STATE OF NEW YORK

817

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

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

AN ACT to amend the election law, in relation to prohibiting candidates from pre-marking contribution materials to ensure recurring payments

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 14-134 to read as follows:

§ 14-134. Recurring contributions. No candidate shall solicit contributions or donations from any contributor or donor using any material or medium pre-marking that such voter shall make a recurring contribution or donation to such candidate. Any candidate soliciting a recurring contribution shall receive the affirmative consent of the contributor or donor at the arrangement of the recurring contribution or donation. Passive action by the contributor or donor, such as failing to uncheck a pre-checked box authorizing a recurring contribution, shall not meet the requirement of affirmative consent under this section. A candidate shall immediately cancel recurring contributions or donations upon request of the voter. Any candidate who violates the provisions of this section may be liable for treble damages in addition to any penalty imposed on such candidate.

§ 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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