

14 Section 1. The article heading of article 14 of the election law is
15 amended to read as follows:

16 [Campaign Receipts and Expenditures] CAMPAIGN RECEIPTS AND EXPENDI-
17 TURES; MATCHING FINANCING

18 S 2. Sections 14-100 through 14-130 of article 14 of the election law
19 are designated title I and a new title heading is added to read as
20 follows:

CAMPAIGN RECEIPTS AND EXPENDITURES

21 S 3. Article 14 of the election law is amended by adding a new title
22 II to read as follows:

TITLE II

MATCHING FINANCING

23 SECTION 14-200. DEFINITIONS.

24 14-201. REPORTING REQUIREMENTS.

25 14-202. CONTRIBUTION LIMITS.

26 14-203. PROOF OF COMPLIANCE.

27 14-204. ELIGIBILITY.

28 14-205. LIMITS ON MATCHING FINANCING.

29 14-206. PAYMENT OF MATCHING FUNDS.

30 14-207. USE OF MATCHING FUNDS; QUALIFIED CAMPAIGN EXPENDITURES.

31 14-208. POWERS AND DUTIES OF BOARD.

32 14-209. AUDITS AND REPAYMENTS.

33 14-210. ENFORCEMENT AND PENALTIES FOR VIOLATIONS AND OTHER
34 PROCEEDINGS.

35 14-211. REPORTS.

36 14-212. DEBATES FOR CANDIDATES FOR COMPTROLLER.

37 14-213. SEVERABILITY.

38 S 14-200. DEFINITIONS. FOR THE PURPOSES OF THIS TITLE, THE FOLLOWING
39 TERMS SHALL HAVE THE FOLLOWING MEANINGS:

40 1. THE TERM "AUTHORIZED COMMITTEE" SHALL MEAN THE SINGLE COMMITTEE
41 DESIGNATED BY A CANDIDATE PURSUANT TO SECTION 14-201 OF THIS TITLE TO
42 RECEIVE CONTRIBUTIONS AND MAKE EXPENDITURES IN SUPPORT OF THE CANDI-
43 DATE'S CAMPAIGN.

44 2. THE TERM "BOARD" SHALL MEAN THE STATE BOARD OF ELECTIONS.

45 3. THE TERM "CONTRIBUTION" SHALL HAVE THE SAME MEANING AS APPEARS IN
46 SUBDIVISION NINE OF SECTION 14-100 OF THIS ARTICLE.

47 4. THE TERM "CONTRIBUTOR" SHALL MEAN ANY PERSON OR ENTITY THAT MAKES

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51 CONTRIBUTION.

52 5. THE TERM "COVERED ELECTION" SHALL MEAN ANY PRIMARY OR GENERAL
53 ELECTION FOR NOMINATION FOR ELECTION, OR ELECTION, TO THE OFFICE OF
54 STATE COMPTROLLER.

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1 6. THE TERM "ELECTION CYCLE" SHALL MEAN THE FOUR YEAR PERIOD STARTING
2 AFTER THE DAY AFTER THE LAST GENERAL ELECTION FOR CANDIDATES FOR STATE-
3 WIDE OFFICE.

4 7. THE TERM "EXPENDITURE" SHALL MEAN ANY GIFT, SUBSCRIPTION, ADVANCE,
5 PAYMENT, OR DEPOSIT OF MONEY OR ANYTHING OF VALUE, OR A CONTRACT TO MAKE
6 ANY GIFT, SUBSCRIPTION, PAYMENT, OR DEPOSIT OF MONEY OR ANYTHING OF
7 VALUE, MADE IN CONNECTION WITH THE NOMINATION FOR ELECTION, OR ELECTION,
8 OF ANY CANDIDATE. EXPENDITURES MADE BY CONTRACT ARE DEEMED MADE WHEN
9 SUCH FUNDS ARE OBLIGATED.

10 8. THE TERM "FUND" SHALL MEAN THE NEW YORK STATE CAMPAIGN FINANCE

11 FUND.

12 9. THE TERM "IMMEDIATE FAMILY" SHALL MEAN A SPOUSE, DOMESTIC PARTNER,
13 CHILD, SIBLING OR PARENT.

14 10. THE TERM "INTERMEDIARY" SHALL MEAN AN INDIVIDUAL, CORPORATION,
15 PARTNERSHIP, POLITICAL COMMITTEE, EMPLOYEE ORGANIZATION OR OTHER ENTITY
16 WHICH BUNDLES, CAUSES TO BE DELIVERED OR OTHERWISE DELIVERS ANY CONTRIB-
17 UTION FROM ANOTHER PERSON OR ENTITY TO A CANDIDATE OR AUTHORIZED COMMIT-
18 TEE, OTHER THAN IN THE REGULAR COURSE OF BUSINESS AS A POSTAL, DELIVERY
19 OR MESSENGER SERVICE. PROVIDED, HOWEVER, THAT AN "INTERMEDIARY" SHALL
20 NOT INCLUDE SPOUSES, DOMESTIC PARTNERS, PARENTS, CHILDREN OR SIBLINGS OF
21 THE PERSON MAKING SUCH CONTRIBUTION OR A STAFF MEMBER OR VOLUNTEER OF
22 THE CAMPAIGN IDENTIFIED IN WRITING TO THE STATE BOARD OF ELECTIONS. HERE
23 "CAUSES TO BE DELIVERED" SHALL INCLUDE PROVIDING POSTAGE, ENVELOPES OR
24 OTHER SHIPPING MATERIALS FOR THE USE OF DELIVERING THE CONTRIBUTION TO
25 THE ULTIMATE RECIPIENT.

26 11. THE TERM "ITEM WITH SIGNIFICANT INTRINSIC AND ENDURING VALUE"
27 SHALL MEAN ANY ITEM, INCLUDING TICKETS TO AN EVENT, THAT ARE VALUED AT
28 TWENTY-FIVE DOLLARS OR MORE.

29 12. (A) THE TERM "MATCHABLE CONTRIBUTION" SHALL MEAN A CONTRIBUTION,
30 CONTRIBUTIONS OR A PORTION OF A CONTRIBUTION OR CONTRIBUTIONS FOR ANY
31 COVERED ELECTIONS HELD IN THE SAME ELECTION CYCLE, MADE BY A NATURAL
32 PERSON WHO IS A RESIDENT IN THE STATE OF NEW YORK TO A PARTICIPATING
33 CANDIDATE, THAT HAS BEEN REPORTED IN FULL TO THE BOARD IN ACCORDANCE
34 WITH SECTIONS 14-102 AND 14-104 OF THIS ARTICLE BY THE CANDIDATE'S
35 AUTHORIZED COMMITTEE AND HAS BEEN CONTRIBUTED ON OR BEFORE THE DAY OF
36 THE APPLICABLE ELECTION. ANY CONTRIBUTION, CONTRIBUTIONS, OR A PORTION
37 OF A CONTRIBUTION DETERMINED TO BE INVALID FOR MATCHING FUNDS BY THE
38 BOARD MAY NOT BE TREATED AS A MATCHABLE CONTRIBUTION FOR ANY PURPOSE.

