STATE OF NEW YORK

1085--C

2017-2018 Regular Sessions

IN SENATE

January 6, 2017

Introduced by Sens. RIVERA, ADDABBO, GIANARIS, KENNEDY, SERRANO, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Elections in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to campaign contributions by intermediaries

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 14-100 of the election law is amended by adding a new subdivision 17 to read as follows:

17. "intermediary" means an individual, corporation, partnership, political committee, labor organization, or other entity which, other than in the regular course of business as a postal, delivery, or messenger service, delivers any contribution from another person or entity to a candidate or an authorized committee.

"Intermediary" shall not include spouses, parents, children, or siblings of the person making such contribution.

§ 2. Subdivision 1 of section 14-102 of the election law, as amended by chapter 8 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

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

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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**, intermediary,** or person from whom received, and if the transferor, contributor**, intermediary,** 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 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. **An intermediary need not be reported for a contribution that was collected from a contributor in connection with a party or other candidate-related event held at the residence of the person delivering the contribution, unless the expenses of such event at such residence for such candidate exceed five hundred dollars or the aggregate contributions received from that contributor at such event exceed five hundred dollars.** 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.

§ 3. This act shall take effect January 12, 2019, provided that section one of this act shall apply to any contribution received on or after such effective date; and provided further, 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 on its effective date and shall notify all candidates and political committees of the applicable provisions of this act on or before such effective date.