

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. LIBOUS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to directing the state board of elections to contract with a certified public accountancy firm for the audit and review of the campaign receipts and expenditures of three percent of the candidates for election to the state legislature

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "clean campaign finance act".

3 S 2. The election law is amended by adding a new section 3-112 to
4 read as follows:

5 S 3-112. REVIEW AND AUDIT OF COMPLIANCE WITH ARTICLE FOURTEEN OF
6 CANDIDATES FOR ELECTION TO THE STATE LEGISLATURE. 1. ON OR BEFORE THE
7 FIRST OF DECEMBER OF EACH EVEN NUMBERED YEAR, THE STATE BOARD OF
8 ELECTIONS SHALL CONTRACT WITH A CERTIFIED PUBLIC ACCOUNTANCY FIRM TO
9 CONDUCT A REVIEW AND AUDIT OF CERTAIN CANDIDATES FOR ELECTION TO THE
10 STATE LEGISLATURE. SUCH CONTRACT SHALL BE AWARDED TO THE LOWEST RESPON-
11 SIBLE BIDDER WHICH MEETS ALL THE REQUIREMENTS OF SUCH BOARD'S SOLICITA-
12 TION FOR BIDS; PROVIDED, HOWEVER, NO CERTIFIED PUBLIC ACCOUNTANCY FIRM
13 SHALL BE AWARDED SUCH CONTRACT IF IT HAS BEEN AWARDED A CONTRACT PURSU-
14 ANT TO THIS SUBDIVISION IN THE PREVIOUS FIVE YEARS.

15 2. ON OR BEFORE THE TENTH DAY OF JANUARY OF EACH ODD NUMBERED YEAR,
16 THE STATE BOARD OF ELECTIONS SHALL SELECT BY LOTTERY, AT A PUBLIC DRAW-
17 ING, NOT LESS THAN THREE PERCENT OF ALL THE CANDIDATES WHOSE NAMES
18 APPEARED ON THE BALLOT FOR ELECTION TO THE STATE LEGISLATURE AT THE
19 IMMEDIATELY PRECEDING GENERAL ELECTION.

20 3. THE CERTIFIED PUBLIC ACCOUNTANCY FIRM SHALL REVIEW AND AUDIT ALL
21 STATEMENTS FILED PURSUANT TO ARTICLE FOURTEEN OF THIS CHAPTER BY THOSE

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

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1 CANDIDATES SELECTED PURSUANT TO SUBDIVISION TWO OF THIS SECTION, AND
2 THOSE OF ANY COMMITTEES AUTHORIZED AND CREATED SOLELY FOR THE PURPOSE OF
3 INFLUENCING THE GENERAL ELECTION ON BEHALF OF SUCH CANDIDATES. IN ADDI-
4 TION, THE FIRM, TO THE EXTENT PRACTICABLE, SHALL REVIEW EACH SUCH CANDI-
5 DATE'S AND COMMITTEE'S COMPLIANCE WITH THE PROVISIONS OF THIS CHAPTER
6 DURING THE COURSE OF HIS OR HER CAMPAIGN FOR ELECTION TO THE STATE
7 LEGISLATURE.

8 4. THE CERTIFIED PUBLIC ACCOUNTANCY FIRM SHALL CONDUCT ITS REVIEW AND
9 AUDIT OF CANDIDATES IN ACCORD WITH SOUND ACCOUNTING PRINCIPLES.

10 5. ON OR BEFORE THE FIRST OF JUNE DURING EACH ODD NUMBERED YEAR, THE
11 CERTIFIED PUBLIC ACCOUNTANCY FIRM SHALL SUBMIT, TO THE STATE BOARD OF
12 ELECTIONS, A REPORT ON THE REVIEW AND AUDIT RELATING TO EACH CANDIDATE
13 SELECTED PURSUANT TO SUBDIVISION TWO OF THIS SECTION.

14 S 3. This act shall take effect on the first of July next succeeding
15 the date on which it shall have become a law.