39 (B) THE FOLLOWING CONTRIBUTIONS ARE NOT MATCHABLE:

40 (I) LOANS;

41 (II) IN-KIND CONTRIBUTIONS OF PROPERTY, GOODS, OR SERVICES;

42 (III) CONTRIBUTIONS IN THE FORM OF THE PURCHASE PRICE PAID FOR AN ITEM
43 WITH SIGNIFICANT INTRINSIC AND ENDURING VALUE;

44 (IV) TRANSFERS FROM A PARTY OR CONSTITUTED COMMITTEE;

45 (V) ANONYMOUS CONTRIBUTIONS OR CONTRIBUTIONS WHOSE SOURCE IS NOT ITEM-
46 IZED AS REQUIRED BY SECTION 14-201 OF THIS TITLE;

47 (VI) CONTRIBUTIONS GATHERED DURING A PREVIOUS ELECTION CYCLE;

48 (VII) ILLEGAL CONTRIBUTIONS;

49 (VIII) CONTRIBUTIONS FROM PERSONS UNDER EIGHTEEN;

50 (IX) CONTRIBUTIONS FROM VENDORS FOR CAMPAIGNS; AND

51 (X) CONTRIBUTIONS FROM LOBBYISTS REGISTERED PURSUANT TO SUBDIVISION
52 (A) OF SECTION ONE-C OF THE LEGISLATIVE LAW.

53 13. THE TERM "NONPARTICIPATING CANDIDATE" SHALL MEAN A CANDIDATE FOR

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54 COVERED ELECTION WHO FAILS TO FILE A WRITTEN CERTIFICATION IN THE FORM
55 OF AN AFFIDAVIT UNDER SECTION 14-204 OF THIS TITLE BY THE APPLICABLE
56 DEADLINE.

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1 14. THE TERM "PARTICIPATING CANDIDATE" SHALL MEAN ANY CANDIDATE FOR
2 NOMINATION FOR ELECTION, OR ELECTION, TO THE OFFICE OF STATE COMPTROLLER
3 WHO FILES A WRITTEN CERTIFICATION IN THE FORM OF AN AFFIDAVIT PURSUANT
4 TO SECTION 14-204 OF THIS TITLE.

5 15. THE TERM "POST-ELECTION PERIOD" SHALL MEAN THE SIX MONTHS FOLLOW-
6 ING THE TWO THOUSAND FOURTEEN COMPTROLLER ELECTION WHEN A CANDIDATE IS
7 SUBJECT TO AN AUDIT.

8 16. THE TERM "QUALIFIED CAMPAIGN EXPENDITURE" SHALL MEAN AN EXPENDI-
9 TURE FOR WHICH PUBLIC MATCHING FUNDS MAY BE USED.

10 17. THE TERM "THRESHOLD FOR ELIGIBILITY" SHALL MEAN THE AMOUNT OF
11 MATCHABLE CONTRIBUTIONS THAT A CANDIDATE'S AUTHORIZED COMMITTEE MUST
12 RECEIVE IN TOTAL IN ORDER FOR SUCH CANDIDATE TO QUALIFY FOR VOLUNTARY
13 PUBLIC FINANCING UNDER THIS TITLE.

14 18. THE TERM "TRANSFER" SHALL MEAN ANY EXCHANGE OF FUNDS BETWEEN

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15 PARTY OR CONSTITUTED COMMITTEE AND A CANDIDATE OR ANY OF HIS OR HER
16 AUTHORIZED COMMITTEES.

17 S 14-201. REPORTING REQUIREMENTS. 1. ONLY ONE AUTHORIZED COMMITTEE PER
18 PARTICIPATING CANDIDATE FOR COMPTROLLER. BEFORE RECEIVING ANY CONTRIB-
19 UTION OR MAKING ANY EXPENDITURE FOR A COVERED ELECTION, EACH CANDIDATE
20 SHALL NOTIFY THE BOARD AS TO THE EXISTENCE OF HIS OR HER AUTHORIZED
21 COMMITTEE THAT HAS BEEN APPROVED BY SUCH CANDIDATE. EACH CANDIDATE SHALL
22 HAVE ONE AND ONLY ONE AUTHORIZED COMMITTEE PER ELECTIVE OFFICE SOUGHT.
23 EACH AUTHORIZED COMMITTEE SHALL HAVE A TREASURER AND IS SUBJECT TO THE
24 RESTRICTIONS FOUND IN SECTION 14-112 OF THIS ARTICLE.

25 2. DISCLOSURE REPORTS. (A) DETAILED REPORTING. EACH AUTHORIZED AND
26 POLITICAL COMMITTEE SHALL REPORT TO THE BOARD EVERY CONTRIBUTION AND
27 LOAN RECEIVED AND EVERY EXPENDITURE MADE IN THE TIME AND MANNER
28 PRESCRIBED BY SECTIONS 14-102, 14-104 AND 14-108 OF THIS ARTICLE,
29 CONTRIBUTORS WHO MAKE CONTRIBUTIONS OF FIVE HUNDRED DOLLARS OR MORE,
30 EACH AUTHORIZED AND POLITICAL COMMITTEE SHALL REPORT TO THE BOARD THE
31 OCCUPATION, AND BUSINESS ADDRESS OF EACH CONTRIBUTOR, LENDER, AND INTER-
32 MEDIARY. THE RECEIPT OF ANY CONTRIBUTION OR LOAN IN EXCESS OF ONE THOU-
33 SAND DOLLARS SHALL BE DISCLOSED WITHIN FORTY-EIGHT HOURS OF RECEIPT, AND
34 SHALL BE REPORTED IN THE SAME MANNER AS ANY OTHER CONTRIBUTION OR LOAN
35 ON THE NEXT APPLICABLE STATEMENT. THE BOARD SHALL REVISE, PREPARE AND
36 POST FORMS ON ITS WEBPAGE THAT FACILITATE COMPLIANCE WITH THE REQUIRE-
37 MENTS OF THIS SECTION.

38 (B) BOARD REVIEW. THE BOARD SHALL REVIEW EACH DISCLOSURE REPORT FILED
39 AND SHALL INFORM AUTHORIZED AND POLITICAL COMMITTEES OF RELEVANT QUES-
40 TIONS IT HAS CONCERNING: (I) COMPLIANCE WITH REQUIREMENTS OF THIS TITLE
41 AND OF THE RULES ISSUED BY THE BOARD; AND (II) QUALIFICATION FOR RECEIV-
42 ING PUBLIC MATCHING FUNDS PURSUANT TO THIS TITLE. IN THE COURSE OF THIS
43 REVIEW, THE BOARD SHALL GIVE AUTHORIZED AND POLITICAL COMMITTEES AN
44 OPPORTUNITY TO RESPOND TO AND CORRECT POTENTIAL VIOLATIONS AND GIVE
45 CANDIDATES AN OPPORTUNITY TO ADDRESS QUESTIONS THE UNIT HAS CONCERNING
46 THEIR MATCHABLE CONTRIBUTION CLAIMS OR OTHER ISSUES CONCERNING ELIGIBIL-
47 ITY FOR RECEIVING PUBLIC MATCHING FUNDS PURSUANT TO THIS TITLE. NOTHING
48 IN THIS PARAGRAPH SHALL PRECLUDE THE BOARD FROM SUBSEQUENTLY REVIEWING
49 SUCH DISCLOSURE REPORTS AND TAKING ANY ACTION OTHERWISE AUTHORIZED UNDER
50 THIS TITLE.

