

# STATE OF NEW YORK

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615

2023-2024 Regular Sessions

## IN SENATE

January 5, 2023

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Introduced by Sen. MYRIE -- 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 and receipt limitations

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 however,  
18 that the maximum amount which may be so contributed or accepted, in the  
19 aggregate, from any candidate's child, parent, grandparent, brother and  
20 sister, and the spouse of any such persons, shall not exceed in the case  
21 of any nomination to public office an amount equivalent to the product  
22 of the number of enrolled voters in the candidate's party in the state,  
23 excluding voters in inactive status, multiplied by \$.025, and in the  
24 case of any election for a public office, an amount equivalent to the

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

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1 product of the number of registered voters in the state excluding voters  
2 in inactive status, multiplied by \$.025.

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

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

1 spouse of any such persons, shall not exceed in the case of any nomi-  
2 nation to public office an amount equivalent to the product of the  
3 number of enrolled voters in the candidate's party in the state, exclud-  
4 ing voters in inactive status, multiplied by \$.025, and in the case of  
5 any election for a public office, an amount equivalent to the product of  
6 the number of registered voters in the state, excluding voters in inac-  
7 tive status, multiplied by \$.025.

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

14 e. In any other election for party position or for election to a  
15 public office or for nomination for any such office, no contributor may  
16 make a contribution to any candidate or political committee and no  
17 candidate or political committee may accept any contribution from any  
18 contributor, which is in the aggregate amount greater than: (i) in the  
19 case of any election for party position, or for nomination to public  
20 office, the product of the total number of enrolled voters in the candi-  
21 date's party in the district in which he or she is a candidate, exclud-  
22 ing voters in inactive status, multiplied by \$.05, and (ii) in the case  
23 of any election for a public office, the product of the total number of  
24 registered voters in the district, excluding voters in inactive status,  
25 multiplied by \$.05, however in the case of a nomination within the city  
26 of New York for the office of mayor, public advocate or comptroller,  
27 such amount shall be not less than four thousand dollars nor more than  
28 twelve thousand dollars as increased or decreased by the cost of living  
29 adjustment described in paragraph f of this subdivision; in the case of  
30 an election within the city of New York for the office of mayor, public  
31 advocate or comptroller, twenty-five thousand dollars as increased or  
32 decreased by the cost of living adjustment described in paragraph f of  
33 this subdivision but in no event shall any such maximum exceed fifty  
34 thousand dollars or be less than one thousand dollars; provided however,  
35 that the maximum amount which may be so contributed or accepted, in the  
36 aggregate, from any candidate's child, parent, grandparent, brother and  
37 sister, and the spouse of any such persons, shall not exceed in the case  
38 of any election for party position or nomination for public office an  
39 amount equivalent to the number of enrolled voters in the candidate's  
40 party in the district in which he or she is a candidate, excluding  
41 voters in inactive status, multiplied by \$.25 and in the case of any  
42 election to public office, an amount equivalent to the number of regis-  
43 tered voters in the district, excluding voters in inactive status,  
44 multiplied by \$.25; or twelve hundred fifty dollars, whichever is great-  
45 er, but in no event shall any such maximum exceed one hundred thousand  
46 dollars.

47 f. (1) At the beginning of each fourth calendar year, commencing in  
48 nineteen hundred ninety-five, the state board shall determine the  
49 percentage of the difference between the most recent available monthly  
50 consumer price index for all urban consumers published by the United  
51 States bureau of labor statistics and such consumer price index  
52 published for the same month four years previously. The amount of each  
53 contribution limit fixed in this subdivision shall be adjusted by the  
54 amount of such percentage difference to the closest one hundred dollars  
55 by the state board which, not later than the first day of February in  
56 each such year, shall issue a regulation publishing the amount of each

1 such contribution limit. Each contribution limit as so adjusted shall be  
2 the contribution limit in effect for any election held before the next  
3 such adjustment.

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

9 [~~f.~~] g. Notwithstanding any other contribution limit in this section,  
10 participating candidates as defined in subdivision fourteen of section  
11 14-200-a of this article may contribute, out of their own money, three  
12 times the applicable contribution limit to their own authorized commit-  
13 tee.

14 § 2. This act shall take effect immediately.