STATE OF NEW YORK

2107

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. DINOWITZ, PAULIN, KELLES, MAGNARELLI, ZINERMAN -- 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.

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