51 (C) ITEMIZATION. CONTRIBUTIONS THAT ARE NOT ITEMIZED IN REPORTS FILED
52 WITH THE BOARD SHALL NOT BE MATCHABLE.

53 (D) OPTION TO FILE MORE FREQUENTLY. PARTICIPATING CANDIDATES MAY FILE
54 REPORTS OF CONTRIBUTIONS AS FREQUENTLY AS ONCE A WEEK ON FRIDAY SO THAT
55 THEIR MATCHING FUNDS MAY BE PAID AT THE EARLIEST ALLOWABLE DATE.

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1 S 14-202. CONTRIBUTION LIMITS. RECIPIENTS OF FUNDS PURSUANT TO THIS
2 TITLE SHALL BE SUBJECT TO THE FOLLOWING CONTRIBUTION LIMITS:

3 1. IN THE TWO THOUSAND FOURTEEN ELECTION FOR COMPTROLLER, OR FOR NOMI-
4 NATION TO SUCH OFFICE, NO CONTRIBUTOR MAY MAKE A CONTRIBUTION TO ANY
5 CANDIDATE OR POLITICAL COMMITTEE PARTICIPATING IN THE STATE'S PUBLIC

6 CAMPAIGN FINANCING SYSTEM AS DEFINED IN TITLE TWO OF THIS ARTICLE, AND
7 NO SUCH CANDIDATE OR POLITICAL COMMITTEE MAY ACCEPT ANY CONTRIBUTION
8 FROM ANY CONTRIBUTOR, WHICH IS IN THE AGGREGATE AMOUNT GREATER THAN:
9 (A) IN THE CASE OF ANY NOMINATION TO PUBLIC OFFICE, THE PRODUCT OF THE
10 TOTAL NUMBER OF ENROLLED VOTERS IN THE CANDIDATE'S PARTY IN THE STATE,
11 EXCLUDING VOTERS IN INACTIVE STATUS, MULTIPLIED BY \$.005, BUT SUCH
12 AMOUNT SHALL BE NOT MORE THAN SIX THOUSAND DOLLARS AND (B) IN THE CASE
13 OF ANY ELECTION TO SUCH PUBLIC OFFICE, SIX THOUSAND DOLLARS; PROVIDED
14 HOWEVER, THAT THE MAXIMUM AMOUNT WHICH MAY BE SO CONTRIBUTED OR
15 ACCEPTED, IN THE AGGREGATE, FROM ANY CANDIDATE'S CHILD, PARENT, GRAND-
16 PARENT, BROTHER AND SISTER, AND THE SPOUSE OF ANY SUCH PERSONS, SHALL
17 NOT EXCEED IN THE CASE OF ANY NOMINATION TO PUBLIC OFFICE AN AMOUNT
18 EQUIVALENT TO THE PRODUCT OF THE NUMBER OF ENROLLED VOTERS IN THE CANDI-
19 DATE'S PARTY IN THE STATE, EXCLUDING VOTERS IN INACTIVE STATUS, MULTI-
20 PLIED BY \$.025, AND IN THE CASE OF ANY ELECTION FOR A PUBLIC OFFICE, AN
21 AMOUNT EQUIVALENT TO THE PRODUCT OF THE NUMBER OF REGISTERED VOTERS IN
22 THE STATE EXCLUDING VOTERS IN INACTIVE STATUS, MULTIPLIED BY \$.025.

23 2. IN THE EVENT THAT A CANDIDATE FOR THE TWO THOUSAND FOURTEEN
24 ELECTION FOR COMPTROLLER HAS RECEIVED A CONTRIBUTION WHICH EXCEEDS THE
25 LIMITATIONS OF THIS SUBDIVISION PRIOR TO BECOMING A PARTICIPATING CANDI-
26 DATE IN THE STATE'S MATCHING CAMPAIGN FINANCING SYSTEM, THE CANDIDATE
27 SHALL EITHER (A) DEPOSIT ANY AMOUNT IN EXCESS OF THE CONTRIBUTION LIMIT
28 SET FORTH IN THIS SUBDIVISION, INTO A SEGREGATED ACCOUNT WHERE IT SHALL
29 NOT BE WITHDRAWN FOR CAMPAIGN EXPENDITURES FOR ANY COMPTROLLER ELECTION
30 IN THE YEAR TWO THOUSAND FOURTEEN; OR (B) RETURN ANY AMOUNT IN EXCESS OF
31 THE CONTRIBUTION LIMIT SET FORTH IN THIS SECTION, BY BANK CHECK OR
32 CERTIFIED CHECK MADE OUT TO THE CONTRIBUTOR.

33 S 14-203. PROOF OF COMPLIANCE. AUTHORIZED AND POLITICAL COMMITTEES
34 SHALL MAINTAIN SUCH RECORDS OF RECEIPTS AND EXPENDITURES FOR A COVERED
35 ELECTION AS REQUIRED BY THE BOARD. AUTHORIZED AND POLITICAL COMMITTEES
36 SHALL OBTAIN AND FURNISH TO THE BOARD ANY INFORMATION IT MAY REQUEST
37 RELATING TO FINANCIAL TRANSACTIONS OR CONTRIBUTIONS AND FURNISH SUCH
38 DOCUMENTATION AND OTHER PROOF OF COMPLIANCE WITH THIS TITLE AS MAY BE
39 REQUESTED. IN COMPLIANCE WITH SECTION 14-108 OF THIS ARTICLE, AUTHORIZED
40 AND POLITICAL COMMITTEES SHALL MAINTAIN COPIES OF SUCH RECORDS FOR

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41 PERIOD OF FIVE YEARS.

42 S 14-204. ELIGIBILITY. 1. TERMS AND CONDITIONS. TO BE ELIGIBLE FOR
43 VOLUNTARY PUBLIC FINANCING UNDER THIS TITLE, A CANDIDATE MUST:

44 (A) BE A CANDIDATE IN A COVERED ELECTION;

45 (B) MEET ALL THE REQUIREMENTS OF LAW TO HAVE HIS OR HER NAME ON THE
46 BALLOT;

47 (C) IN THE CASE OF A COVERED GENERAL ELECTION, BE OPPOSED BY ANOTHER
48 CANDIDATE ON THE BALLOT WHO IS NOT A WRITE-IN CANDIDATE;

49 (D) SUBMIT A CERTIFICATION IN THE FORM OF AN AFFIDAVIT, IN SUCH FORM
50 AS MAY BE PRESCRIBED BY THE BOARD, THAT SETS FORTH HIS OR HER ACCEPTANCE
51 OF AND AGREEMENT TO COMPLY WITH THE TERMS AND CONDITIONS FOR THE
52 PROVISION OF SUCH FUNDS IN EACH COVERED ELECTION AND SUCH CERTIFICATION
53 SHALL BE SUBMITTED BEFORE THE ELECTION PURSUANT TO A SCHEDULE PROMULGAT-
54 ED BY THE BOARD;

55 (E) BE CERTIFIED AS A PARTICIPATING CANDIDATE BY THE BOARD;

