STATE OF NEW YORK

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9758

IN ASSEMBLY

February 5, 2018
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Introduced by M. of A. SIMON -- read once and referred to the Committee
   on Election Law

AN ACT to amend the election law, in relation to political contributions

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

 1   Section 1. Section 14-116 of the election law, subdivision 1 as redes-
 2 ignated by chapter 9 of the laws of 1978 and subdivision 2 as amended by
 3 chapter 260 of the laws of 1981, is amended to read as follows:
 4   § 14-116. Political contributions by certain organizations. 1. No
 5 corporation [~~or~~]**, limited liability company,** joint-stock association **or
 6 other corporate entity** doing business in this state, except a corpo-
 7 ration or association organized or maintained for political purposes
 8 only, shall directly or indirectly pay or use or offer, consent or agree
 9 to pay or use any money or property for or in aid of any political
10 party, committee or organization, or for, or in aid of, any corporation,
11 **limited liability company,** joint-stock [~~or~~]**,** other association**, or other
12 corporate entity** organized or maintained for political purposes, or for,
13 or in aid of, any candidate for political office or for nomination for
14 such office, or for any political purpose whatever, or for the
15 reimbursement or indemnification of any person for moneys or property so
16 used. Any officer, director, stock-holder, **member, owner,** attorney or
17 agent of any corporation [~~or~~]**, limited liability company,** joint-stock
18 association **or other corporate entity** which violates any of the
19 provisions of this section, who participates in, aids, abets or advises
20 or consents to any such violations, and any person who solicits or know-
21 ingly receives any money or property in violation of this section, shall
22 be guilty of a misdemeanor.
23   2. Notwithstanding the provisions of subdivision one of this section,
24 any corporation or an organization financially supported in whole or in
25 part, by such corporation**, any limited liability company or other corpo-
26 rate entity** may make expenditures, including contributions, not other-
27 wise prohibited by law, for political purposes, in an amount not to
28 exceed five thousand dollars in the aggregate in any calendar year;
29 provided that no public utility shall use revenues received from the

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

 1 rendition of public service within the state for contributions for poli-
 2 tical purposes unless such cost is charged to the shareholders of such a
 3 public service corporation.
 4   **3. Each limited liability company that makes an expenditure for poli-**
 5 **tical purposes shall file with the state board of elections, by December**
 6 **thirty-first of the year in which the expenditure is made, on the form**
 7 **prescribed by the state board of elections, the identity of all direct**
 8 **and indirect owners of the membership interests in the limited liability**
 9 **company and the proportion of each direct or indirect member's ownership**
10 **interest in the limited liability company.**
11   § 2. Section 14-120 of the election law is amended by adding a new
12 subdivision 3 to read as follows:
13   **3. (a) Notwithstanding any law to the contrary, all contributions made**
14 **to a campaign or political committee by a limited liability company**
15 **shall be attributed to each member of the limited liability company in**
16 **proportion to the member's ownership interest in the limited liability**
17 **company.**
18   **(b) If, by application of paragraph (a) of this subdivision, a**
19 **campaign contribution is attributed to a limited liability company, the**
20 **contributions shall be further attributed to each member of the limited**
21 **liability company in proportion to the member's ownership interest in**
22 **the limited liability company.**
23   **(c) The state board of elections shall enact regulations that prevent**
24 **the avoidance of the rules set forth in paragraphs (a) and (b) of this**
25 **subdivision.**
26   § 3. This act shall take effect immediately.