# STATE OF NEW YORK

8189

2021-2022 Regular Sessions

# IN ASSEMBLY

August 25, 2021

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 prohibiting recurring campaign donations without affirmative consent

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

Section 1. The election law is amended by adding a new section 14-115 to read as follows:

**§ 14-115. Recurring contributions. 1. A candidate, committee, not-for-profit entity or for-profit entity shall not solicit or accept a recurring contribution from a person unless the candidate, committee, not-for-profit entity or for-profit entity receives the affirmative consent of the person to make a recurring contribution at the time of the initial contribution. Passive action by the contributor, such as failing to uncheck a pre-checked box authorizing a recurring contribution, shall not meet the requirement of affirmative consent under this section.**

**2. A candidate, committee, not-for-profit entity or for-profit entity that accepts a recurring contribution described in subdivision one shall do all of the following:**

**a. provide a receipt to the contributor that clearly and conspicuously discloses all terms of the recurring contribution within three days of receipt of the initial contribution or each recurring contribution;**

**b. provide all necessary information to cancel the recurring contribution in each communication with the contributor that concerns the contribution; and**

**c. immediately cancel a recurring contribution upon request of the contributor.**

§ 2. This act shall take effect immediately.

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

LBD11900-03-1