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1 (F) NOT MAKE EXPENDITURES FROM OR USE HIS OR HER PERSONAL FUNDS OR
2 PROPERTY OR THE PERSONAL FUNDS OR PROPERTY JOINTLY HELD WITH HIS OR HER
3 SPOUSE, OR UNEMANCIPATED CHILDREN IN CONNECTION WITH HIS OR HER NOMI-

4 NATION ELECTION OR ELECTION TO A COVERED OFFICE EXCEPT AS A CONTRIBUTION
5 TO HIS OR HER AUTHORIZED COMMITTEE IN AN AMOUNT THAT EXCEEDS THREE TIMES
6 THE APPLICABLE CONTRIBUTION LIMIT FROM AN INDIVIDUAL CONTRIBUTOR TO
7 CANDIDATES FOR THE OFFICE THAT HE OR SHE IS SEEKING;

8 (G) MEET THE THRESHOLD FOR ELIGIBILITY SET FORTH IN SUBDIVISION TWO OF
9 THIS SECTION; AND

10 (H) CONTINUE TO ABIDE BY ALL REQUIREMENTS DURING THE POST-ELECTION
11 PERIOD.

12 2. THRESHOLD FOR ELIGIBILITY. (A) THE THRESHOLD FOR ELIGIBILITY FOR
13 MATCHING FUNDING FOR PARTICIPATING CANDIDATES FOR COMPTROLLER SHALL BE
14 NOT LESS THAN TWO HUNDRED THOUSAND DOLLARS IN MATCHABLE CONTRIBUTIONS
15 INCLUDING AT LEAST TWO THOUSAND MATCHABLE CONTRIBUTIONS COMPRISED OF
16 SUMS BETWEEN TEN AND ONE HUNDRED SEVENTY-FIVE DOLLARS PER CONTRIBUTOR,
17 FROM RESIDENTS OF NEW YORK STATE.

18 (B) ANY PARTICIPATING CANDIDATE MEETING THE THRESHOLD FOR ELIGIBILITY
19 IN A PRIMARY ELECTION FOR THE FOREGOING OFFICE SHALL BE DEEMED TO HAVE
20 MET THE THRESHOLD FOR ELIGIBILITY FOR SUCH OFFICE IN THE GENERAL
21 ELECTION HELD IN THE SAME CALENDAR YEAR.

22 S 14-205. LIMITS ON MATCHING FINANCING. THE FOLLOWING LIMITATIONS
23 APPLY TO THE TOTAL AMOUNTS OF MATCHING FUNDS THAT MAY BE PROVIDED TO A
24 PARTICIPATING CANDIDATE'S AUTHORIZED COMMITTEE FOR AN ELECTION CYCLE:

25 1. IN ANY PRIMARY ELECTION, RECEIPT OF MATCHING FUNDS BY PARTICIPATING
26 CANDIDATES FOR COMPTROLLER AND BY EACH PARTICIPATING COMMITTEES SHALL
27 NOT EXCEED THE SUM OF FOUR MILLION DOLLARS.

28 2. IN ANY GENERAL ELECTION, RECEIPT OF MATCHING FUNDS BY A PARTICIPAT-
29 ING CANDIDATE'S AUTHORIZED COMMITTEE SHALL NOT EXCEED FOUR MILLION
30 DOLLARS.

31 3. NO PARTICIPATING CANDIDATE FOR NOMINATION FOR AN OFFICE WHO IS NOT
32 OPPOSED BY A CANDIDATE ON THE BALLOT IN A PRIMARY ELECTION SHALL BE
33 ENTITLED TO PAYMENT OF MATCHING FUNDS, EXCEPT THAT, WHERE THERE IS

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34 CONTEST IN SUCH PRIMARY ELECTION FOR THE NOMINATION OF AT LEAST ONE OF
35 THE TWO POLITICAL PARTIES WITH THE HIGHEST AND SECOND HIGHEST NUMBER OF
36 ENROLLED MEMBERS FOR SUCH OFFICE, A PARTICIPATING CANDIDATE WHO IS UNOP-
37 POSED IN THE PRIMARY ELECTION MAY RECEIVE MATCHING FUNDS BEFORE THE
38 PRIMARY ELECTION, FOR EXPENSES INCURRED ON OR BEFORE THE DATE OF SUCH
39 PRIMARY ELECTION, IN AN AMOUNT EQUAL TO UP TO HALF THE SUM SET FORTH IN
40 SUBDIVISION ONE OF THIS SECTION.

41 S 14-206. PAYMENT OF MATCHING FUNDS. 1. DETERMINATION OF ELIGIBILITY.
42 NO MATCHING FUNDS SHALL BE PAID TO AN AUTHORIZED COMMITTEE UNLESS THE
43 BOARD DETERMINES THAT THE PARTICIPATING CANDIDATE HAS MET THE ELIGIBIL-
44 ITY REQUIREMENTS OF THIS TITLE. PAYMENT SHALL NOT EXCEED THE AMOUNTS
45 SPECIFIED IN SUBDIVISION TWO OF THIS SECTION, AND SHALL BE MADE ONLY IN
46 ACCORDANCE WITH THE PROVISIONS OF THIS TITLE. SUCH PAYMENT MAY BE MADE
47 ONLY TO THE PARTICIPATING CANDIDATE'S AUTHORIZED COMMITTEE. NO MATCHING
48 FUNDS SHALL BE USED EXCEPT AS REIMBURSEMENT OR PAYMENT FOR QUALIFIED
49 CAMPAIGN EXPENDITURES ACTUALLY AND LAWFULLY INCURRED OR TO REPAY LOANS
50 USED TO PAY QUALIFIED CAMPAIGN EXPENDITURES.

51 2. CALCULATION OF PAYMENT. IF THE THRESHOLD FOR ELIGIBILITY IS MET,
52 THE PARTICIPATING CANDIDATE'S AUTHORIZED COMMITTEE SHALL RECEIVE PAYMENT
53 FOR QUALIFIED CAMPAIGN EXPENDITURES OF SIX DOLLARS OF MATCHING FUNDS FOR
54 EACH ONE DOLLAR OF MATCHABLE CONTRIBUTIONS, FOR THE FIRST ONE HUNDRED
55 SEVENTY-FIVE DOLLARS OF ELIGIBLE PRIVATE FUNDS PER CONTRIBUTOR, OBTAINED
56 AND REPORTED TO THE BOARD IN ACCORDANCE WITH THE PROVISIONS OF THIS
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1 TITLE. THE MAXIMUM PAYMENT OF MATCHING FUNDS SHALL BE LIMITED TO THE
2 AMOUNTS SET FORTH IN SECTION 14-205 OF THIS TITLE FOR THE COVERED
3 ELECTION.

