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

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4549--B

2009-2010 Regular Sessions

I N   S E N A T E

April 24, 2009
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Introduced by Sen. SQUADRON -- read twice and ordered printed, and when
  printed to be committed to the Committee on Elections   -- committee
  discharged, bill amended, ordered reprinted as amended and recommitted
  to said committee -- committee discharged, bill amended, ordered
  reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to decreasing contribution
  limitations; and to repeal subdivision 3 of section 14-124 of the
  election law relating thereto

  THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, 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] FIVE 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] 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.

 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[,]; BUT IN NO EVENT SHALL ANY SUCH MAXIMUM EXCEED
21 THREE THOUSAND DOLLARS OR BE LESS THAN ONE THOUSAND DOLLARS; however in
22 the case of a nomination OR ELECTION within the city of New York for the
23 office of mayor, public advocate [or], comptroller, BOROUGH PRESIDENT OR
24 MEMBER OF THE CITY COUNCIL, such amount shall be [not less than four
25 thousand dollars nor more than twelve thousand dollars as increased or
26 decreased by the cost of living adjustment described in paragraph c of
27 this subdivision; in the case of an election within the city of New York
28 for the office of mayor, public advocate or comptroller, twenty-five
29 thousand dollars as increased or decreased by the cost of living adjust-
30 ment described in paragraph c of this subdivision] EQUAL TO THE CONTRIB-
31 UTION LIMITS SET FORTH IN PARAGRAPH (F) OF SUBDIVISION ONE OF SECTION
32 3-703 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK; PROVIDED
33 HOWEVER in the case of a nomination OR ELECTION for state senator,
34 [four] TWO thousand THREE HUNDRED dollars as increased or decreased by
35 the cost of living adjustment described in paragraph c of this subdivi-
36 sion; [in the case of an election for state senator, six thousand two
37 hundred fifty dollars as increased or decreased by the cost of living
38 adjustment described in paragraph c of this subdivision;] in the case of
39 [an election or] A nomination OR ELECTION for a member of the assembly,
40 [twenty-five hundred] TWO THOUSAND THREE HUNDRED dollars as increased or
41 decreased by the cost of living adjustment described in paragraph c of
42 this subdivision[; but in no event shall any such maximum exceed fifty
43 thousand dollars or be less than one thousand dollars; provided however,
44 that the maximum amount which may be so contributed or accepted, in the
45 aggregate, from any candidate's child, parent, grandparent, brother and
46 sister, and the spouse of any such persons, shall not exceed in the case
47 of any election for party position or nomination for public office an
48 amount equivalent to the number of enrolled voters in the candidate's
49 party in the district in which he is a candidate, excluding voters in
50 inactive status, multiplied by $.25 and in the case of any election to
51 public office, an amount equivalent to the number of registered voters
52 in the district, excluding voters in inactive status, multiplied by
53 $.25; or twelve hundred fifty dollars, whichever is greater, or in the
54 case of a nomination or election of a state senator, twenty thousand
55 dollars, whichever is greater, or in the case of a nomination or
56 election of a member of the assembly twelve thousand five hundred

1 dollars, whichever is greater, but in no event shall any such maximum
2 exceed one hundred thousand dollars].
3   c. At the beginning of each fourth calendar year, commencing in [nine-
4 teen hundred ninety-five] TWO THOUSAND TWELVE, the state board shall
5 determine the percentage of the difference between the [most recent
6 available monthly] consumer price index for all urban consumers
7 published by the United States bureau of labor statistics and such
8 consumer price index published for the same month four years previously.
9 The amount of each contribution limit fixed in this subdivision shall be
10 adjusted by the amount of such percentage difference to the closest one
11 hundred dollars by the state board which, not later than the first day
12 of February in each such year, shall issue a regulation publishing the
13 amount of each such contribution limit. Each contribution limit as so
14 adjusted shall be the contribution limit in effect for any election held
15 before the next such adjustment.
16   S 2. Subdivision 8 of section 14-114 of the election law, as amended
17 by chapter 8 of the laws of 1978 and as redesignated by chapter 9 of the
18 laws of 1978, is amended to read as follows:
19   8. A. Except as may otherwise be provided [for] BY a candidate [and
20 his family] FOR HIS OR HER OWN CAMPAIGN, no NATURAL person may contrib-
21 ute, loan or guarantee in excess of [one hundred fifty] TWENTY-FIVE
22 thousand dollars within the state OF NEW YORK IN ANY CALENDAR YEAR in
23 connection with the nomination or election of [persons to] CANDIDATES
24 FOR state [and] OR local public offices [and] OR party positions [within
25 the state of New York in any one calendar year].
26   B. For the purposes of this subdivision "loan" or "guarantee" shall
27 mean a loan or guarantee which is not repaid or discharged in the calen-
28 dar year in which it is made.
29   S 3. Subdivision 10 of section 14-114 of the election law, as added by
30 chapter 79 of the laws of 1992, is amended to read as follows:
31   10. a. No contributor may make a contribution to a party or consti-
32 tuted committee and no such committee may accept a contribution from any
33 contributor which, in the aggregate, is greater than [sixty-two] TWEN-
34 TY-FIVE thousand [five hundred] dollars per annum.
35   b. At the beginning of each fourth calendar year, commencing in [nine-
36 teen hundred ninety-five] TWO THOUSAND THIRTEEN, the state board shall
37 determine the percentage of the difference between the most recent
38 available monthly consumer price index for all urban consumers published
39 by the United States bureau of labor statistics and such consumer price
40 index published for the same month four years previously. The amount of
41 such contribution limit fixed in paragraph a of this subdivision shall
42 be adjusted by the amount of such percentage difference to the closest
43 one hundred dollars by the state board which, not later than the first
44 day of February in each such year, shall issue a regulation publishing
45 the amount of such contribution limit. Such contribution limit as so
46 adjusted shall be the contribution limit in effect for any election held
47 before the next such adjustment.
48   S 4. Subdivision 3 of section 14-124 of the election law is REPEALED.
49   S 5. This act shall take effect January 1, 2011; provided, that
50 contributions legally received prior to the effective date of this act
51 may be retained and expended for lawful purposes and shall not provide
52 the basis for a violation of article 14 of the election law, as amended
53 by this act; and provided, further, that the state board of elections
54 shall notify all candidates and political committees of the applicable
55 provisions of this act within thirty days after this act shall have
56 become a law.