

# STATE OF NEW YORK

4729--A

2021-2022 Regular Sessions

## IN SENATE

February 10, 2021

Introduced by Sens. BIAGGI, BRISPORT, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- 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~~  
22 ~~product of the number of enrolled voters in the candidate's party in the~~  
23 ~~state, excluding voters in inactive status, multiplied by \$.025, and in~~

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

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~~1 the case of any election for a public office, an amount equivalent to  
2 the product of the number of registered voters in the state excluding  
3 voters in inactive status, multiplied by \$.025].~~

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

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

~~1 number of enrolled voters in the candidate's party in the state, exclud-~~  
~~2 ing voters in inactive status, multiplied by \$.025, and in the case of~~  
~~3 any election for a public office, an amount equivalent to the product of~~  
~~4 the number of registered voters in the state, excluding voters in inac-~~  
~~5 tive status, multiplied by \$.025].~~

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

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

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

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

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