

STATE OF NEW YORK

6477

2021-2022 Regular Sessions

IN ASSEMBLY

March 18, 2021

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

AN ACT to amend the election law, in relation to contribution and receipt limitations

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

1 Section 1. Subdivision 1 of section 14-114 of the election law, as
2 amended by section 3 of part ZZZ of chapter 58 of the laws of 2020, is
3 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, partic-
13 ipating in the state's public campaign financing system pursuant to
14 title two of this article and no such candidate or political committee
15 may accept any contribution from any contributor, which is in the aggre-
16 gate amount greater than eighteen thousand dollars divided equally among
17 the primary and general election in an election cycle; provided however,
18 that the maximum amount which may be so contributed or accepted, in the
19 aggregate, from any candidate's child, parent, grandparent, brother and
20 sister, and the spouse of any such persons, shall not exceed in the case
21 of any nomination to public office an amount equivalent to the product
22 of the number of enrolled voters in the candidate's party in the state,
23 excluding voters in inactive status, multiplied by \$.025, and in the
24 case of any election for a public office, an amount equivalent to the

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

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1 product of the number of registered voters in the state excluding voters
2 in inactive status, multiplied by \$.025.

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

46 c. In any election for a public office to be voted on by the voters of
47 the entire state, or for nomination to any such office, no contributor
48 may make a contribution to any candidate or political committee in
49 connection with a candidate who is not a participating candidate as
50 defined in subdivision fourteen of section 14-200-a of this article, and
51 no such candidate or political committee may accept any contribution
52 from any contributor, which is in the aggregate amount greater than
53 eighteen thousand dollars, divided equally among the primary and general
54 election in an election cycle; provided however, that the maximum amount
55 which may be so contributed or accepted, in the aggregate, from any
56 candidate's child, parent, grandparent, brother and sister, and the

1 spouse of any such persons, shall not exceed in the case of any nomi-
2 nation to public office an amount equivalent to the product of the
3 number of enrolled voters in the candidate's party in the state, exclud-
4 ing voters in inactive status, multiplied by \$.025, and in the case of
5 any election for a public office, an amount equivalent to the product of
6 the number of registered voters in the state, excluding voters in inac-
7 tive status, multiplied by \$.025.

8 d. In any nomination or election of a candidate who is not a partic-
9 ipating candidate for state senator, ten thousand dollars, divided
10 equally among the primary and general election in an election cycle; in
11 the case of [~~an election or~~] a nomination or election for [~~a~~] member of
12 the assembly, six thousand dollars, divided equally among the primary
13 and general election in an election cycle.

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

47 f. (1) At the beginning of each fourth calendar year, commencing in
48 nineteen hundred ninety-five, the state board shall determine the
49 percentage of the difference between the most recent available monthly
50 consumer price index for all urban consumers published by the United
51 States bureau of labor statistics and such consumer price index
52 published for the same month four years previously. The amount of each
53 contribution limit fixed in this subdivision shall be adjusted by the
54 amount of such percentage difference to the closest one hundred dollars
55 by the state board which, not later than the first day of February in
56 each such year, shall issue a regulation publishing the amount of each

1 such contribution limit. Each contribution limit as so adjusted shall be
2 the contribution limit in effect for any election held before the next
3 such adjustment.

4 (2) Provided, however, that such adjustments shall not occur for
5 candidates seeking statewide office, or the position of state senator or
6 member of the assembly, whether such candidate does or does not partic-
7 ipate in the public finance program established pursuant to title two of
8 this article.

9 [~~f.~~] g. Notwithstanding any other contribution limit in this section,
10 participating candidates as defined in subdivision fourteen of section
11 14-200-a of this article may contribute, out of their own money, three
12 times the applicable contribution limit to their own authorized commit-
13 tee.

14 § 2. This act shall take effect on the same date and in the same
15 manner as section 3 of part ZZZ of chapter 58 of the laws of 2020, takes
16 effect.