4 3. TIMING OF PAYMENT. THE BOARD SHALL MAKE ANY PAYMENT OF MATCHING
5 FUNDS TO PARTICIPATING CANDIDATES AS SOON AS IS PRACTICABLE. BUT IN ALL
6 CASES, THE BOARD SHALL VERIFY ELIGIBILITY FOR MATCHING FUNDS WITHIN FOUR
7 DAYS OF RECEIVING A CAMPAIGN CONTRIBUTION REPORT FILED IN COMPLIANCE
8 WITH SECTION 14-104 OF THIS ARTICLE. WITHIN TWO DAYS OF DETERMINING THAT
9 A CANDIDATE FOR A COVERED OFFICE IS ELIGIBLE FOR MATCHING FUNDS, THE
10 BOARD SHALL PAY THE APPLICABLE MATCHING FUNDS OWED TO THE CANDIDATE.
11 HOWEVER, THE BOARD SHALL NOT MAKE ANY PAYMENTS OF PUBLIC MONEY EARLIER
12 THAN THE EARLIEST DATES FOR MAKING SUCH PAYMENTS AS PROVIDED BY THIS
13 TITLE. IF ANY OF SUCH PAYMENTS WOULD REQUIRE PAYMENT ON A WEEKEND OR
14 FEDERAL HOLIDAY, PAYMENT SHALL BE MADE ON THE NEXT BUSINESS DAY.

15 4. ELECTRONIC FUNDS TRANSFER. THE BOARD SHALL PROMULGATE RULES TO
16 FACILITATE ELECTRONIC FUNDS TRANSFERS DIRECTLY FROM THE FUND INTO AN
17 AUTHORIZED COMMITTEE'S BANK ACCOUNT.

18 S 14-207. USE OF MATCHING FUNDS; QUALIFIED CAMPAIGN EXPENDITURES. 1.
19 MATCHING FUNDS PROVIDED UNDER THE PROVISIONS OF THIS TITLE MAY BE USED
20 ONLY BY AN AUTHORIZED COMMITTEE FOR EXPENDITURES TO FURTHER THE PARTIC-
21 IPATING CANDIDATE'S NOMINATION FOR ELECTION OR ELECTION, INCLUDING
22 PAYING FOR DEBTS INCURRED WITHIN ONE YEAR PRIOR TO AN ELECTION TO
23 FURTHER THE PARTICIPATING CANDIDATE'S NOMINATION FOR ELECTION OR
24 ELECTION.

25 2. SUCH MATCHING FUNDS MAY NOT BE USED FOR:

26 (A) AN EXPENDITURE IN VIOLATION OF ANY LAW;

27 (B) AN EXPENDITURE IN EXCESS OF THE FAIR MARKET VALUE OF SERVICES,
28 MATERIALS, FACILITIES OR OTHER THINGS OF VALUE RECEIVED IN EXCHANGE;

29 (C) AN EXPENSE INCURRED AFTER THE CANDIDATE HAS BEEN FINALLY DISQUALI-
30 FIED FROM THE BALLOT;

31 (D) AN EXPENSE INCURRED AFTER THE ONLY REMAINING OPPONENT OF THE
32 CANDIDATE HAS BEEN FINALLY DISQUALIFIED FROM THE GENERAL OR SPECIAL
33 ELECTION BALLOT;

34 (E) AN EXPENDITURE MADE BY CASH PAYMENT;

35 (F) A CONTRIBUTION OR LOAN OR TRANSFER MADE TO OR EXPENDITURE TO
36 SUPPORT ANOTHER CANDIDATE OR POLITICAL COMMITTEE OR PARTY, COMMITTEE OR
37 CONSTITUTED COMMITTEE;

38 (G) AN EXPENDITURE TO EXCLUSIVELY SUPPORT OR OPPOSE A CANDIDATE FOR AN
39 OFFICE OTHER THAN THAT WHICH THE PARTICIPATING CANDIDATE SEEKS;

40 (H) GIFTS, EXCEPT BROCHURES, BUTTONS, SIGNS AND OTHER PRINTED CAMPAIGN
41 MATERIAL;

42 (I) LEGAL FEES TO DEFEND AGAINST A FORMAL CRIMINAL CHARGE;

43 (J) PAYMENTS TO IMMEDIATE FAMILY MEMBERS OF THE PARTICIPATING CANDI-
44 DATE; OR

45 (K) ANY EXPENDITURE MADE TO CHALLENGE THE VALIDITY OF ANY PETITION OF
46 DESIGNATION OR NOMINATION OR ANY CERTIFICATE OF NOMINATION, ACCEPTANCE,
47 AUTHORIZATION, DECLINATION OR SUBSTITUTION.

48 S 14-208. POWERS AND DUTIES OF BOARD. 1. ADVISORY OPINIONS. THE BOARD
49 SHALL RENDER ADVISORY OPINIONS WITH RESPECT TO QUESTIONS ARISING UNDER
50 THIS TITLE UPON THE WRITTEN REQUEST OF A CANDIDATE, AN OFFICER OF A
51 POLITICAL COMMITTEE OR MEMBER OF THE PUBLIC, OR UPON ITS OWN INITIATIVE.
52 THE BOARD SHALL PROMULGATE RULES REGARDING REASONABLE TIMES TO RESPOND
53 TO SUCH REQUESTS. THE BOARD SHALL MAKE PUBLIC THE QUESTIONS OF INTERPRE-
54 TATION FOR WHICH ADVISORY OPINIONS WILL BE CONSIDERED BY THE BOARD AND
55 ITS ADVISORY OPINIONS, INCLUDING BY PUBLICATION ON ITS WEBPAGE WITH
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1 IDENTIFYING INFORMATION REDACTED AS THE BOARD DETERMINES TO BE APPROPRI-
2 ATE.

3 2. PUBLIC INFORMATION AND CANDIDATE EDUCATION. THE BOARD SHALL DEVELOP
4 A PROGRAM FOR INFORMING CANDIDATES AND THE PUBLIC AS TO THE PURPOSE AND
5 EFFECT OF THE PROVISIONS OF THIS TITLE, INCLUDING BY MEANS OF A WEBPAGE.
6 THE BOARD SHALL PREPARE IN PLAIN LANGUAGE AND MAKE AVAILABLE EDUCATIONAL
7 MATERIALS, INCLUDING COMPLIANCE MANUALS AND SUMMARIES AND EXPLANATIONS
8 OF THE PURPOSES AND PROVISIONS OF THIS TITLE. THE BOARD SHALL PREPARE OR
9 HAVE PREPARED AND MAKE AVAILABLE MATERIALS, INCLUDING, TO THE EXTENT
10 FEASIBLE, COMPUTER SOFTWARE, TO FACILITATE THE TASK OF COMPLIANCE WITH
11 THE DISCLOSURE AND RECORD-KEEPING REQUIREMENTS OF THIS TITLE.

12 3. RULES AND REGULATIONS. THE BOARD SHALL HAVE THE AUTHORITY TO
13 PROMULGATE SUCH RULES AND REGULATIONS AND PROVIDE SUCH FORMS AS IT DEEMS
14 NECESSARY FOR THE ADMINISTRATION OF THIS TITLE.

15 4. THE BOARD SHALL WORK WITH THE ENFORCEMENT UNIT TO ENFORCE THIS
16 SECTION.

