

SUBTITLE H. ELECTION LAW ENFORCEMENT COMMISSION

CHAPTER 25

REGULATIONS OF THE ELECTION LAW ENFORCEMENT COMMISSION

Authority

N.J.S.A. 19:27-17, 19:44A-6, 19:44A-38, 19:44B-7 and 52:13C-22.3.

Source and Effective Date

R.2005 d.192, effective May 26, 2005.
See: 37 N.J.R. 754(a), 37 N.J.R. 2228(a).

Chapter Expiration Date

Chapter 25, Regulations of the Election Law Enforcement Commission, expires on May 26, 2010.

Chapter Historical Note

Chapter 25, Regulations of the Election Law Enforcement Commission, was adopted as R.1974 d.267, effective September 25, 1974. See: 6 N.J.R. 371(a), 6 N.J.R. 418(a).

Pursuant to Executive Order No. 66(1978), Chapter 25, Regulations of the Election Law Enforcement Commission, was readopted as R.1990 d.526, effective October 1, 1990. See: 22 N.J.R. 2251(a), 22 N.J.R. 3391(a).

Subchapter 4, Reporting Requirements, was repealed and Subchapter 4, Establishment of Reporting Committees, was adopted as new rules; Subchapter 5, Appointment of Treasurers and Depositories, was repealed and Subchapter 5, Appointment of Campaign Officers and Depositories, was adopted as new rules; Subchapter 6, Deposit of Funds, was repealed and Subchapter 6, Receipt and Use of Funds, was adopted as new rules; Subchapter 7, Use or Transmittal of Deposited Funds; Surplus Campaign Funds, was in part repealed and in part recodified as Subchapter 6, Receipt and Use of Funds; Subchapter 8, Recordkeeping, was recodified as Subchapter 7, Recordkeeping; Subchapter 8, Candidate, Joint Candidates, and Political Committee Reporting, was adopted as new rules; and Subchapter 9, Pre-Election and Post-Election Reports, was repealed by R.1993 d.509, effective October 18, 1993. See: 25 N.J.R. 3429(b), 25 N.J.R. 4753(a).

Subchapter 9, Continuing Political Committee, Political Party Committee, and Legislative Leadership Committee Reporting, was adopted as new rules, and Subchapter 10, Quarterly Reports, was repealed by R.1994 d.573, effective November 21, 1994. See: 26 N.J.R. 3138(a), 26 N.J.R. 4638(a).

Subchapter 11, Contributions; Reporting of, was repealed and Subchapter 10, Contribution Reporting, and Subchapter 11, Contribution Limits, were adopted as new rules by R.1995 d.209, effective April 17, 1995. See: 27 N.J.R. 312(a), 27 N.J.R. 480(a), 27 N.J.R. 1643(c).

Pursuant to Executive Order No. 66(1978), Chapter 25, Regulations of the Election Law Enforcement Commission, was readopted as R.1995 d.509, effective August 16, 1995. See: 27 N.J.R. 2564(a), 27 N.J.R. 3621(d).

Subchapter 12, Reporting of Expenditures; Independent Expenditures, was repealed and Subchapter 12, Reporting of Expenditures; Independent Expenditures, was adopted as new rules by R.1995 d.433, effective August 21, 1995. See: 27 N.J.R. 2110(c), 27 N.J.R. 3214(a).

Subchapter 14, Advisory Opinions, was recodified as Subchapter 18, Advisory Opinions, and Subchapter 14, Recall Elections, was adopted as new rules by R.1996 d.10, effective January 2, 1996. See: 27 N.J.R. 3592(a), 27 N.J.R. 3770(a), 28 N.J.R. 177(a).

Subchapter 13, Allocation of Expenditures, was recodified as N.J.A.C. 19:25-12.10, Allocation, and Subchapter 13, Political Identification Statements, was adopted as new rules by R.1996 d.393, effective August 19, 1996. See: 28 N.J.R. 2521(a), 28 N.J.R. 3970(a).

Pursuant to Executive Order No. 66(1978), Chapter 25, Regulations of the Election Law Enforcement Commission, was readopted as R.2000 d.322, effective July 17, 2000. Subchapter 3, Pre-Candidate Activity; "Testing the Waters", was repealed by R.2000 d.322, effective August 7, 2000. See: 32 N.J.R. 1291(a), 32 N.J.R. 2930(a).

Subchapter 3, Electronic Filing, was adopted as new rules by R.2004 d.280, effective July 19, 2004. See: 36 N.J.R. 1895(a), 36 N.J.R. 3418(a).

Chapter 25, Regulations of the Election Law Enforcement Commission, was readopted as R.2005 d.192, effective May 26, 2005. See: Source and Effective Date. As a part of R.2005 d.192, Subchapter 21, Professional Campaign Fund Raisers, was adopted as new rules and former Subchapter 21, Severability Clause, was recodified as Subchapter 22. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

19:25-1.1 Scope of regulations

The provisions of this chapter are promulgated pursuant to the New Jersey Campaign Contributions and Expenditures Reporting Act, P.L. 1973, c.83, as amended, N.J.S.A. 19:44A-1 and following ("the act"); the Gubernatorial Legislative Disclosure Statement Act; N.J.S.A. 19:44B-1 et seq.; the Uniform Recall Election Law, P.L. 1995, c. 105, N.J.S.A. 19:27A-1, and the Legislative Activities Disclosure Act of 1971, N.J.S.A. 52:13C-18 et seq. Such provisions shall constitute the rules and regulations of practice and procedure of the New Jersey Election Law Enforcement Commission ("the Commission").

Amended by R.1990 d.526, effective November 5, 1990.
See: 22 N.J.R. 2251(a), 22 N.J.R. 3391(a).

Citations added.

Amended by R.2000 d.322, effective August 7, 2000.
See: 32 N.J.R. 1291(a), 32 N.J.R. 2930(a).

Inserted a reference to the Uniform Recall Election Law.

19:25-1.2 Short title

The provisions of this chapter shall be known as "Regulations of the New Jersey Election Law Enforcement Commission".

19:25-1.3 Liberal construction of regulations

The provisions of this chapter shall be liberally construed to permit the commission to discharge its statutory functions and to secure a just and speedy determination of all matters before it.

19:25-1.4 Relaxation

The commission may, upon notice to all parties or persons in interest, relax the application of this chapter whenever the interest of justice shall so require.

(b) Any penalty imposed pursuant to this subsection may be recovered in a summary proceeding pursuant to the "Penalty Enforcement Law of 1999" (P.L. 1999, c.274).

stances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any regulation shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of these regulations.

SUBCHAPTER 22. SEVERABILITY CLAUSE

19:25-22.1 Severability clause

If any regulation, or sentence, paragraph or section of this chapter, or the application thereof to any persons or circum-

As amended, R.1981 d.54, effective February 13, 1981.
See: 13 N.J.R. 49(a), 13 N.J.R. 248(b).
Recodified from Chapter 18.
As amended, R.1983 d.285, effective July 18, 1983.
See: 15 N.J.R. 799(a), 15 N.J.R. 1183(a).
Recodified from Chapter 19.
As amended, R.1984 d.341, effective August 6, 1984.
See: 16 N.J.R. 1044(a), 16 N.J.R. 2154(a).
Recodified from Chapter 20.