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

5026

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

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

AN ACT to amend the election law, in relation to campaign finance reform in Westchester county and increasing penalties for certain violations

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

Section 1. This act shall be known and may be cited as the "Westchester county finance reform act of 2009".

S 2. The legislature hereby finds and declares that campaign finance reform is necessary to reduce the influence of special interests and wealthy contributors in politics, to open up the political process to those who may be well qualified but lack the financial resources, and to restore public confidence in the political system. It is the intent of this legislation to bring about campaign finance reform by enacting strict contribution limits, enlarging the influence of small donors, and banning contributions by corporations.

S 3. The article heading of article 14 of the election law is amended to read as follows:

CAMPAIGN RECEIPTS AND EXPENDITURES; WESTCHESTER COUNTY CAMPAIGN FINANCE REFORM

S 4. Sections 14-100 through 14-130 of the election law are designated title I and a new title heading is added to read as follows:

CAMPAIGN RECEIPTS AND EXPENDITURES

S 5. Article 14 of the election law is amended by adding a new title II to read as follows:

TITLE II

WESTCHESTER COUNTY CAMPAIGN FINANCE REFORM

SECTION 14-200. DEFINITIONS.
14-202. CONTRIBUTION LIMITS; CANDIDATES.
14-204. CONTRIBUTION LIMITS; POLITICAL PARTIES.
14-206. DISCLOSURE OF CERTAIN CONTRIBUTIONS.

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

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14-208. DONATION RECEIPT LIMITS.

S 14-200. DEFINITIONS. AS USED IN THIS TITLE:

1. "CAMPAIGN DONOR ORGANIZATION" MEANS A POLITICAL COMMITTEE WHICH ACCEPTS CONTRIBUTIONS FROM INDIVIDUALS ONLY.

2. "POLITICAL PARTY" HAS THE SAME MEANING AS SUCH TERM IS GIVEN BY SUBDIVISION THREE OF SECTION 1-104 OF THIS CHAPTER.

3. "SMALL DONOR CAMPAIGN DONOR ORGANIZATION" (SCDO) MEANS A CAMPAIGN DONOR ORGANIZATION WHICH RECEIVES CONTRIBUTIONS OF NO GREATER THAN NINETY-NINE DOLLARS PER PERSON.

4. "MEDIUM DONOR CAMPAIGN DONOR ORGANIZATION" (MCDO) MEANS A CAMPAIGN DONOR ORGANIZATION WHICH RECEIVES CONTRIBUTIONS OF NO GREATER THAN TWO HUNDRED FIFTY DOLLARS PER PERSON.

5. "LARGE DONOR CAMPAIGN DONOR ORGANIZATION" (LCDO) MEANS A CAMPAIGN DONOR ORGANIZATION TO WHICH CONTRIBUTIONS ARE NOT LIMITED.

S 14-202. CONTRIBUTION LIMITS; CANDIDATES. THE FOLLOWING LIMITATIONS APPLY TO POLITICAL CONTRIBUTIONS MADE TO CANDIDATES FOR PUBLIC OFFICE IN WESTCHESTER COUNTY. IN ANY ELECTION FOR PUBLIC OFFICE OR FOR NOMINATION TO SUCH OFFICE:

1. A CORPORATION MAY NOT CONTRIBUTE MORE THAN FIFTY DOLLARS TO A CANDIDATE.

2. AN INDIVIDUAL RESIDING IN WESTCHESTER COUNTY MAY NOT CONTRIBUTE MORE THAN TWO HUNDRED FIFTY DOLLARS TO A CANDIDATE, AND AN INDIVIDUAL RESIDING OUTSIDE OF WESTCHESTER COUNTY MAY NOT CONTRIBUTE MORE THAN ONE HUNDRED FIFTY DOLLARS TO A CANDIDATE.

3. A SCDO MAY NOT CONTRIBUTE MORE THAN TWO THOUSAND DOLLARS TO A CANDIDATE.

4. A MCDO MAY NOT CONTRIBUTE MORE THAN ONE THOUSAND DOLLARS TO A CANDIDATE.

5. A LCDO MAY NOT CONTRIBUTE MORE THAN FIVE HUNDRED DOLLARS TO A CANDIDATE.

6. A NON-CITIZEN OF THE UNITED STATES MAY NOT CONTRIBUTE TO A CANDIDATE.

S 14-204. CONTRIBUTION LIMITS; POLITICAL PARTIES. THE FOLLOWING LIMITATIONS SHALL APPLY TO POLITICAL CONTRIBUTIONS MADE PER CALENDAR YEAR TO POLITICAL PARTIES IN WESTCHESTER COUNTY:

1. A CORPORATION MAY NOT CONTRIBUTE MORE THAN FIFTY DOLLARS TO A POLITICAL PARTY.

2. AN INDIVIDUAL RESIDING IN WESTCHESTER COUNTY MAY NOT CONTRIBUTE MORE THAN ONE HUNDRED TWENTY-FIVE DOLLARS, AND AN INDIVIDUAL RESIDING OUTSIDE OF WESTCHESTER COUNTY MAY NOT CONTRIBUTE MORE THAN SEVENTY-FIVE DOLLARS.

3. A SCDO MAY NOT CONTRIBUTE MORE THAN ONE THOUSAND DOLLARS.

4. A MCDO MAY NOT CONTRIBUTE MORE THAN FIVE HUNDRED DOLLARS.

5. A LCDO MAY NOT CONTRIBUTE MORE THAN TWO HUNDRED FIFTY DOLLARS.

6. A NON-CITIZEN OF THE UNITED STATES MAY NOT CONTRIBUTE TO A POLITICAL PARTY.

S 14-206. DISCLOSURE OF CERTAIN CONTRIBUTIONS. A CANDIDATE MUST DISCLOSE CONTRIBUTIONS FROM INDIVIDUALS OWNING OR CONTROLLING MORE THAN A TWENTY-FIVE PERCENT SHARE OF A CORPORATION OR OTHER ENTITY WHICH PERFORMS WORK FOR ANY UNIT OF GOVERNMENT WHICH IS THE SUBJECT OF THE ELECTIVE OFFICE.

S 14-208. DONATION RECEIPT LIMITS. 1. CANDIDATES MAY ACCEPT AN UNLIMITED AMOUNT OF CONTRIBUTIONS FROM INDIVIDUALS, SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-202 OF THIS TITLE, AND FROM SMALL DONOR CAMPAIGN DONOR ORGANIZATIONS.

2. THE TOTAL AMOUNT OF CONTRIBUTIONS RECEIVED FROM MEDIUM AND LARGE CAMPAIGN DONOR ORGANIZATIONS MAY NOT EXCEED FIFTY PERCENT OF THE AMOUNT CONTRIBUTED BY INDIVIDUALS AND SMALL DONOR CAMPAIGN DONOR ORGANIZATIONS.

S 6. Subdivision 1 of section 14-126 of the election law, as amended by chapter 128 of the laws of 1994, is amended to read as follows:

1. Any person who KNOWINGLY fails to file a statement required to be filed by this article shall be subject to a civil penalty, not in excess of five [hundred] THOUSAND dollars, to be recoverable in a special proceeding or civil action to be brought by the state board of elections or other board of elections.

S 7. This act shall take effect on the one hundred eightieth day after it shall have become a law.