

STATE OF NEW YORK

2333--A

2019-2020 Regular Sessions

IN SENATE

January 24, 2019

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- 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

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:

1 Section 1. Subdivision 1 of section 14-102 of the election law, as
2 amended by chapter 8 of the laws of 1978 and as redesignated by chapter
3 9 of the laws of 1978, is amended to read as follows:

4 1. The treasurer of every political committee which, or any officer,
5 member or agent of any such committee who, in connection with any
6 election, receives or expends any money or other valuable thing or
7 incurs any liability to pay money or its equivalent shall file state-
8 ments sworn, or subscribed and bearing a form notice that false state-
9 ments made therein are punishable as a class A misdemeanor pursuant to
10 section 210.45 of the penal law, at the times prescribed by this article
11 setting forth all the receipts, contributions to and the expenditures by
12 and liabilities of the committee, and of its officers, members and
13 agents in its behalf. Such statements shall include the dollar amount of
14 any receipt, contribution or transfer, or the fair market value of any
15 receipt, contribution or transfer, which is other than of money, the
16 name and address of the transferor, contributor or person from whom
17 received, and if the transferor, contributor or person is a political
18 committee[+], the name of and the political unit represented by the
19 committee, and if the transferor, contributor or person is a natural
20 person whose contributions equal or exceed five hundred dollars in the
21 aggregate, his or her occupation, employer, and employer's address, and

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

LBD02482-02-0

1 the date of its receipt[7]; the dollar amount of every expenditure, the
2 name and address of the person to whom it was made or the name of and
3 the political unit represented by the committee to which it was made and
4 the date thereof, and shall state clearly the purpose of such expendi-
5 ture. Any statement reporting a loan shall have attached to it a copy
6 of the evidence of indebtedness. Expenditures in sums under fifty
7 dollars need not be specifically accounted for by separate items in said
8 statements, and receipts and contributions aggregating not more than
9 ninety-nine dollars, from any one contributor need not be specifically
10 accounted for by separate items in said statements, provided however,
11 that such expenditures, receipts and contributions shall be subject to
12 the other provisions of section 14-118 of this article.

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

16 6. A statement shall be deemed properly filed when deposited in an
17 established post-office within the prescribed time, duly stamped, certi-
18 fied and directed to the officer with whom or to the board with which
19 the statement is required to be filed, but in the event it is not
20 received, a duplicate of such statement shall be promptly filed upon
21 notice by such officer or such board of its non-receipt. All statements
22 required to be filed in the fifteen days before any election shall be
23 filed in person or sent by express mail or electronic mail.

24 § 3. This act shall take effect January 12, 2021, provided that
25 section one of this act shall apply to any contribution received on or
26 after January 12, 2021; and provided further, however, that contrib-
27 utions legally received prior to the effective date of this act may be
28 retained and expended for lawful purposes and shall not provide the
29 basis for a violation of article 14 of the election law, as amended by
30 this act; and provided, further, that effective immediately the state
31 board of elections is authorized and directed to promulgate any rules
32 necessary to implement the provisions of this act and shall notify all
33 candidates and political committees of the applicable provisions of this
34 act on or before such effective date.