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I N S E N A T E

March 7, 2014

Introduced by COMMITTEE ON RULES -- 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 campaign finance reform
and in relation to campaign contribution limits and penalties for
violations

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

1 Section 1. Section 14-100 of the election law is amended by adding
2 four new subdivisions 12, 13, 14 and 15 to read as follows:

3 12. "CLEARLY IDENTIFIED CANDIDATE" MEANS THAT:

4 (A) THE NAME OF THE CANDIDATE INVOLVED APPEARS;

5 (B) A PHOTOGRAPH OR DRAWING OF THE CANDIDATE APPEARS; OR

6 (C) THE IDENTITY OF THE CANDIDATE IS APPARENT BY UNAMBIGUOUS REFER-
7 ENCE.

8 13. "GENERAL PUBLIC AUDIENCE" MEANS AN AUDIENCE COMPOSED OF MEMBERS OF
9 THE PUBLIC, INCLUDING A TARGETED SUBGROUP OF MEMBERS OF THE PUBLIC;
10 PROVIDED, HOWEVER, IT DOES NOT MEAN AN AUDIENCE SOLELY COMPRISED OF
11 MEMBERS, RETIREES AND STAFF OF A LABOR ORGANIZATION OR THEIR IMMEDIATE
12 FAMILY MEMBERS OR AN AUDIENCE SOLELY COMPRISED OF EMPLOYEES OF A CORPO-
13 RATION, UNINCORPORATED BUSINESS ENTITY OR MEMBERS OF A BUSINESS, TRADE
14 OR PROFESSIONAL ASSOCIATION OR ORGANIZATION.

15 14. "LABOR ORGANIZATION" MEANS ANY ORGANIZATION OF ANY KIND WHICH
16 EXISTS FOR THE PURPOSE, IN WHOLE OR IN PART, OF REPRESENTING EMPLOYEES
17 EMPLOYED WITHIN THE STATE OF NEW YORK IN DEALING WITH EMPLOYERS OR
18 EMPLOYER ORGANIZATIONS OR WITH A STATE GOVERNMENT, OR ANY POLITICAL OR
19 CIVIL SUBDIVISION OR OTHER AGENCY THEREOF, CONCERNING TERMS AND CONDI-
20 TIONS OF EMPLOYMENT, GRIEVANCES, LABOR DISPUTES, OR OTHER MATTERS INCI-
21 DENTAL TO THE EMPLOYMENT RELATIONSHIP. FOR THE PURPOSES OF THIS ARTICLE,
22 EACH LOCAL, PARENT NATIONAL OR PARENT INTERNATIONAL ORGANIZATION OF A
23 STATEWIDE LABOR ORGANIZATION, AND EACH STATEWIDE FEDERATION RECEIVING
24 DUES FROM SUBSIDIARY LABOR ORGANIZATIONS, SHALL BE CONSIDERED A SEPARATE
25 LABOR ORGANIZATION.

26 15. "INTERMEDIARY" MEANS AN INDIVIDUAL, CORPORATION, PARTNERSHIP,
27 POLITICAL COMMITTEE, LABOR ORGANIZATION, OR OTHER ENTITY WHICH, OTHER

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

LBD14375-01-4

1 THAN IN THE REGULAR COURSE OF BUSINESS AS A POSTAL, DELIVERY, OR MESSEN-
2 GER SERVICE, DELIVERS ANY CONTRIBUTION FROM ANOTHER PERSON OR ENTITY TO
3 A CANDIDATE OR AN AUTHORIZED COMMITTEE.

4 "INTERMEDIARY" SHALL NOT INCLUDE SPOUSES, PARENTS, CHILDREN, OR
5 SIBLINGS OF THE PERSON MAKING SUCH CONTRIBUTION.

6 S 2. Subdivision 1 of section 14-102 of the election law, as amended
7 by chapter 8 and as redesignated by chapter 9 of the laws of 1978, is
8 amended to read as follows:

