

STATE OF NEW YORK

2148

2019-2020 Regular Sessions

IN SENATE

January 22, 2019

Introduced by Sens. GIANARIS, ADDABBO, HOYLMAN, 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 contributions to candi-
dates and political committees

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

1 Section 1. Subdivision 1 of section 14-114 of the election law, as
2 amended by chapter 79 of the laws of 1992, paragraphs a and b as amended
3 by chapter 659 of the laws of 1994, is amended to read as follows:

4 1. The following limitations apply to all contributions to candidates
5 for election to any public office or for nomination for any such office,
6 or for election to any party positions, and to all contributions to
7 political committees working directly or indirectly with any candidate
8 to aid or participate in such candidate's nomination or election, other
9 than any contributions to any party committee or constituted committee:

10 a. In any election for a public office to be voted on by the voters of
11 the entire state, or for nomination to any such office, no contributor
12 may make a contribution to any candidate or political committee, and no
13 candidate or political committee may accept any contribution from any
14 contributor, which is in the aggregate amount greater than: (i) in the
15 case of any nomination to public office, the product of the total number
16 of enrolled voters in the candidate's party in the state, excluding
17 voters in inactive status, multiplied by \$.005, but such amount shall be
18 not [~~less than four thousand dollars nor~~] more than [~~twelve~~] six thou-
19 sand dollars [~~as increased or decreased by the cost of living adjustment~~
20 ~~described in paragraph c of this subdivision,~~] and (ii) in the case of
21 any election to [~~a~~] such public office, [~~twenty-five~~] six thousand
22 dollars [~~as increased or decreased by the cost of living adjustment~~
23 ~~described in paragraph c of this subdivision~~]; provided however, that
24 the maximum amount which may be so contributed or accepted, in the

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

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1 aggregate, from any candidate's child, parent, grandparent, brother and
2 sister, and the spouse of any such persons, shall not exceed in the case
3 of any nomination to public office an amount equivalent to the product
4 of the number of enrolled voters in the candidate's party in the state,
5 excluding voters in inactive status, multiplied by \$.025, and in the
6 case of any election for a public office, an amount equivalent to the
7 product of the number of registered voters in the state excluding voters
8 in inactive status, multiplied by \$.025.

9 b. In any other election for party position or for election to a
10 public office or for nomination for any such office, no contributor may
11 make a contribution to any candidate or political committee and no
12 candidate or political committee may accept any contribution from any
13 contributor, which is in the aggregate amount greater than: (i) in the
14 case of any election for party position, or for nomination to public
15 office, the product of the total number of enrolled voters in the candi-
16 date's party in the district in which he is a candidate, excluding
17 voters in inactive status, multiplied by \$.05, and (ii) in the case of
18 any election for a public office, the product of the total number of
19 registered voters in the district, excluding voters in inactive status,
20 multiplied by \$.05, however in the case of a nomination within the city
21 of New York for the office of mayor, public advocate or comptroller,
22 such amount shall be not less than four thousand dollars nor more than
23 twelve thousand dollars as increased or decreased by the cost of living
24 adjustment described in paragraph c of this subdivision; in the case of
25 an election within the city of New York for the office of mayor, public
26 advocate or comptroller, twenty-five thousand dollars as increased or
27 decreased by the cost of living adjustment described in paragraph c of
28 this subdivision; in the case of a nomination or election for state
29 senator, four thousand dollars [~~as increased or decreased by the cost of~~
30 ~~living adjustment described in paragraph c of this subdivision, in the~~
31 ~~case of an election for state senator, six thousand two hundred fifty~~
32 ~~dollars as increased or decreased by the cost of living adjustment~~
33 ~~described in paragraph c of this subdivision~~]; in the case of an
34 election or nomination for a member of the assembly, [~~twenty-five~~
35 ~~hundred~~] two thousand dollars [~~as increased or decreased by the cost of~~
36 ~~living adjustment described in paragraph c of this subdivision, but in~~
37 ~~no event shall any such maximum exceed fifty thousand dollars or be less~~
38 ~~than one thousand dollars~~]; provided however, that the maximum amount
39 which may be so contributed or accepted, in the aggregate, from any
40 candidate's child, parent, grandparent, brother and sister, and the
41 spouse of any such persons, shall not exceed in the case of any election
42 for party position or nomination for public office an amount equivalent
43 to the number of enrolled voters in the candidate's party in the
44 district in which he is a candidate, excluding voters in inactive
45 status, multiplied by \$.25 and in the case of any election to public
46 office, an amount equivalent to the number of registered voters in the
47 district, excluding voters in inactive status, multiplied by \$.25; or
48 twelve hundred fifty dollars, whichever is greater, or in the case of a
49 nomination or election of a state senator, twenty thousand dollars,
50 whichever is greater, or in the case of a nomination or election of a
51 member of the assembly twelve thousand five hundred dollars, whichever
52 is greater, but in no event shall any such maximum exceed one hundred
53 thousand dollars.

54 c. At the beginning of each fourth calendar year, commencing in [~~nine-~~
55 ~~teen hundred ninety-five~~] two thousand twenty-six, the state board shall
56 determine the percentage of the difference between the most recent

1 available monthly consumer price index for all urban consumers published
2 by the United States bureau of labor statistics and such consumer price
3 index published for the same month four years previously. The amount of
4 each contribution limit fixed and expressly identified for adjustment in
5 this subdivision shall be adjusted by the amount of such percentage
6 difference to the closest one hundred dollars by the state board which,
7 not later than the first day of February in each such year, shall issue
8 a regulation publishing the amount of each such contribution limit. Each
9 contribution limit as so adjusted shall be the contribution limit in
10 effect for any election held before the next such adjustment.
11 § 2. This act shall take effect immediately.