

# STATE OF NEW YORK

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3683

2019-2020 Regular Sessions

## IN ASSEMBLY

January 30, 2019

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

AN ACT to amend the election law, in relation to the classification of certain components of a controlled group of corporations as a single entity for purposes of calculating contribution limits, and requiring the identification of the interests of certain contributors

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

1 Section 1. Subdivision 2 of section 14-116 of the election law, as  
2 amended by chapter 260 of the laws of 1981, is amended to read as  
3 follows:

4 2. Notwithstanding the provisions of subdivision one of this section,  
5 any corporation or an organization financially supported in whole or in  
6 part, by such corporation may make expenditures, including contribu-  
7 tions, not otherwise prohibited by law, for political purposes, in an  
8 amount not to exceed five thousand dollars in the aggregate in any  
9 calendar year; provided that no public utility shall use revenues  
10 received from the rendition of public service within the state for  
11 contributions for political purposes unless such cost is charged to the  
12 shareholders of such a public service corporation. For the purposes of  
13 this subdivision, all the component members of a controlled group of  
14 corporations within the meaning of section one thousand five hundred  
15 sixty-three of the Internal Revenue Code of the United States shall be  
16 deemed to be one corporation.

17 § 2. Subdivision 1 of section 14-118 of the election law, as amended  
18 by section 9 of part A of chapter 286 of the laws of 2016, is amended to  
19 read as follows:

20 1. Every political committee shall have a treasurer and a depository,  
21 and shall cause the treasurer to keep detailed, bound accounts of all  
22 receipts, transfers, loans, liabilities, contributions and expenditures,  
23 made by the committee or any of its officers, members or agents acting

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

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1 under its authority or in its behalf. All such accounts shall be  
2 retained by a treasurer for a period of five years from the date of the  
3 filing of the final statement with respect to the election, primary  
4 election or convention to which they pertain. No officer, member or  
5 agent of any political committee shall receive any receipt, transfer or  
6 contribution, or make any expenditure or incur any liability until the  
7 committee shall have chosen a treasurer and depository and filed their  
8 names in accordance with this subdivision. There shall be filed in the  
9 office in which the committee is required to file its statements under  
10 section 14-110 of this article, within five days after the choice of a  
11 treasurer and depository, a statement giving the name and address of the  
12 treasurer chosen, the name and address of any person authorized to sign  
13 checks by such treasurer, the name and address of the depository chosen  
14 and the candidate or candidates or ballot proposal or proposals the  
15 success or defeat of which the committee is to aid or take part;  
16 provided, however, that such statement shall not be required of a  
17 constituted committee and provided further that a political action  
18 committee which makes no expenditures, to aid or take part in the  
19 election or defeat of a candidate, other than in the form of contribu-  
20 tions, shall not be required to list the candidates being supported or  
21 opposed by such committee and shall also disclose the name and employer  
22 for any individual who exerts operational control over the political  
23 action committee as well as any salaried employee of the political  
24 action committee. Such a statement from any committee other than a  
25 party or authorized committee also shall clearly identify the economic  
26 or other special interest, if identifiable, of a majority of its  
27 contributors, and if a majority of its contributors share a common  
28 employer, shall identify the employer. If the economic or other special  
29 interest or common employer are not identifiable, such statement of a  
30 multi-candidate committee shall clearly identify the economic or other  
31 special interest, if identifiable, of a majority of its organizers, and  
32 if a majority of its organizers share a common employer, shall identify  
33 the employer, and if organized, controlled or maintained by an individ-  
34 ual, shall identify that individual. Such statement shall be signed by  
35 the treasurer and all other persons authorized to sign checks. Any  
36 change in the information required in any statement shall be reported,  
37 in an amended statement filed in the same manner and in the same office  
38 as an original statement filed under this section, within two days after  
39 it occurs, except that any change to the mailing address on any such  
40 statement filed at the state board may also be made in any manner deemed  
41 acceptable by the state board. Only a banking organization authorized to  
42 do business in this state may be designated a depository hereunder.

43 § 3. This act shall take effect immediately.