

STATE OF NEW YORK

152

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

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

AN ACT to amend the administrative code of the city of New York, in relation to fair competition for publicly financed candidates by establishing the Bloomberg waiver

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

1 Section 1. Subparagraph (iii) of paragraph (a) of subdivision 1 of
2 section 3-717 of the administrative code of the city of New York, as
3 separately added by local law numbers 58, 59 and 60 of the city of New
4 York for the year 2004 and renumbered by local law number 128 of the
5 city of New York for the year 2019, is amended to read as follows:

6 (iii) (A) file a written certification in such form as may be
7 prescribed by the campaign finance board, which sets forth his or her
8 acceptance of and agreement to comply with the terms and conditions of
9 this section and the rules promulgated hereby, which includes an affir-
10 mation that the candidate has a sufficient amount of personal funds to
11 fund his or her campaign; and

12 (B) that the campaign finance board shall propose to such candidate a
13 voluntary personal funds spending limit of not more than one hundred
14 twenty-five percent of such campaign finance board's recommended expend-
15 iture limit of the elected office contested; provided, however, that if
16 such limit is declined by such candidate, a Bloomberg waiver of the
17 existing limitations on an opposing, publicly funded candidate's ability
18 to raise and expend private funds may be granted by the campaign finance
19 board upon application, in a manner determined by such board, and upon a
20 showing of substantial financial disadvantage demonstrated by the
21 disparity in personal funds available; provided, however, that once such
22 waiver is granted, the financially disadvantaged candidate may not
23 expend a greater amount than the amount expended by the personally fund-

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

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1 ed opponent as reported to the state board of elections; except that the
2 limitations on matching funds shall not be modified; and

3 (C) the deadline for filing such certification for a primary, general,
4 or special election shall be the deadline date for filing written
5 certifications pursuant to paragraph (c) of subdivision one of section
6 ~~[3-703(1)(e)]~~ 3-701 by candidates seeking nomination for election or
7 election to the same office in the same calendar year as candidates
8 seeking to file a certification pursuant to this subparagraph, and the
9 provisions of ~~[such]~~ paragraph (c) of subdivision one of section
10 ~~[3-703(1)(e)]~~ 3-701 relating to the occurrence of an "extraordinary
11 circumstance" shall apply to limited participating candidates; and

12 § 2. This act shall take effect on the first of January next succeed-
13 ing the date on which it shall have become a law and shall apply to
14 elections occurring on or after such effective date.