STATE OF NEW YORK

6933

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sen. RATH -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to contribution limits for parties appointed to public positions

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. Contribution limits for parties appointed to public positions. 1. For purposes of this section, "relative" of any individual shall mean any person living in the same household as the individual or any person who is a direct descendant of that individual's or that individual's spouse's grandparents or the spouse of such descendant.

2. Notwithstanding any other provision of law, no person, relative of such person, or company in which such person or his or her relative owns more than a ten percent interest who is, or during the past twelve months has been, appointed to a position on any state or local board or authority within the state, may make a contribution to any state constituted party or committee or any candidate or candidate committee for any office of the state, municipal or other local government in an amount in excess of fifteen percent of the contribution limits set forth in section 14-114 of this article.

§ 2. Section 14-126 of the election law is amended by adding a new subdivision 8 to read as follows:

8. (a) Any person, organization, group of persons, or business entity as that term is used in section 14-115 of this article, who, under circumstances evincing an intent to violate such section, makes a contribution in contravention of section 14-115 of this article, shall be subject to a civil penalty not to exceed the greater of ten thousand dollars or an amount equal to two hundred percent of the contribution,

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

LBD11622-01-1

to be recoverable in a special proceeding or civil action to be brought by the state board of elections chief enforcement counsel.

(b) Any person who, acting as or on behalf of an officeholder, candidate, or political committee, accepts a contribution in contravention of section 14-115 of this article shall be required to refund such contribution.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.