17 S 14-209. AUDITS AND REPAYMENTS. 1. AUDITS. THE BOARD SHALL AUDIT AND
18 EXAMINE ALL MATTERS RELATING TO THE PROPER ADMINISTRATION OF THIS TITLE
19 AND SHALL COMPLETE SUCH AUDIT NO LATER THAN SIX MONTHS AFTER THE
20 ELECTION IN QUESTION. EVERY CANDIDATE WHO RECEIVES MATCHING FUNDS UNDER
21 THIS TITLE SHALL BE AUDITED BY THE BOARD. THE COST OF COMPLYING WITH

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22 POST-ELECTION AUDIT SHALL BE BORNE BY THE CANDIDATE'S AUTHORIZED COMMIT-
23 TEE USING MATCHING FUNDS, PRIVATE FUNDS OR ANY COMBINATION OF SUCH
24 FUNDS. CANDIDATES WHO RUN IN BOTH A PRIMARY AND GENERAL ELECTION MUST
25 MAINTAIN A RESERVE OF THREE PERCENT OF THE MATCHING FUNDS RECEIVED TO
26 COMPLY WITH THE POST-ELECTION AUDIT. THE BOARD SHALL ISSUE TO EACH
27 CAMPAIGN AUDITED A FINAL AUDIT REPORT THAT DETAILS ITS FINDINGS.

28 2. REPAYMENTS. (A) IF THE BOARD DETERMINES THAT ANY PORTION OF THE
29 PAYMENT MADE TO A CANDIDATE'S AUTHORIZED COMMITTEE FROM THE FUND WAS IN
30 EXCESS OF THE AGGREGATE AMOUNT OF PAYMENTS THAT SUCH CANDIDATE WAS
31 ELIGIBLE TO RECEIVE PURSUANT TO THIS TITLE, IT SHALL NOTIFY SUCH COMMIT-
32 TEE AND SUCH COMMITTEE SHALL PAY TO THE BOARD AN AMOUNT EQUAL TO THE
33 AMOUNT OF EXCESS PAYMENTS. PROVIDED, HOWEVER, THAT IF THE ERRONEOUS
34 PAYMENT WAS THE RESULT OF AN ERROR BY THE BOARD, THEN THE ERRONEOUS
35 PAYMENT WILL BE DEDUCTED FROM ANY FUTURE PAYMENT, IF ANY, AND IF NO
36 PAYMENT IS TO BE MADE THEN NEITHER THE CANDIDATE NOR THE COMMITTEE SHALL
37 BE LIABLE TO REPAY THE EXCESS AMOUNT TO THE BOARD. THE CANDIDATE, THE
38 TREASURER AND THE CANDIDATE'S AUTHORIZED COMMITTEE ARE JOINTLY AND
39 SEVERABLY LIABLE FOR ANY REPAYMENTS TO THE BOARD.

A

40 (B) IF THE BOARD DETERMINES THAT ANY PORTION OF THE PAYMENT MADE TO
41 CANDIDATE'S AUTHORIZED COMMITTEE FROM THE FUND WAS USED FOR PURPOSES
42 OTHER THAN QUALIFIED CAMPAIGN EXPENDITURES, IT SHALL NOTIFY SUCH COMMIT-
43 TEE OF THE AMOUNT SO DISQUALIFIED AND SUCH COMMITTEE SHALL PAY TO THE
44 BOARD AN AMOUNT EQUAL TO SUCH DISQUALIFIED AMOUNT. THE CANDIDATE, THE
45 TREASURER AND THE CANDIDATE'S AUTHORIZED COMMITTEE ARE JOINTLY AND
46 SEVERABLY LIABLE FOR ANY REPAYMENTS TO THE BOARD.

47 (C) IF THE TOTAL OF PAYMENTS FROM THE FUND RECEIVED BY A PARTICIPATING
48 CANDIDATE AND HIS OR HER AUTHORIZED COMMITTEE EXCEED THE TOTAL CAMPAIGN
49 EXPENDITURES OF SUCH CANDIDATE AND AUTHORIZED COMMITTEE FOR THE TWO
50 THOUSAND FOURTEEN COMPTROLLER ELECTION, SUCH CANDIDATE AND COMMITTEE
51 SHALL USE SUCH EXCESS FUNDS TO REIMBURSE THE FUND FOR PAYMENTS RECEIVED
52 BY SUCH AUTHORIZED COMMITTEE FROM THE FUND DURING SUCH CALENDAR. PARTIC-
53 IPATING CANDIDATES SHALL PAY TO THE BOARD UNSPENT PUBLIC CAMPAIGN FUNDS
54 FROM AN ELECTION NOT LATER THAN TWENTY-SEVEN DAYS AFTER ALL LIABILITIES

55 FOR THE ELECTION HAVE BEEN PAID AND IN ANY EVENT, NOT LATER THAN THE DAY
56 ON WHICH THE BOARD ISSUES ITS FINAL AUDIT REPORT FOR THE PARTICIPATING
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1 CANDIDATE'S AUTHORIZED COMMITTEE; PROVIDED, HOWEVER, THAT ALL UNSPENT
2 PUBLIC CAMPAIGN FUNDS FOR A PARTICIPATING CANDIDATE SHALL BE IMMEDIATELY
3 DUE AND PAYABLE TO THE BOARD UPON A DETERMINATION BY THE BOARD THAT THE
4 PARTICIPANT HAS KNOWINGLY DELAYED THE POST-ELECTION AUDIT. A PARTIC-
5 IPATING CANDIDATE MAY MAKE POST-ELECTION EXPENDITURES WITH PUBLIC FUNDS
6 ONLY FOR ROUTINE ACTIVITIES INVOLVING NOMINAL COST ASSOCIATED WITH WIND-
7 ING UP A CAMPAIGN AND RESPONDING TO THE POST-ELECTION AUDIT EXCEPT FOR
8 LIABILITIES INCURRED BEFORE THE ELECTION. NOTHING IN THIS TITLE SHALL
9 BE CONSTRUED TO PREVENT A CANDIDATE OR HIS OR HER AUTHORIZED COMMITTEE
10 FROM USING CAMPAIGN CONTRIBUTIONS RECEIVED FROM PRIVATE CONTRIBUTORS FOR
11 OTHERWISE LAWFUL EXPENDITURES.

12 3. THE BOARD SHALL PROMULGATE REGULATIONS FOR THE CERTIFICATION OF THE
13 AMOUNT OF FUNDS PAYABLE BY THE COMPTROLLER, FROM THE FUND ESTABLISHED
14 PURSUANT TO SECTION NINETY-TWO-T OF THE STATE FINANCE LAW, TO A PARTIC-
15 IPATING CANDIDATE THAT HAS QUALIFIED TO RECEIVE SUCH PAYMENT. THESE
16 REGULATIONS SHALL INCLUDE THE PROMULGATION AND DISTRIBUTION OF FORMS ON
17 WHICH CONTRIBUTIONS AND EXPENDITURES ARE TO BE REPORTED, THE PERIODS
18 DURING WHICH SUCH REPORTS MUST BE FILED AND THE VERIFICATION REQUIRED.
19 THE BOARD SHALL INSTITUTE PROCEDURES WHICH WILL MAKE POSSIBLE PAYMENT BY
20 THE FUND WITHIN FOUR BUSINESS DAYS AFTER RECEIPT OF THE REQUIRED FORMS
21 AND VERIFICATIONS.

