STATE OF NEW YORK

8445

2025-2026 Regular Sessions

IN SENATE

June 23, 2025

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

AN ACT to amend the election law, in relation to requiring disclosure of major contributors on independent expenditure communications

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

Section 1. Section 14-107 of the election law is amended by adding a new subdivision 9 to read as follows:

9. (a) Any individual, entity, or political committee that makes an independent expenditure for a covered communication shall include on such communication the following disclaimer, prominently displayed and clearly readable or audible, as applicable:

"Paid for by (name of person or organization). This expenditure was not made in cooperation with any candidate or candidate's committee."

(b) (i) If the independent spender has received aggregate contributions exceeding one thousand dollars from any person or entity during the twelve months preceding the communication, the disclaimer shall also include:

"Top contributors: (Name one) (Name two) (Name three)."

(ii) The names listed under subparagraph (i) of this paragraph shall be those contributors who contributed the largest aggregate amounts exceeding one thousand dollars, in descending order.

(c) If the independent spender has a treasurer, the disclaimer shall also include:

"The treasurer of (name of person or organization) is (name of treasurer)."

(d) The disclosure shall appear in a type size and format that is easily readable or, for audio or video communications, clearly audible and/or visible for at least four seconds. The disclosure shall also include the web address of the state board of elections candidates and campaign disclosures reporting system.

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

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(e) Nothing in this section shall be applicable to candidates for public offices under the jurisdiction of the New York city campaign finance board.

(f) For the purposes of this subdivision, the term "covered communication" shall mean any public communication made via direct mail, print, internet, radio, television, telephone, or other mass distribution method that expressly advocates for the election or defeat of a clearly identified candidate or ballot proposal, or refers to such candidate or proposal within sixty days of an election.

§ 2. The election law is amended by adding a new section 14-107-c to read as follows:

§ 14-107-c. Donor attribution rules for independent expenditures. 1. For purposes of determining the top contributors required to be disclosed under subdivision nine of section 14-107 of this title, only those contributions that are earmarked, solicited for, or reasonably expected to support independent expenditures shall be considered.

2. No later than one hundred eighty days after the effective date of this section, state board of elections shall promulgate any rules or regulations necessary to implement the provisions of this section and subdivision nine of section 14-107 of this title, including standardized disclaimer formats, font sizes, and methods for identifying top contributors.

§ 3. Severability clause. If any clause, sentence, paragraph, subdivision or section of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or section thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 4. This act shall take effect on the first of January next succeeding the date upon which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.