE STATE BOARD OF ELECTIONS. Only a banking organization
10 authorized to do business in this state may be designated a depository
11 hereunder.

12 S 2. Subdivision 3 of section 14-118 of the election law, as added by
13 chapter 8 of the laws of 1978 and as redesignated by chapter 9 of the
14 laws of 1978, is amended to read as follows:

15 3. A. Every candidate who receives or expends any money or other valu-
16 able thing or incurs any liability to pay money or its equivalent shall
17 keep and retain detailed, bound accounts as provided in subdivision [a]
18 ONE of this section.

19 B. EVERY CANDIDATE REQUIRED TO FILE SWORN STATEMENTS PURSUANT TO
20 SUBDIVISION ONE OF SECTION 14-104 OF THIS ARTICLE, OTHER THAN A CANDI-
21 DATE WHO HAS FILED A STATEMENT IN LIEU THEREOF AT OR BEFORE THE FIRST
22 FILING PERIOD AS SET FORTH IN SUCH SUBDIVISION, SHALL FILE, IN THE
23 OFFICE OR OFFICES IN WHICH HE OR SHE IS REQUIRED TO FILE HIS OR HER
24 STATEMENT UNDER SECTION 14-110 OF THIS ARTICLE, ON A FORM PRESCRIBED BY
25 THE STATE BOARD OF ELECTIONS FOR SUCH PURPOSES, A STATEMENT PROVIDING
26 THE NAME AND ADDRESS OF THE DEPOSITORY AT WHICH THEY MAINTAIN THE
27 ACCOUNT OR ACCOUNTS FROM WHICH THEY CONDUCT THEIR OWN CAMPAIGN FINANCIAL
28 ACTIVITY.

29 S 3. This act shall take effect on the ninetieth day after it shall
30 have become a law; provided, however, that effective immediately, the
31 addition, amendment and/or repeal of any rule or regulation by the state
32 board of elections necessary for the implementation of this act on its
33 effective date are authorized and directed to be made and completed on
34 or before such effective date.