22 S 14-210. ENFORCEMENT AND PENALTIES FOR VIOLATIONS AND OTHER
23 PROCEEDINGS. 1. CIVIL PENALTIES. KNOWING VIOLATIONS OF ANY PROVISION OF
24 THIS TITLE OR RULE PROMULGATED PURSUANT TO THIS TITLE SHALL BE SUBJECT
25 TO A CIVIL PENALTY IN AN AMOUNT NOT IN EXCESS OF TEN THOUSAND DOLLARS.

26 2. NOTICE OF VIOLATION AND OPPORTUNITY TO BE HEARD. THE BOARD SHALL:

27 (A) DETERMINE WHETHER A VIOLATION OF ANY PROVISION OF THIS TITLE OR
28 RULE PROMULGATED HEREUNDER HAS BEEN COMMITTED;

29 (B) GIVE WRITTEN NOTICE AND THE OPPORTUNITY TO BE HEARD IN ACCORDANCE
30 WITH THE STATE ADMINISTRATIVE PROCEDURE ACT BEFORE AN INDEPENDENT HEAR-
31 ING OFFICER TO EACH PERSON OR ENTITY IT HAS REASON TO BELIEVE HAS
32 COMMITTED A VIOLATION; AND

33 (C) IF APPROPRIATE, ASSESS PENALTIES FOR VIOLATIONS, FOLLOWING SUCH
34 NOTICE AND OPPORTUNITY TO CONTEST.

35 3. CRIMINAL CONDUCT. ANY PERSON WHO KNOWINGLY AND WILLFULLY FURNISHES
36 OR SUBMITS FALSE STATEMENTS OR INFORMATION TO THE BOARD IN CONNECTION
37 WITH ITS ADMINISTRATION OF THIS TITLE, SHALL BE GUILTY OF A MISDEMEANOR
38 IN ADDITION TO ANY OTHER PENALTY AS MAY BE IMPOSED UNDER THIS CHAPTER OR
39 PURSUANT TO ANY OTHER LAW. THE BOARD SHALL SEEK TO RECOVER ANY MATCHING
40 FUNDS OBTAINED AS A RESULT OF SUCH CRIMINAL CONDUCT.

41 4. PROCEEDINGS AS TO MATCHING FINANCING. (A) THE DETERMINATION OF
42 ELIGIBILITY PURSUANT TO THIS TITLE AND ANY QUESTION OR ISSUE RELATING TO
43 PAYMENTS FOR CAMPAIGN EXPENDITURES PURSUANT TO THIS TITLE MAY BE
44 CONTESTED IN A PROCEEDING INSTITUTED IN THE SUPREME COURT, ALBANY COUN-
45 TY, BY ANY AGGRIEVED CANDIDATE.

46 (B) A PROCEEDING WITH RESPECT TO SUCH A DETERMINATION OF ELIGIBILITY
47 OR PAYMENT FOR QUALIFIED CAMPAIGN EXPENDITURES PURSUANT TO THIS CHAPTER
48 SHALL BE INSTITUTED WITHIN FOURTEEN DAYS AFTER SUCH DETERMINATION WAS
49 MADE. THE BOARD SHALL BE MADE A PARTY TO ANY SUCH PROCEEDING.

50 (C) UPON THE BOARD'S FAILURE TO RECEIVE THE AMOUNT DUE FROM A PARTIC-
51 IPATING CANDIDATE OR SUCH CANDIDATE'S AUTHORIZED COMMITTEE AFTER THE
52 ISSUANCE OF WRITTEN NOTICE OF SUCH AMOUNT DUE, AS REQUIRED BY THIS

53 TITLE, THE BOARD IS AUTHORIZED TO INSTITUTE A SPECIAL PROCEEDING OR
54 CIVIL ACTION IN SUPREME COURT, ALBANY COUNTY, TO OBTAIN A JUDGMENT FOR
55 ANY AMOUNTS DETERMINED TO BE PAYABLE TO THE BOARD AS A RESULT OF AN
56 EXAMINATION AND AUDIT MADE PURSUANT TO THIS TITLE OR TO OBTAIN SUCH
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1 AMOUNTS DIRECTLY FROM THE CANDIDATE OR AUTHORIZED COMMITTEE AFTER
A 2 HEARING AT THE STATE BOARD OF ELECTIONS.

3 (D) THE BOARD IS AUTHORIZED TO INSTITUTE A SPECIAL PROCEEDING OR CIVIL
4 ACTION IN SUPREME COURT, ALBANY COUNTY, TO OBTAIN A JUDGMENT FOR CIVIL
5 PENALTIES DETERMINED TO BE PAYABLE TO THE BOARD PURSUANT TO THIS TITLE
6 OR TO IMPOSE SUCH PENALTY DIRECTLY AFTER A HEARING AT THE STATE BOARD OF
7 ELECTIONS.

8 S 14-211. REPORTS. THE BOARD SHALL SUBMIT A REPORT TO THE GOVERNOR,
9 THE TEMPORARY PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE ASSEMBLY.
10 SUCH REPORT SHALL INCLUDE:

11 1. A LIST OF THE PARTICIPATING AND NONPARTICIPATING CANDIDATES IN
12 COVERED ELECTIONS AND THE VOTES RECEIVED BY EACH CANDIDATE IN THOSE
13 ELECTIONS;

14 2. THE AMOUNT OF CONTRIBUTIONS AND LOANS RECEIVED, AND EXPENDITURES
15 MADE, ON BEHALF OF THESE CANDIDATES;

16 3. THE AMOUNT OF PUBLIC MATCHING FUNDS EACH PARTICIPATING CANDIDATE
17 RECEIVED, SPENT, AND REPAID PURSUANT TO THIS TITLE;

18 4. ANALYSIS OF THE EFFECT OF THIS TITLE ON POLITICAL CAMPAIGNS,
19 INCLUDING ITS EFFECT ON THE SOURCES AND AMOUNTS OF PRIVATE FINANCING,
20 THE LEVEL OF CAMPAIGN EXPENDITURES, VOTER PARTICIPATION, THE NUMBER OF
21 CANDIDATES, THE CANDIDATES' ABILITY TO CAMPAIGN EFFECTIVELY FOR PUBLIC
22 OFFICE, AND THE DIVERSITY OF CANDIDATES SEEKING AND ELECTED TO OFFICE;
23 AND

24 5. RECOMMENDATIONS FOR AMENDMENTS TO THIS TITLE, INCLUDING CHANGES IN
25 CONTRIBUTION LIMITS, THRESHOLDS FOR ELIGIBILITY, AND ANY OTHER FEATURES
26 OF THE SYSTEM.

27 S 14-212. DEBATES FOR CANDIDATES FOR COMPTROLLER. THE BOARD SHALL
28 PROMULGATE REGULATIONS TO FACILITATE DEBATES AMONG PARTICIPATING CANDI-
29 DATES WHO SEEK ELECTION FOR THE OFFICE OF COMPTROLLER. PARTICIPATING
30 CANDIDATES ARE REQUIRED TO PARTICIPATE IN ONE DEBATE BEFORE EACH
31 ELECTION FOR WHICH THE CANDIDATE RECEIVES MATCHING FUNDS, UNLESS THE
32 PARTICIPATING CANDIDATE IS RUNNING UNOPPOSED. NONPARTICIPATING CANDI-
33 DATES MAY PARTICIPATE IN SUCH DEBATES.

