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

2736--C

2015-2016 Regular Sessions

I N A S S E M B L Y

January 20, 2015

Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to requiring additional transferor and contributor identification information in campaign receipt and expenditure statements

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

Section 1. Subdivision 1 of section 14-102 of the election law, as amended by chapter 8 of the laws of 1978 and as redesignated by chapter 9 of the laws of 1978, is 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 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 of the transferor, contributor or person from whom received, and if the transferor, contributor or person is a political committee[;], the name of and the political unit represented by the

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

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committee, AND IF THE TRANSFEROR, CONTRIBUTOR OR PERSON IS A NATURAL PERSON WHOSE CONTRIBUTIONS EQUAL OR EXCEED FIVE HUNDRED DOLLARS IN THE AGGREGATE, HIS OR HER OCCUPATION, EMPLOYER, AND EMPLOYER'S ADDRESS, AND 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. 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.

S 2. Subdivision 6 of section 14-108 of the election law, as amended by chapter 323 of the laws of 1977 and as redesignated by chapter 9 of the laws of 1978, is amended to read as follows:

6. A statement shall be deemed properly filed when deposited in an established post-office within the prescribed time, duly stamped, certified and directed to the officer with whom or to the board with which the statement is required to be filed, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by such officer or such board of its non-receipt. ALL STATEMENTS REQUIRED TO BE FILED IN THE FIFTEEN DAYS BEFORE ANY ELECTION SHALL BE FILED IN PERSON OR SENT BY EXPRESS MAIL OR ELECTRONIC MAIL.

S 3. This act shall take effect January 14, 2017, provided that section one of this act shall apply to any contribution received on or after January 14, 2017; and provided further, 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 effective immediately the state board of elections is authorized and directed to promulgate any rules necessary to implement the provisions of this act and shall notify all candidates and political committees of the applicable provisions of this act on or before such effective date.