9 1. The treasurer of every political committee which, or any officer,
10 member or agent of any such committee who, in connection with any
11 election, receives or expends any money or other valuable thing or
12 incurs any liability to pay money or its equivalent shall file state-
13 ments sworn, or subscribed and bearing a form notice that false state-
14 ments made therein are punishable as a class A misdemeanor pursuant to
15 section 210.45 of the penal law, at the times prescribed by this [arti-
16 cle] TITLE setting forth all the receipts, contributions to and the
17 expenditures by and liabilities of the committee, and of its officers,
18 members and agents in its behalf. Such statements shall include the
19 dollar amount of any receipt, contribution or transfer, or the fair
20 market value of any receipt, contribution or transfer, which is other
21 than of money, the name and address of the transferor, contributor,
22 INTERMEDIARY, or person from whom received, and if the transferor,
23 contributor, INTERMEDIARY, or person is a political committee; the name
24 of and the political unit represented by the committee, the date of its
25 receipt, the dollar amount of every expenditure, the name and address of
26 the person to whom it was made or the name of and the political unit
27 represented by the committee to which it was made and the date thereof,
28 and shall state clearly the purpose of such expenditure. AN INTERMEDIARY
29 NEED NOT BE REPORTED FOR A CONTRIBUTION THAT WAS COLLECTED FROM A
30 CONTRIBUTOR IN CONNECTION WITH A PARTY OR OTHER CANDIDATE-RELATED EVENT
31 HELD AT THE RESIDENCE OF THE PERSON DELIVERING THE CONTRIBUTION, UNLESS
32 THE EXPENSES OF SUCH EVENT AT SUCH RESIDENCE FOR SUCH CANDIDATE EXCEED
33 FIVE HUNDRED DOLLARS OR THE AGGREGATE CONTRIBUTIONS RECEIVED FROM THAT
34 CONTRIBUTOR AT SUCH EVENT EXCEED FIVE HUNDRED DOLLARS. Any statement
35 reporting a loan shall have attached to it a copy of the evidence of
36 indebtedness. Expenditures in sums under fifty dollars need not be
37 specifically accounted for by separate items in said statements, and
38 receipts and contributions aggregating not more than ninety-nine
39 dollars, from any one contributor need not be specifically accounted for
40 by separate items in said statements, provided however, that such
41 expenditures, receipts and contributions shall be subject to the other
42 provisions of section 14-118 of this [article] TITLE.

43 S 3. Section 14-106 of the election law, as amended by section 2 of
44 part E of chapter 399 of the laws of 2011, is amended to read as
45 follows:

46 S 14-106. Political communication. The statements required to be filed
47 under the provisions of this article next succeeding a primary, general
48 or special election shall be accompanied by a copy of all broadcast,
49 cable or satellite schedules and scripts, internet, print and other
50 types of advertisements, pamphlets, circulars, flyers, brochures,
51 letterheads and other printed matter purchased or produced, AND REPROD-
52 UCTIONS OF STATEMENTS OR INFORMATION PUBLISHED TO ONE THOUSAND OR MORE
53 MEMBERS OF A GENERAL PUBLIC AUDIENCE BY COMPUTER OR OTHER ELECTRONIC
54 DEVICE INCLUDING BUT NOT LIMITED TO ELECTRONIC MAIL OR TEXT MESSAGE,
55 purchased in connection with such election by or under the authority of
56 the person filing the statement or the committee or the person on whose

1 behalf it is filed, as the case may be. Such copies, schedules and
2 scripts shall be preserved by the officer with whom or the board with
3 which it is required to be filed for a period of one year from the date
4 of filing thereof.

