

STATE OF NEW YORK

488

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

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

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 18 to read as follows:

18. "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 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

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

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1 receipt, contribution or transfer, which is other than of money, the
2 name and address of the transferor, contributor, intermediary, or person
3 from whom received, and if the transferor, contributor, intermediary, or
4 person is a political committee; the name of and the political unit
5 represented by the committee, the date of its receipt, the dollar amount
6 of every expenditure, the name and address of the person to whom it was
7 made or the name of and the political unit represented by the committee
8 to which it was made and the date thereof, and shall state clearly the
9 purpose of such expenditure. An intermediary need not be reported for a
10 contribution that was collected from a contributor in connection with a
11 party or other candidate-related event held at the residence of the
12 person delivering the contribution, unless the expenses of such event at
13 such residence for such candidate exceed five hundred dollars or the
14 aggregate contributions received from that contributor at such event
15 exceed five hundred dollars. Any statement reporting a loan shall have
16 attached to it a copy of the evidence of indebtedness. Expenditures in
17 sums under fifty dollars need not be specifically accounted for by sepa-
18 rate items in said statements, and receipts and contributions aggregat-
19 ing not more than ninety-nine dollars, from any one contributor need not
20 be specifically accounted for by separate items in said statements,
21 provided however, that such expenditures, receipts and contributions
22 shall be subject to the other provisions of section 14-118 of this arti-
23 cle.

24 § 3. This act shall take effect January 12, 2020, provided that
25 section one of this act shall apply to any contribution received on or
26 after such effective date; and provided further, that contributions
27 legally received prior to the effective date of this act may be retained
28 and expended for lawful purposes and shall not provide the basis for a
29 violation of article 14 of the election law, as amended by this act; and
30 provided, further, that effective immediately the state board of
31 elections is authorized and directed to promulgate any rules necessary
32 to implement the provisions of this act on its effective date and shall
33 notify all candidates and political committees of the applicable
34 provisions of this act on or before such effective date.