

6259

2009-2010 Regular Sessions

I N   S E N A T E

November 2, 2009

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Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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

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

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

15    3. NOTWITHSTANDING SUBDIVISION ONE OF THIS SECTION, A CANDIDATE,  
16    FORMER CANDIDATE OR HOLDER OF ELECTIVE OFFICE MAY, AT ANY TIME, DESIG-  
17    NATE A CHARITABLE ORGANIZATION TO RECEIVE THE BALANCE OF ANY MONEYS  
18    REMAINING IN THE ACCOUNT OF A POLITICAL COMMITTEE FORMED FOR THE PURPOSE  
19    OF PROMOTING OR ELECTING SUCH CANDIDATE UPON THE DEATH OF SUCH PERSON BY  
20    FILING A NOTICE TO THAT EFFECT WITH THE STATE BOARD OF ELECTIONS. THE  
21    STATE BOARD OF ELECTIONS SHALL DEVELOP A FORM FOR SUCH PURPOSE. IF A  
22    CHARITABLE ORGANIZATION DESIGNATED BY A CANDIDATE UNDER THIS SECTION IS  
23    NO LONGER IN EXISTENCE UPON THE DEATH OF SUCH PERSON THEN SUCH REMAINING

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

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1 MONEYS SHALL BE PAID INTO THE GENERAL TREASURY OF THE STATE IN ACCORD-  
2 ANCE WITH THIS SECTION.

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