5 S 4. The election law is amended by adding a new section 14-107 to
6 read as follows:

7 S 14-107. INDEPENDENT EXPENDITURE REPORTING. 1. FOR PURPOSES OF THIS
8 ARTICLE:

9 (A) "INDEPENDENT EXPENDITURE" MEANS AN EXPENDITURE MADE BY A PERSON
10 FOR AN AUDIO OR VIDEO COMMUNICATION VIA BROADCAST, CABLE OR SATELLITE OR
11 A WRITTEN COMMUNICATION TO A GENERAL PUBLIC AUDIENCE VIA ADVERTISEMENTS,
12 PAMPHLETS, CIRCULARS, FLYERS, BROCHURES, LETTERHEADS OR OTHER PRINTED
13 MATTER AND STATEMENTS OR INFORMATION CONVEYED TO ONE THOUSAND OR MORE
14 MEMBERS OF A GENERAL PUBLIC AUDIENCE WHICH: (I) UNAMBIGUOUSLY REFERS TO
15 AND ADVOCATES FOR OR AGAINST A CLEARLY IDENTIFIED CANDIDATE OR EXPRESSLY
16 ADVOCATES THE SUCCESS OR DEFEAT OF A BALLOT PROPOSAL, AND (II) SUCH
17 CANDIDATE, THE CANDIDATE'S POLITICAL COMMITTEE OR ITS AGENTS, OR A POLI-
18 TICAL COMMITTEE FORMED TO PROMOTE THE SUCCESS OR DEFEAT OF A BALLOT
19 PROPOSAL OR ITS AGENTS, DID NOT AUTHORIZE, REQUEST, SUGGEST, FOSTER OR
20 COOPERATE IN ANY SUCH COMMUNICATION. FOR THE PURPOSES OF THIS DEFINI-
21 TION, A COMMUNICATION ADVOCATES FOR OR AGAINST A CANDIDATE WHEN IT (I)
22 IRRESPECTIVE OF WHEN SUCH COMMUNICATION IS MADE, CONTAINS WORDS SUCH AS
23 "VOTE," "OPPOSE," "SUPPORT," "ELECT," "DEFEAT," OR "REJECT," WHICH CALL
24 FOR THE ELECTION OR DEFEAT OF THE CLEARLY IDENTIFIED CANDIDATE, OR (II)
25 WITHIN ONE YEAR OF THE ELECTION BUT MORE THAN SIXTY DAYS BEFORE A GENER-
26 AL OR SPECIAL ELECTION FOR THE OFFICE SOUGHT BY THE CANDIDATE OR THIRTY
27 DAYS BEFORE A PRIMARY ELECTION, COULD ONLY BE INTERPRETED BY A REASON-
28 ABLE PERSON AS ADVOCATING FOR THE ELECTION OR DEFEAT OF THE CLEARLY
29 IDENTIFIED CANDIDATE IN SUCH ELECTION BASED UPON UNEQUIVOCAL, UNAMBIG-
30 UOUS TERMS OF SUPPORT OR OPPOSITION, OR (III) WITHIN SIXTY DAYS PRIOR TO
31 A GENERAL OR SPECIAL ELECTION FOR THE OFFICE SOUGHT BY THE CANDIDATE OR
32 THIRTY DAYS BEFORE A PRIMARY ELECTION, INCLUDES OR REFERENCES A CLEARLY
33 IDENTIFIED CANDIDATE.

34 (B) INDEPENDENT EXPENDITURES DO NOT INCLUDE EXPENDITURES IN CONNECTION
35 WITH:

36 (I) A WRITTEN NEWS STORY, COMMENTARY, OR EDITORIAL OR A NEWS STORY,
37 COMMENTARY, OR EDITORIAL DISTRIBUTED THROUGH THE FACILITIES OF ANY
38 BROADCASTING STATION, CABLE OR SATELLITE UNLESS SUCH PUBLICATION OR
39 FACILITIES ARE OWNED OR CONTROLLED BY ANY POLITICAL PARTY, POLITICAL
40 COMMITTEE OR CANDIDATE; OR

41 (II) A COMMUNICATION THAT CONSTITUTES A CANDIDATE DEBATE OR FORUM; OR

42 (III) INTERNAL COMMUNICATION BY MEMBERS TO OTHER MEMBERS OF A MEMBER-
43 SHIP ORGANIZATION, FOR THE PURPOSE OF SUPPORTING OR OPPOSING A CANDIDATE
44 OR CANDIDATES FOR ELECTIVE OFFICE, PROVIDED SUCH EXPENDITURES ARE NOT
45 USED FOR THE COSTS OF CAMPAIGN MATERIAL OR COMMUNICATIONS USED IN
46 CONNECTION WITH BROADCASTING, TELECASTING, NEWSPAPERS, MAGAZINES, OR
47 OTHER PERIODICAL PUBLICATION, BILLBOARDS, OR SIMILAR TYPES OF GENERAL
48 PUBLIC COMMUNICATIONS; OR

49 (IV) A COMMUNICATION PUBLISHED ON THE INTERNET, UNLESS THE COMMUNI-
50 CATION IS A PAID ADVERTISEMENT.

51 (C) FOR PURPOSES OF THIS SECTION, THE TERM "PERSON" SHALL MEAN PERSON,
52 GROUP OF PERSONS, CORPORATION, UNINCORPORATED BUSINESS ENTITY, LABOR
53 ORGANIZATION OR BUSINESS, TRADE OR PROFESSIONAL ASSOCIATION OR ORGANIZA-
54 TION, OR POLITICAL COMMITTEE.

