

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

656--A

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Election Law -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to contribution limitations

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

1 Section 1. Subdivision 1 of section 14-114 of the election law, as
2 amended by chapter 79 of the laws of 1992, paragraphs a and b as amended
3 by chapter 659 of the laws of 1994, is amended to read as follows:
4 1. [The following limitations apply to all contributions to candidates
5 for election to any public office or for nomination for any such office,
6 or for election to any party positions, and to all contributions to
7 political committees working directly or indirectly with any candidate
8 to aid or participate in such candidate's nomination or election, other
9 than any contributions to any party committee or constituted committee:
10 a. In any election for a public office to be voted on by the voters of
11 the entire state, or for nomination to any such office, no contributor
12 may make a contribution to any candidate or political committee, and no
13 candidate or political committee may accept any contribution from any
14 contributor, which is in the aggregate amount greater than: (i) in the
15 case of any nomination to public office, the product of the total number
16 of enrolled voters in the candidate's party in the state, excluding
17 voters in inactive status, multiplied by \$.005, but such amount shall be
18 not less than four thousand dollars nor more than twelve thousand
19 dollars as increased or decreased by the cost of living adjustment
20 described in paragraph c of this subdivision, and (ii) in the case of
21 any election to a public office, twenty-five thousand dollars as

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

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1 increased or decreased by the cost of living adjustment described in
2 paragraph c of this subdivision; provided however, that the maximum
3 amount which may be so contributed or accepted, in the aggregate, from
4 any candidate's child, parent, grandparent, brother and sister, and the
5 spouse of any such persons, shall not exceed in the case of any nomi-
6 nation to public office an amount equivalent to the product of the
7 number of enrolled voters in the candidate's party in the state, exclud-
8 ing voters in inactive status, multiplied by \$.025, and in the case of
9 any election for a public office, an amount equivalent to the product of
10 the number of registered voters in the state excluding voters in inac-
11 tive status, multiplied by \$.025.

12 b. In any other election for party position or for election to a
13 public office or for nomination for any such office, no contributor may
14 make a contribution to any candidate or political committee and no
15 candidate or political committee may accept any contribution from any
16 contributor, which is in the aggregate amount greater than: (i) in the
17 case of any election for party position, or for nomination to public
18 office, the product of the total number of enrolled voters in the candi-
19 date's party in the district in which he is a candidate, excluding
20 voters in inactive status, multiplied by \$.05, and (ii) in the case of
21 any election for a public office, the product of the total number of
22 registered voters in the district, excluding voters in inactive status,
23 multiplied by \$.05, however in the case of a nomination within the city
24 of New York for the office of mayor, public advocate or comptroller,
25 such amount shall be not less than four thousand dollars nor more than
26 twelve thousand dollars as increased or decreased by the cost of living
27 adjustment described in paragraph c of this subdivision; in the case of
28 an election within the city of New York for the office of mayor, public
29 advocate or comptroller, twenty-five thousand dollars as increased or
30 decreased by the cost of living adjustment described in paragraph c of
31 this subdivision; in the case of a nomination for state senator, four
32 thousand dollars as increased or decreased by the cost of living adjust-
33 ment described in paragraph c of this subdivision; in the case of an
34 election for state senator, six thousand two hundred fifty dollars as
35 increased or decreased by the cost of living adjustment described in
36 paragraph c of this subdivision; in the case of an election or nomi-
37 nation for a member of the assembly, twenty-five hundred dollars as
38 increased or decreased by the cost of living adjustment described in
39 paragraph c of this subdivision; but in no event shall any such maximum
40 exceed fifty thousand dollars or be less than one thousand dollars;
41 provided however, that the maximum amount which may be so contributed or
42 accepted, in the aggregate, from any candidate's child, parent, grand-
43 parent, brother and sister, and the spouse of any such persons, shall
44 not exceed in the case of any election for party position or nomination
45 for public office an amount equivalent to the number of enrolled voters
46 in the candidate's party in the district in which he is a candidate,
47 excluding voters in inactive status, multiplied by \$.25 and in the case
48 of any election to public office, an amount equivalent to the number of
49 registered voters in the district, excluding voters in inactive status,
50 multiplied by \$.25; or twelve hundred fifty dollars, whichever is great-
51 er, or in the case of a nomination or election of a state senator, twen-
52 ty thousand dollars, whichever is greater, or in the case of a nomi-
53 nation or election of a member of the assembly twelve thousand five
54 hundred dollars, whichever is greater, but in no event shall any such
55 maximum exceed one hundred thousand dollars.] A. NO CONTRIBUTOR MAY MAKE
56 A CONTRIBUTION TO ANY CANDIDATE FOR ELECTION TO ANY PUBLIC OFFICE OR FOR

1 NOMINATION FOR ANY SUCH OFFICE, OR FOR ELECTION TO ANY PARTY POSITIONS,
2 OR MAKE ANY CONTRIBUTION TO POLITICAL COMMITTEES WORKING DIRECTLY OR
3 INDIRECTLY WITH ANY CANDIDATE TO AID OR PARTICIPATE IN SUCH CANDIDATE'S
4 NOMINATION OR ELECTION, AND NO CANDIDATE OR POLITICAL COMMITTEE MAY
5 ACCEPT ANY CONTRIBUTION FROM ANY CONTRIBUTOR, WHICH, IN THE AGGREGATE
6 AMOUNT, IS GREATER THAN TWO THOUSAND FOUR HUNDRED DOLLARS, AS INCREASED
7 OR DECREASED BY THE COST OF LIVING ADJUSTMENT DESCRIBED IN PARAGRAPH B
8 OF THIS SUBDIVISION.

9 [c.] B. At the beginning of each fourth calendar year, commencing in
10 nineteen hundred ninety-five, the state board shall determine the
11 percentage of the difference between the most recent available monthly
12 consumer price index for all urban consumers published by the United
13 States bureau of labor statistics and such consumer price index
14 published for the same month four years previously. The amount of each
15 contribution limit fixed in this subdivision shall be adjusted by the
16 amount of such percentage difference to the closest one hundred dollars
17 by the state board which, not later than the first day of February in
18 each such year, shall issue a regulation publishing the amount of each
19 such contribution limit. Each contribution limit as so adjusted shall be
20 the contribution limit in effect for any election held before the next
21 such adjustment.

22 S 2. This act shall take effect on the first of January next succeed-
23 ing the date on which it shall have become a law.