

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. KAVANAGH, COLTON, STEVENSON -- Multi-Sponsored by  
-- M. of A. THIELE -- read once and referred to the Committee on  
Election Law

AN ACT to amend the election law, in relation to contribution limita-  
tions

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 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

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

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

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

54 c.] A. NO CONTRIBUTOR MAY MAKE A CONTRIBUTION TO ANY CANDIDATE FOR  
55 ELECTION TO ANY PUBLIC OFFICE OR FOR NOMINATION FOR ANY SUCH OFFICE, OR  
56 FOR ELECTION TO ANY PARTY POSITIONS, OR MAKE ANY CONTRIBUTION TO POLI-

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

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