34 S 14-213. SEVERABILITY. IF ANY CLAUSE, SENTENCE, SUBDIVISION, PARA-
35 GRAPH, SECTION OR PART OF THIS TITLE BE ADJUDGED BY ANY COURT OF COMPE-
36 TENT JURISDICTION TO BE INVALID, SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR
37 OR INVALIDATE THE REMAINDER THEREOF, BUT SHALL BE CONFINED IN ITS OPERA-
38 TION TO THE CLAUSE, SENTENCE, SUBDIVISION, PARAGRAPH, SECTION OR PART
39 THEREOF DIRECTLY INVOLVED IN THE CONTROVERSY IN WHICH SUCH JUDGMENT
40 SHALL HAVE BEEN RENDERED.

41 S 4. The state finance law is amended by adding a new section 92-t to
42 read as follows:

43 S 92-T. NEW YORK STATE CAMPAIGN FINANCE FUND. 1. THERE IS HEREBY
44 ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE
45 COMMISSIONER OF TAXATION AND FINANCE A FUND TO BE KNOWN AS THE NEW YORK
46 STATE CAMPAIGN FINANCE FUND.

47 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED FROM THE ABANDONED
48 PROPERTY FUND PURSUANT TO SECTION NINETY-FIVE OF THIS ARTICLE.

49 3. MONEYS OF THE FUND, FOLLOWING APPROPRIATION BY THE LEGISLATURE, MAY

50 BE EXPENDED FOR THE PURPOSES OF MAKING PAYMENTS TO CANDIDATES PURSUANT
51 TO TITLE II OF ARTICLE FOURTEEN OF THE ELECTION LAW. MONEYS SHALL BE
52 PAID OUT OF THE FUND UPON AUDIT AND WARRANT BY THE STATE COMPTROLLER ON
53 VOUCHERS CERTIFIED OR APPROVED BY THE STATE BOARD OF ELECTIONS, OR ITS
54 DULY DESIGNATED REPRESENTATIVE, IN THE MANNER PRESCRIBED BY LAW, NOT
55 MORE THAN FOUR WORKING DAYS AFTER SUCH VOUCHER IS AUDITED AND APPROVED
56 BY THE STATE COMPTROLLER.

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1 4. NO MATCHING FUNDS SHALL BE PAID TO ANY PARTICIPATING CANDIDATES IN
2 A PRIMARY ELECTION ANY EARLIER THAN THIRTY DAYS AFTER DESIGNATING
3 PETITIONS, INDEPENDENT NOMINATING PETITIONS, OR CERTIFICATES OF NOMI-
4 NATION HAVE BEEN FILED AND NOT LESS THAN FORTY-FIVE DAYS BEFORE SUCH
5 ELECTION.

6 5. NO MATCHING FUNDS SHALL BE PAID TO ANY PARTICIPATING CANDIDATES IN
7 A GENERAL ELECTION ANY EARLIER THAN THE DAY AFTER THE DAY OF THE PRIMARY
8 ELECTION HELD TO NOMINATE CANDIDATES FOR SUCH ELECTION.

9 6. NO MATCHING FUNDS SHALL BE PAID TO ANY PARTICIPATING CANDIDATE WHO
10 HAS BEEN DISQUALIFIED OR WHOSE DESIGNATING PETITIONS HAVE BEEN DECLARED
11 INVALID BY THE APPROPRIATE BOARD OF ELECTIONS OR A COURT OF COMPETENT
12 JURISDICTION UNTIL AND UNLESS SUCH FINDING IS REVERSED BY A HIGHER COURT
13 IN A FINAL JUDGMENT. NO PAYMENT FROM THE FUND IN THE POSSESSION OF SUCH
14 A CANDIDATE OR SUCH CANDIDATE'S PARTICIPATING COMMITTEE ON THE DATE OF
15 SUCH DISQUALIFICATION OR INVALIDATION MAY THEREAFTER BE EXPENDED FOR ANY
16 PURPOSE EXCEPT THE PAYMENT OF LIABILITIES INCURRED BEFORE SUCH DATE.
17 ALL SUCH MONEYS SHALL BE REPAID TO THE FUND.

18 S 5. Section 95 of the state finance law is amended by adding a new
19 subdivision 5 to read as follows:

20 5. (A) AS OFTEN AS NECESSARY, THE CO-CHAIRS OF THE STATE BOARD OF
21 ELECTIONS SHALL CERTIFY THE AMOUNT SUCH CO-CHAIRS HAVE DETERMINED NECES-
22 SARY TO FUND ESTIMATED PAYMENTS FROM THE FUND ESTABLISHED BY SECTION
23 NINETY-TWO-T OF THIS ARTICLE FOR THE PRIMARY OR GENERAL ELECTION.

24 (B) NOTWITHSTANDING ANY PROVISION OF THIS SECTION AUTHORIZING THE
25 TRANSFER OF ANY MONEYS IN THE ABANDONED PROPERTY FUND TO THE GENERAL
26 FUND, THE COMPTROLLER, AFTER RESERVING AMOUNTS SUFFICIENT TO PAY CLAIMS
27 AGAINST THE ABANDONED PROPERTY FUND, SHALL, BASED UPON A CERTIFICATION
28 OF THE BOARD OF ELECTIONS PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION,
29 AND AT THE DIRECTION OF THE DIRECTOR OF THE BUDGET, TRANSFER THE
30 REQUESTED AMOUNT FROM REMAINING AVAILABLE MONIES IN THE ABANDONED PROP-
31 ERTY FUND TO THE CAMPAIGN FINANCE FUND ESTABLISHED BY SECTION
32 NINETY-TWO-T OF THIS ARTICLE.

33 S 6. Severability. If any clause, sentence, subdivision, paragraph,
34 section or part of title II of article 14 of the election law, as added
35 by section three of this act be adjudged by any court of competent
36 jurisdiction to be invalid, such judgment shall not affect, impair or
37 invalidate the remainder thereof, but shall be confined in its operation
38 to the clause, sentence, subdivision, paragraph, section or part thereof
39 directly involved in the controversy in which such judgment shall have
40 been rendered.

41 S 7. This act shall take effect immediately and shall expire and be
42 deemed repealed December 31, 2014; provided that the powers of the board
43 of elections to conduct audits and make determinations with respect to
44 enforcement and penalties pursuant to sections 14-209 and 14-210 of the
45 election law, as added by section three of this act, shall continue in
46 such board notwithstanding the repeal of such sections until such time
47 as the board of elections shall determine.

48 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
49 sion, section or part of this act shall be adjudged by a court of compe-
50 tent jurisdiction to be invalid, such judgment shall not affect, impair,
51 or invalidate the remainder thereof, but shall be confined in its opera-
52 tion to the clause, sentence, paragraph, subdivision, section or part
53 thereof directly involved in the controversy in which such judgment
54 shall have been rendered. It is hereby declared to be the intent of the
55 legislature that this act would have been enacted even if such invalid
56 provisions had not been included herein.

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1 S 3. This act shall take effect immediately provided, however, that
2 the applicable effective date of Subparts A through D of this act shall
3 be as specifically set forth in the last section of such Subparts.