

STATE OF NEW YORK

6545--A

2021-2022 Regular Sessions

IN ASSEMBLY

March 19, 2021

Introduced by M. of A. MAMDANI, GALLAGHER, GALEF, J. D. RIVERA, FORREST, MITAYNES, BURKE, EPSTEIN, BURGOS, JACKSON, MEEKS, SEPTIMO, GONZALEZ-ROJAS, CLARK, KELLES, DAVILA, BUTTENSCHON, ANDERSON -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to eliminating family contribution exceptions

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 howev-~~
18 ~~er, that the maximum amount which may be so contributed or accepted, in~~
19 ~~the aggregate, from any candidate's child, parent, grandparent, brother~~
20 ~~and sister, and the spouse of any such persons, shall not exceed in the~~
21 ~~case of any nomination to 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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~~product of the number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by \$.025, and in the case of any election for a public office, an amount equivalent to the product of the number of registered voters in the state excluding voters in inactive status, multiplied by \$.025].~~

b. In any other election for party position or for election to a public office or for nomination for any such office, no contributor may make a contribution to any candidate or political committee participating in the state's public campaign financing system pursuant to title two of this article and no such candidate or political committee may accept any contribution from any contributor, which is in the aggregate amount greater than election for party position, or for nomination to public office, the product of the total number of enrolled voters in the candidate's party in the district in which he is a candidate, excluding voters in inactive status, multiplied by \$.05, and (ii) in the case of any election for a public office, the product of the total number of registered voters in the district, excluding voters in inactive status, multiplied by \$.05, however in the case of a nomination within the city of New York for the office of mayor, public advocate or comptroller, such amount shall be not less than four thousand dollars nor more than twelve thousand dollars as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision; in the case of an election within the city of New York for the office of mayor, public advocate or comptroller, twenty-five thousand dollars as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision; in the case of a nomination or election for state senator, ten thousand dollars, divided equally among the primary and general election in an election cycle; in the case of an election or nomination for a member of the assembly, six thousand dollars, divided equally among the primary and general election in an election cycle ~~provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any candidate's child, parent, grandparent, brother and sister, and the spouse of any such persons, shall not exceed in the case of any election for party position or nomination for public office an amount equivalent to the number of enrolled voters in the candidate's party in the district in which he is a candidate, excluding voters in inactive status, multiplied by \$.25 and in the case of any election to public office, an amount equivalent to the number of registered voters in the district, excluding voters in inactive status, multiplied by \$.25, or twelve hundred fifty dollars, whichever is greater, or in the case of a nomination or election of a state senator, twenty thousand dollars, whichever is greater, or in the case of a nomination or election of a member of the assembly twelve thousand five hundred dollars, whichever is greater, but in no event shall any such maximum exceed one hundred thousand dollars].~~

c. In any election for a public office to be voted on by the voters of the entire state, or for nomination to any such office, no contributor may make a contribution to any candidate or political committee in connection with a candidate who is not a participating candidate as defined in subdivision fourteen of section 14-200-a of this article, and no such candidate or political committee may accept any contribution from any contributor, which is in the aggregate amount greater than eighteen thousand dollars, divided equally among the primary and general election in an election cycle ~~provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any 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 inae-
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 nomination for a member of the assembly, six
12 thousand dollars, divided equally among the primary and general election
13 in an election cycle.

14 e.(1) At the beginning of each fourth calendar year, commencing in
15 nineteen hundred ninety-five, the state board shall determine the
16 percentage of the difference between the most recent available monthly
17 consumer price index for all urban consumers published by the United
18 States bureau of labor statistics and such consumer price index
19 published for the same month four years previously. The amount of each
20 contribution limit fixed in this subdivision shall be adjusted by the
21 amount of such percentage difference to the closest one hundred dollars
22 by the state board which, not later than the first day of February in
23 each such year, shall issue a regulation publishing the amount of each
24 such contribution limit. Each contribution limit as so adjusted shall be
25 the contribution limit in effect for any election held before the next
26 such adjustment.

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

32 f. Notwithstanding any other contribution limit in this section,
33 participating candidates as defined in subdivision fourteen of section
34 14-200-a of this article may contribute, out of their own money, three
35 times the applicable contribution limit to their own authorized commit-
36 tee.

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