

5728--C

2015-2016 Regular Sessions

I N   A S S E M B L Y

March 3, 2015

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Introduced by M. of A. KAVANAGH, MONTESANO, PAULIN -- Multi-Sponsored by  
-- M. of A. McLAUGHLIN -- 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 contribution activities  
by an intermediary

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

1     Section 1. This act shall be known and may be cited as the "Campaign  
2     finance intermediary disclosure act."  
3     S 2. Section 14-100 of the election law is amended by adding three new  
4     subdivisions 1-a, 15 and 15-a to read as follows:  
5     1-A. "AUTHORIZED COMMITTEE" MEANS ANY POLITICAL COMMITTEE DESIGNATED  
6     BY A CANDIDATE TO RECEIVE CONTRIBUTIONS AUTHORIZED BY THIS ARTICLE OR TO  
7     AID SUCH CANDIDATE OR OTHERWISE TAKE PART IN ELECTIONS ON SUCH CANDI-  
8     DATE'S BEHALF.  
9     15. "INTERMEDIARY" MEANS AN INDIVIDUAL, CORPORATION, PARTNERSHIP,  
10    POLITICAL COMMITTEE, EMPLOYEE ORGANIZATION OR OTHER ENTITY WHICH:  
11    (A) OTHER THAN IN THE REGULAR COURSE OF BUSINESS AS A POSTAL, DELIVERY  
12    OR MESSENGER SERVICE, DELIVERS ANY CONTRIBUTION FROM ANOTHER PERSON OR  
13    ENTITY TO A CANDIDATE, AUTHORIZED COMMITTEE OR PARTY COMMITTEE; OR  
14    (B) SOLICITS CONTRIBUTIONS TO A CANDIDATE, AUTHORIZED COMMITTEE OR  
15    PARTY COMMITTEE WHERE SUCH SOLICITATION IS KNOWN TO SUCH CANDIDATE,  
16    AUTHORIZED COMMITTEE OR PARTY COMMITTEE. FOR PURPOSES OF THIS PARAGRAPH,  
17    ONLY PERSONS CLEARLY IDENTIFIED AS THE SOLICITOR OF A CONTRIBUTION TO

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

LBD03442-05-6

1 THE CANDIDATE, AUTHORIZED COMMITTEE OR PARTY COMMITTEE SHALL BE PRESUMED  
2 TO BE KNOWN TO SUCH CANDIDATE, AUTHORIZED COMMITTEE OR PARTY COMMITTEE.

3 15-A. "INTERMEDIARY" SHALL NOT INCLUDE SPOUSES, DOMESTIC PARTNERS,  
4 PARENTS, CHILDREN OR SIBLINGS OF THE PERSON MAKING SUCH CONTRIBUTION, OR  
5 ANY EMPLOYEE OR FULL-TIME VOLUNTEER CAMPAIGN WORKER OR COMMERCIAL  
6 FUNDRAISING FIRM RETAINED BY THE CANDIDATE OR THE AGENTS THEREOF.

7 S 3. The election law is amended by adding a new section 14-105 to  
8 read as follows:

9 S 14-105. INTERMEDIARIES. 1. REPORTS BY INTERMEDIARIES. FOR EACH  
10 CONTRIBUTION DELIVERED BY AN INTERMEDIARY, SUCH INTERMEDIARY SHALL INDI-  
11 CATE TO THE RECIPIENT CANDIDATE, AUTHORIZED COMMITTEE OR PARTY COMMITTEE  
12 THE NAME AND MAILING ADDRESS OF THE CONTRIBUTOR, AMOUNT OF THE CONTRIB-  
13 UTION, AND THE DATE THE CONTRIBUTION WAS RECEIVED BY THE INTERMEDIARY.

14 2. REPORTS BY RECIPIENT CANDIDATES, AUTHORIZED COMMITTEES OR PARTY  
15 COMMITTEES. ANY CANDIDATE, AUTHORIZED COMMITTEE OR PARTY COMMITTEE SHALL  
16 REPORT TO THE STATE BOARD OF ELECTIONS ANY INTERMEDIARY WHO DELIVERS OR  
17 SOLICITS CONTRIBUTIONS THAT IN THE AGGREGATE EQUAL OR EXCEED FIVE  
18 HUNDRED DOLLARS. SUCH REPORT SHALL INCLUDE THE NAME, MAILING ADDRESS,  
19 OCCUPATION, EMPLOYER AND EMPLOYER'S ADDRESS OF SUCH INTERMEDIARY, WHICH  
20 CONTRIBUTIONS REQUIRED TO BE ITEMIZED UNDER SECTION 14-102 OF THIS ARTI-  
21 CLE THE INTERMEDIARY DELIVERED OR SOLICITED, AND THE TOTAL MONETARY  
22 VALUE OF CONTRIBUTIONS DELIVERED OR SOLICITED BY SUCH INTERMEDIARY.

23 3. CONTRIBUTIONS DELIVERED BY AN INTERMEDIARY TO A CANDIDATE, AUTHOR-  
24 IZED COMMITTEE OR PARTY COMMITTEE IN ACCORDANCE WITH THIS SECTION SHALL  
25 BE DEEMED TO BE CONTRIBUTIONS FROM THE CONTRIBUTOR ONLY AND SHALL NOT BE  
26 DEEMED TO BE CONTRIBUTIONS FROM THE INTERMEDIARY.

27 S 4. This act shall take effect January 14, 2017, provided that  
28 section three of this act shall apply to any contribution received on or  
29 after January 14, 2017; and provided further, that contributions legally  
30 received prior to the effective date of this act may be retained and  
31 expended for lawful purposes and shall not provide the basis for a  
32 violation of article 14 of the election law, as amended by this act; and  
33 provided, further, that effective immediately the state board of  
34 elections is authorized and directed to promulgate any rules necessary  
35 to implement the provisions of this act and shall notify all candidates  
36 and political committees of the applicable provisions of this act on or  
37 before such effective date.