STATE OF NEW YORK

5148--A

2019-2020 Regular Sessions

IN SENATE

April 11, 2019

Introduced by Sen. BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the legislative law and the election law, in relation to prohibiting campaign contributions to candidates for state senate and assembly by certain members of the legislative ethics commission

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

Section 1. Section 80 of the legislative law is amended by adding a new subdivision 3-a to read as follows:

3-a. No member of the commission shall make a contribution to any candidate for state senate or assembly; provided, however, that the provisions of this subdivision shall not apply to members of the commission who are present members of the legislature.

§ 2. Subdivision 1 of section 14-114 of the election law is amended by adding a new paragraph d to read as follows:

d. In any election for state senate or assembly, no member of the legislative ethics commission as defined in section eighty of the legislative law, shall make a contribution to a candidate and no candidate shall accept a contribution from a member of such legislative ethics commission; provided, however, that the provisions of this paragraph shall not apply to members of the commission who are present members of the legislature.

§ 3. Section 14-126 of the election law is amended by adding a new subdivision 8 to read as follows:

8. (a) Any member of the legislative ethics commission, who, under circumstances evincing an intent to violate such law, makes a contribution in contravention of paragraph d of subdivision one of section 14-114 of this article shall be subject to a civil penalty not to exceed the greater of ten thousand dollars or an amount equal to two hundred

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

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percent of the contribution, to be recoverable in a special proceeding or civil action to be brought by the state board of elections chief enforcement counsel.

(b) Any person who, acting as or on behalf of an officeholder, candidate, or political committee, accepts a contribution in contravention of paragraph d of subdivision one of section 14-114 of this article shall be required to refund such contribution.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.