

# STATE OF NEW YORK

3532

2023-2024 Regular Sessions

## IN SENATE

January 31, 2023

Introduced by Sen. SKOUFIS -- 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 prohibiting recurring campaign donations without affirmative consent

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

1 Section 1. The election law is amended by adding a new section 14-115  
2 to read as follows:

3 § 14-115. Recurring contributions. 1. A candidate, committee, not-for-  
4 profit entity or for-profit entity shall not solicit or accept a recur-  
5 ring contribution from a person unless the candidate, committee, not-  
6 for-profit entity or for-profit entity receives the affirmative consent  
7 of the person to make a recurring contribution at the time of the  
8 initial contribution. Passive action by the contributor, such as fail-  
9 ing to uncheck a pre-checked box authorizing a recurring contribution,  
10 shall not meet the requirement of affirmative consent under this  
11 section.

12 2. A candidate, committee, not-for-profit entity or for-profit entity  
13 that accepts a recurring contribution described in subdivision one shall  
14 do all of the following:

15 a. provide a receipt to the contributor that clearly and conspicuously  
16 discloses all terms of the recurring contribution within three days of  
17 receipt of the initial contribution or each recurring contribution;

18 b. provide all necessary information to cancel the recurring contrib-  
19 ution in each communication with the contributor that concerns the  
20 contribution; and

21 c. immediately cancel a recurring contribution upon request of the  
22 contributor.

23 § 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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