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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

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
22 increased or decreased by the cost of living adjustment described in
23 paragraph c of this subdivision; provided however, that the maximum
24 amount which may be so contributed or accepted, in the aggregate, from

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

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1 any candidate's child, parent, grandparent, brother and sister, and the
2 spouse of any such persons, shall not exceed in the case of any nomi-
3 nation to public office an amount equivalent to the product of the
4 number of enrolled voters in the candidate's party in the state, exclud-
5 ing voters in inactive status, multiplied by \$.025, and in the case of
6 any election for a public office, an amount equivalent to the product of
7 the number of registered voters in the state excluding voters in inac-
8 tive status, multiplied by \$.025.

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

1 NOMINATION OR ELECTION, AND NO CANDIDATE OR POLITICAL COMMITTEE MAY
2 ACCEPT ANY CONTRIBUTION FROM ANY CONTRIBUTOR, WHICH, IN THE AGGREGATE
3 AMOUNT, IS GREATER THAN TWO THOUSAND THREE HUNDRED DOLLARS, AS INCREASED
4 OR DECREASED BY THE COST OF LIVING ADJUSTMENT DESCRIBED IN PARAGRAPH B
5 OF THIS SUBDIVISION.

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

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