55 2. WHENEVER ANY PERSON MAKES AN INDEPENDENT EXPENDITURE THAT COSTS
56 MORE THAN ONE THOUSAND DOLLARS IN THE AGGREGATE, SUCH COMMUNICATION

1 SHALL CLEARLY STATE THE NAME OF THE PERSON WHO PAID FOR, OR OTHERWISE
2 PUBLISHED OR DISTRIBUTED THE COMMUNICATION AND STATE, WITH RESPECT TO
3 COMMUNICATIONS REGARDING CANDIDATES, THAT THE COMMUNICATION WAS NOT
4 EXPRESSLY AUTHORIZED OR REQUESTED BY ANY CANDIDATE, OR BY ANY CANDI-
5 DATE'S POLITICAL COMMITTEE OR ANY OF ITS AGENTS.

6 3. (A) ANY PERSON WHO MAKES ANY INDEPENDENT EXPENDITURE IN AN UPCOMING
7 CALENDAR YEAR SHALL FIRST REGISTER WITH THE STATE BOARD OF ELECTIONS AS
8 A POLITICAL COMMITTEE IN CONFORMANCE WITH THIS ARTICLE.

9 (B) ANY PERSON WHO IS REGISTERED PURSUANT TO PARAGRAPH (A) OF THIS
10 SUBDIVISION SHALL REPORT INDEPENDENT EXPENDITURES OVER ONE THOUSAND
11 DOLLARS TO THE STATE BOARD OF ELECTIONS ON A STATEMENT IN THE FORM SET
12 FORTH IN SUBDIVISION FOUR OF THIS SECTION AND AT TIMES SET FORTH IN THIS
13 SUBDIVISION.

14 (C) ANY CONTRIBUTION OVER ONE THOUSAND DOLLARS MADE TO ANY PERSON WHO
15 HAS REGISTERED WITH THE STATE BOARD OF ELECTIONS PURSUANT TO PARAGRAPH
16 (A) OF THIS SUBDIVISION PRIOR TO THIRTY DAYS BEFORE ANY PRIMARY, GENER-
17 AL, OR SPECIAL ELECTION SHALL BE DISCLOSED BY SUCH PERSON TO THE STATE
18 BOARD OF ELECTIONS ELECTRONICALLY WITHIN FORTY-EIGHT HOURS OF RECEIPT.

19 (D) ANY CONTRIBUTION OVER ONE THOUSAND DOLLARS MADE TO ANY PERSON WHO
20 HAS REGISTERED WITH THE STATE BOARD OF ELECTIONS PURSUANT TO PARAGRAPH
21 (A) OF THIS SUBDIVISION WITHIN THIRTY DAYS BEFORE ANY PRIMARY, GENERAL,
22 OR SPECIAL ELECTION SHALL BE DISCLOSED BY SUCH PERSON TO THE STATE BOARD
23 OF ELECTIONS ELECTRONICALLY WITHIN TWENTY-FOUR HOURS OF RECEIPT.

24 (E) A KNOWING AND WILLFUL VIOLATION OF THE PROVISIONS OF THIS SUBDIVI-
25 SION SHALL SUBJECT THE PERSON TO A CIVIL PENALTY EQUAL TO FIVE THOUSAND
26 DOLLARS OR THE COST OF THE COMMUNICATION, WHICHEVER IS GREATER, IN A
27 SPECIAL PROCEEDING OR CIVIL ACTION BROUGHT BY THE BOARD OR IMPOSED
28 DIRECTLY BY THE BOARD OF ELECTIONS.

29 4. EACH SUCH STATEMENT IN SUBDIVISION THREE OF THIS SECTION SHALL
30 INCLUDE, IN ADDITION TO ANY OTHER INFORMATION REQUIRED BY LAW:

31 (A) THE NAME, ADDRESS, OCCUPATION AND EMPLOYER OF THE PERSON MAKING
32 THE STATEMENT;

33 (B) THE NAME, ADDRESS, OCCUPATION AND EMPLOYER OF THE PERSON MAKING
34 THE INDEPENDENT EXPENDITURE;

