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

8757

2009-2010 Regular Sessions

I N A S S E M B L Y

June 5, 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 the content of statements of campaign receipts, contributions, transfers and expenditures to and by political committees

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

Section 1. Subdivisions 1 and 3 of section 14-102 of the election law, as amended by chapter 8 of the laws of 1978, subdivision 1 as redesignated by chapter 9 of the laws of 1978 and subdivision 3 as renumbered by chapter 70 of the laws of 1983, are amended to read as follows:

1. The treasurer of every political committee which, or any officer, member or agent of any such committee who, in connection with any election, receives or expends any money or other [valuable thing] ITEM OF VALUE or incurs any liability to pay money or its equivalent shall file statements sworn, or subscribed and bearing a form notice that false statements made therein are punishable as a class A misdemeanor pursuant to section 210.45 of the penal law, at the times prescribed by this article setting forth all the receipts, contributions to and the expenditures by and liabilities of the committee, and of its officers, members and agents in its behalf. Such statements shall include the dollar amount of any receipt, contribution or transfer, or the fair market value of any receipt, contribution or transfer, which is other than of money, the name [and], address AND OCCUPATION of the transferor, contributor or person from whom received, OTHER THAN IN THE REGULAR COURSE OF A LENDER'S BUSINESS, AND FOR A NATURAL PERSON CONTRIBUTING TWO HUNDRED DOLLARS OR MORE, THE NAME AND ADDRESS OF SUCH PERSON'S EMPLOYER, AND THE BUSINESS ADDRESS OF EACH POLITICAL COMMITTEE OR OTHER ENTITY MAKING SUCH CONTRIBUTION, OR ANY LOAN, GUARANTEE, OR OTHER SECURITY FOR SUCH A LOAN and if the transferor, contributor or person is a political

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

LBD11719-01-9

committee; the name of and the political unit represented by the committee, the date of its receipt, the dollar amount of every expenditure, the name and address of the person to whom it was made or the name of and the political unit represented by the committee to which it was made and the date thereof, and shall state clearly the purpose of such expenditure. IF ANY ONE EXPENDITURE IS MADE FOR MORE THAN ONE PURPOSE, OR AS PAYMENT FOR GOODS OR SERVICES SUPPLIED BY MORE THAN ONE SUPPLIER, SUCH STATEMENT SHALL SET FORTH SEPARATELY EACH SUCH PURPOSE OR SUPPLIER AND THE AMOUNT EXPENDED FOR EACH SUCH PURPOSE OR TO EACH SUCH SUPPLIER. Any statement reporting a loan shall have attached to it a copy of the evidence of indebtedness. Expenditures in sums under fifty dollars need not be specifically accounted for by separate items in said statements, and receipts and contributions aggregating not more than ninety-nine dollars, from any one contributor need not be specifically accounted for by separate items in said statements, provided however, that such expenditures, receipts and contributions shall be subject to the other provisions of section 14-118 of this article.

3. The state board of elections shall promulgate regulations with respect to the accounting methods to be applied IN COMPLYING WITH, AND in preparing the statements required by, the provisions of this article and shall provide forms suitable for such statements. SUCH REGULATIONS SHALL BE DRAWN TO ASSURE SUCH COMPLIANCE AND OBTAIN THE MAXIMUM POSSIBLE DISCLOSURE.

S 2. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that contributions legally received prior to the effective date of this act may be retained and expended for lawful purposes and shall not provide the basis for a violation of article 14 of the election law, as amended by this act; and provided, further, that the state board of elections shall notify all candidates and political committees of the applicable provisions of this act within thirty days after this act shall have become a law.