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

5880

2015-2016 Regular Sessions

I N A S S E M B L Y

March 5, 2015

Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to requiring additional transferor and contributor identification information in campaign receipt and expenditure statements; to amend the election law, in relation to the manner of filing of campaign financial disclosure statements; and to amend the election law, in relation to prohibiting candidates for election to a public office from accepting contributions from charitable organizations

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 AND OTHER IDENTIFICATION 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 committee, the date of its receipt, the dollar amount of every expenditure, the name and address of the person to whom it was

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

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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. THE REQUIREMENT TO INCLUDE OTHER IDENTIFICATION SHALL APPLY ONLY WITH RESPECT TO A TRANSFER OR CONTRIBUTION FROM ANY ONE TRANSFEROR OR CONTRIBUTOR WHICH EITHER RESULTS IN THE AGGREGATE TRANSFERS OR CONTRIBUTIONS FROM THAT ONE TRANSFEROR OR CONTRIBUTOR EXCEEDING THE SUM OF NINETY-NINE DOLLARS OR IS A TRANSFER OR CONTRIBUTION WHICH OCCURS AFTER SUCH NINETY-NINE DOLLAR THRESHOLD IS REACHED. THE OTHER IDENTIFICATION REQUIRED WITH RESPECT TO AN INDIVIDUAL TRANSFEROR OR CONTRIBUTOR SHALL BE HIS OR HER OCCUPATION, EMPLOYER AND EMPLOYER'S ADDRESS. THE OTHER IDENTIFICATION REQUIRED WITH RESPECT TO ANY PARTNERSHIP, COMMITTEE, ASSOCIATION, CORPORATION, LABOR ORGANIZATION OR OTHER ORGANIZATION OR GROUP OF PERSONS SHALL BE ITS FULL NAME AND ADDRESS. 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 2 of section 14-108 of the election law, as amended by chapter 109 of the laws of 1997, is amended to read as follows:

2. Each statement shall cover the period up to and including the fourth day next preceding the day specified for the filing thereof; provided, however, that any contribution or loan in excess of one thousand dollars OR ANY LIABILITY INCURRED IN EXCESS OF FIVE THOUSAND DOLLARS, if received OR INCURRED after the close of the period to be covered in the last statement filed before any primary, general or special election but before such election, shall be reported, in the same manner as other contributions OR LIABILITIES, within twenty-four hours after receipt OR INCURRENCE.

S 3. 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 OR ELECTRONIC MAIL.

S 4. Section 3-102 of the election law is amended by adding a new subdivision 9-B to read as follows:

9-B. CAUSE ALL CONTRIBUTION FORMS TO CONTAIN THE FOLLOWING LANGUAGE: "CONTRIBUTIONS FROM CHARITIES OR 501 (C) CORPORATIONS ARE EXPRESSLY FORBIDDEN."

S 5. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.