35 (C) THE NAME, ADDRESS, OCCUPATION AND EMPLOYER OF ANY PERSON PROVIDING
36 A CONTRIBUTION, GIFT, LOAN, ADVANCE OR DEPOSIT OF ONE THOUSAND DOLLARS
37 OR MORE FOR THE INDEPENDENT EXPENDITURE, OR THE PROVISION OF SERVICES
38 FOR THE SAME, AND THE DATE IT WAS GIVEN; PROVIDED, HOWEVER, THE NAME AND
39 ADDRESS OF A MEMBER OF A LABOR ORGANIZATION IS NOT REQUIRED FOR A
40 CONTRIBUTION, GIFT, LOAN, ADVANCE OR DEPOSIT TO A LABOR ORGANIZATION;
41 AND PROVIDED FURTHER THAT THE NAME AND ADDRESS OF AN EMPLOYEE OF A
42 CORPORATION, UNINCORPORATED BUSINESS ENTITY OR A MEMBER OF A BUSINESS,
43 TRADE OR PROFESSIONAL ASSOCIATION OR ORGANIZATION IS NOT REQUIRED FOR A
44 CONTRIBUTION, GIFT, LOAN, ADVANCE OR DEPOSIT TO SUCH CORPORATION, UNIN-
45 CORPORATED BUSINESS ENTITY OR BUSINESS, TRADE OR PROFESSIONAL ASSOCI-
46 ATION OR ORGANIZATION RESPECTIVELY;

47 (D) THE DOLLAR AMOUNT PAID FOR EACH INDEPENDENT EXPENDITURE, THE NAME
48 AND ADDRESS OF THE PERSON OR ENTITY RECEIVING THE PAYMENT, THE DATE THE
49 PAYMENT WAS MADE AND A DESCRIPTION OF THE INDEPENDENT EXPENDITURE; AND

50 (E) THE ELECTION TO WHICH THE INDEPENDENT EXPENDITURE PERTAINS AND THE
51 NAME OF THE CLEARLY IDENTIFIED CANDIDATE OR THE BALLOT PROPOSAL REFER-
52 ENCED.

53 5. A COPY OF ALL POLITICAL COMMUNICATIONS PAID FOR BY THE INDEPENDENT
54 EXPENDITURE, INCLUDING BUT NOT LIMITED TO BROADCAST, CABLE OR SATELLITE
55 SCHEDULES AND SCRIPTS, ADVERTISEMENTS, PAMPHLETS, CIRCULARS, FLYERS,
56 BROCHURES, LETTERHEADS AND OTHER PRINTED MATTER AND STATEMENTS OR INFOR-

1 MATION CONVEYED TO ONE THOUSAND OR MORE MEMBERS OF A GENERAL PUBLIC
2 AUDIENCE BY COMPUTER OR OTHER ELECTRONIC DEVICES SHALL BE FILED WITH THE
3 STATE BOARD OF ELECTIONS WITH THE STATEMENTS REQUIRED BY THIS SECTION.

4 6. EVERY STATEMENT REQUIRED TO BE FILED PURSUANT TO THIS SECTION SHALL
5 BE FILED ELECTRONICALLY WITH THE STATE BOARD OF ELECTIONS.

6 7. THE STATE BOARD OF ELECTIONS SHALL PROMULGATE REGULATIONS WITH
7 RESPECT TO THE STATEMENTS REQUIRED TO BE FILED BY THIS SECTION AND SHALL
8 PROVIDE FORMS SUITABLE FOR SUCH STATEMENTS.

9 S 5. Subdivision 3 of section 14-124 of the election law, as amended
10 by chapter 71 of the laws of 1988, is amended to read as follows:

11 3. The contribution and receipt limits of this article shall not apply
12 to monies received and expenditures made by a party committee or consti-
13 tuted committee to maintain a permanent headquarters and staff and carry
14 on ordinary activities which are not for the express purpose of promot-
15 ing the candidacy of specific candidates, EXCEPT THAT CONTRIBUTIONS MADE
16 FOR SUCH ACTIVITIES TO A PARTY COMMITTEE OR CONSTITUTED COMMITTEE SHALL
17 BE LIMITED TO TWENTY-FIVE THOUSAND DOLLARS IN THE AGGREGATE FROM EACH
18 CONTRIBUTOR IN EACH YEAR.

19 S 6. Section 14-126 of the election law, as amended by section 3 of
20 part E of chapter 399 of the laws of 2011, is amended to read as
21 follows:

22 S 14-126. Violations; penalties. 1. (A) Any person who fails to file a
23 statement required to be filed by this article shall be subject to a
24 civil penalty, not in excess of one thousand dollars, to be recoverable
25 in a special proceeding or civil action to be brought by the [state
26 board of elections or other board of elections] CHIEF ENFORCEMENT COUN-
27 SEL PURSUANT TO THIS CHAPTER OR IMPOSED DIRECTLY BY THE STATE BOARD OF
28 ELECTIONS. Any person who, three or more times within a given election
29 cycle for such term of office, fails to file a statement or statements
30 required to be filed by this article, shall be subject to a civil penal-
31 ty, not in excess of ten thousand dollars, to be recoverable as provided
32 for in this subdivision.

33 (B) FINES AUTHORIZED TO BE IMPOSED DIRECTLY BY THE STATE BOARD OF
34 ELECTIONS SHALL BE AFTER A HEARING AT WHICH THE SUBJECT PERSON OR
35 AUTHORIZED COMMITTEE SHALL BE GIVEN THE OPPORTUNITY TO BE HEARD. SUCH
36 HEARING SHALL BE HELD IN SUCH MANNER AND UPON SUCH NOTICE AS MAY BE
37 PRESCRIBED BY THE RULES OF THE STATE BOARD OF ELECTIONS. FOR PURPOSES OF
38 CONDUCTING SUCH HEARINGS, THE STATE BOARD OF ELECTIONS SHALL BE DEEMED
39 TO BE AN AGENCY WITHIN THE MEANING OF ARTICLE THREE OF THE STATE ADMIN-
40 ISTRACTIVE PROCEDURE ACT AND SHALL ADOPT RULES GOVERNING THE CONDUCT OF
41 ADJUDICATORY PROCEEDINGS AND APPEALS TAKEN PURSUANT TO A PROCEEDING
42 COMMENCED UNDER ARTICLE SEVENTY-EIGHT OF THE CIVIL PRACTICE LAW AND
43 RULES RELATING TO THE ASSESSMENT OF THE CIVIL PENALTIES AUTHORIZED IN
44 THIS SECTION.

45 (C) ALL PAYMENTS RECEIVED BY THE STATE BOARD OF ELECTIONS PURSUANT TO
46 THIS SECTION SHALL BE RETAINED IN THE APPROPRIATE ACCOUNTS AS DESIGNATED
47 BY THE DIVISION OF THE BUDGET FOR ENFORCEMENT ACTIVITIES BY THE BOARD OF
48 ELECTIONS.

49 2. Any person who, acting as or on behalf of a candidate or political
50 committee, under circumstances evincing an intent to violate such law,
51 unlawfully accepts a contribution in excess of a contribution limitation
52 established in this article, shall be required to refund such excess
53 amount and shall be subject to a civil penalty equal to the excess
54 amount plus a fine of up to ten thousand dollars, to be recoverable in a
55 special proceeding or civil action to be brought by the state board of

1 elections CHIEF ENFORCEMENT COUNSEL OR IMPOSED DIRECTLY BY THE STATE
2 BOARD OF ELECTIONS.

3 3. ANY PERSON WHO FALSELY IDENTIFIES OR FAILS TO IDENTIFY ANY INDE-
4 PENDENT EXPENDITURE AS REQUIRED BY SUBDIVISION TWO OF SECTION 14-107 OF
5 THIS ARTICLE SHALL BE SUBJECT TO A CIVIL PENALTY EQUAL TO ONE THOUSAND
6 DOLLARS OR THE COST OF THE COMMUNICATION, WHICHEVER IS GREATER, IN A
7 SPECIAL PROCEEDING OR CIVIL ACTION BROUGHT BY THE STATE BOARD OF
8 ELECTIONS CHIEF ENFORCEMENT COUNSEL OR IMPOSED DIRECTLY BY THE STATE
9 BOARD OF ELECTIONS. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "PERSON"
10 SHALL MEAN A PERSON, GROUP OF PERSONS, CORPORATION, UNINCORPORATED BUSI-
11 NESS ENTITY, LABOR ORGANIZATION OR BUSINESS, TRADE OR PROFESSIONAL ASSO-
12 CIATION OR ORGANIZATION OR POLITICAL COMMITTEE.

13 4. Any person who knowingly and willfully fails to file a statement
14 required to be filed by this article within ten days after the date
15 provided for filing such statement or any person who knowingly and will-
16 fully violates any other provision of this article shall be guilty of a
17 misdemeanor.

18 [4.] 5. Any person who knowingly and willfully contributes, accepts or
19 aids or participates in the acceptance of a contribution in an amount
20 exceeding an applicable maximum specified in this article shall be guilt-
21 ty of a CLASS A misdemeanor.

22 [5.] 6. Any person who shall, acting on behalf of a candidate or poli-
23 tical committee, knowingly and willfully solicit, organize or coordinate
24 the formation of activities of one or more unauthorized committees, make
25 expenditures in connection with the nomination for election or election
26 of any candidate, or solicit any person to make any such expenditures,
27 for the purpose of evading the contribution limitations of this article,
28 shall be guilty of a class E felony.

29 S 7. This act shall take effect June 1, 2014.