

copy of a complaint alleging a specific violation of the law within the Commission's jurisdiction to enforce.

New Rule, R.2003 d.239, effective June 16, 2003.
See: 35 N.J.R. 1209(a), 35 N.J.R. 2739(b).

19:25-20.18C One-year post-employment prohibition on lobbying

(a) As used in this section, "person" means any member of the Legislature, the Governor, or the head of a principal department of the Executive Branch.

(b) No person, within one year next subsequent to the termination of the office or employment of such person, shall register as a governmental affairs agent.

(c) Any person who knowingly or willfully violates the provisions of (b) above shall be subject to a penalty of not more than \$10,000 and shall be barred from engaging in activity as a governmental affairs agent for up to an additional five years.

(d) Upon receiving evidence of any violation of this section, the Commission shall have the power to hold, or cause to be held, hearings about the violation and, upon finding any person to have committed a violation, to assess such penalty, within the limits set forth in (c) above, as it deems proper under the circumstances, which penalty may be collected in a summary proceeding pursuant to the "Penalty Enforcement Law of 1999" (N.J.S.A. 2A:58-10 et seq.).

New Rule by R.2005 d.427, effective December 5, 2005 (operative date of January 1, 2006).
See: 37 N.J.R. 2838(a), 37 N.J.R. 4559(a).

19:25-20.19 Nonresident governmental affairs agents or represented entities

(a) Any governmental affairs agent or represented entity not a resident of this State, or not a corporation of this State or authorized to do business in this State, shall file with the Commission, before attempting to influence legislation, influence regulation, or influence governmental processes, its consent to service of process at an address within this State, or by regular mail at an address outside this State.

(b) Any person other than a governmental affairs agent or represented entity who receives contributions or makes expenditures for the purpose of communication with the general public and not a resident of this State, or not a corporation of this State or authorized to do business in this State, shall file with the Commission, before engaging in communication with the general public, its consent to service of process at an address within this State, or by regular mail at an address outside this State.

(c) For purposes of the annual report described in N.J.A.C. 19:25-20.9 and 20.9A, a nonresident governmental affairs agent, represented entity, or person communicating with the general public must file the consent to service of process as

defined by (a) and (b) above using electronic filing software supplied by the Commission pursuant to this subchapter.

Recodified by R.1992 d.32, effective January 21, 1992.

See: 23 N.J.R. 3077(a), 24 N.J.R. 298(a).

Recodified from 19:25-20.14. Revised text.

Recodified from 19:25-20.18 by R.1997 d.420, effective October 6, 1997.

See: 29 N.J.R. 2809(a), 29 N.J.R. 4302(a).

Former section recodified to N.J.A.C. 19:25-20.20.

Amended by R.2005 d.427, effective December 5, 2005 (operative date of January 1, 2006).

See: 37 N.J.R. 2838(a), 37 N.J.R. 4559(a).

Section was "Nonresident legislative agent or lobbyist"; substituted "governmental affairs" for "legislative"; substituted "and" for "or" following "legislation" and added "or influence governmental processes,".

Amended by R.2007 d.230, effective August 6, 2007.

See: 39 N.J.R. 626(a), 39 N.J.R. 3409(a).

Recodified existing text as (a); and added (b).

Amended by R.2012 d.205, effective December 17, 2012.

See: 44 N.J.R. 2049(a), 44 N.J.R. 3077(a).

Section was "Nonresident governmental affairs agents or lobbyists". In (a) and (b), substituted "represented entity" for "lobbyist"; and added (c).

19:25-20.20 Annual fee

(a) Each governmental affairs agent who is an individual and whose activities are subject to the Act during any part of a 12-month period commencing on January 1 and ending on the following December 31 shall pay an annual fee of \$425.00, and shall submit with the agent's annual fee two identical, two-by-two-inch, color photographs taken of the governmental affairs agent within six months showing a full-face, front view of the agent with a plain white or off-white background.

(b) In the event that the governmental affairs agent is a partnership, committee, association, corporation, or other organization or group of persons, the annual fee shall be \$425.00 for each individual from the partnership, committee, association, corporation, or other organization or group of persons, who is required to wear a name tag pursuant to N.J.A.C. 19:25-20.6.

(c) Payment of the annual fee set forth in (a) and (b) above shall be by check or money order payable to "State of New Jersey, Election Law Enforcement Commission," and shall be made no later than November 15th for the 12-month period which begins on the following January 1.

(d) In the case of a governmental affairs agent who files an initial notice of representation, the annual fee shall be due upon the filing of such initial notice of representation, and subsequent annual fees shall be due pursuant to (c) above.

(e) No annual fee shall be required if the governmental affairs agent is an organization that is exempt from sales and use taxes under section 9(b) of chapter 30 of the laws of 1966, as amended (N.J.S.A. 54:32-9(b)).

New Rule, R.1992 d.32, effective January 21, 1992.

See: 23 N.J.R. 3077(a), 24 N.J.R. 298(a).

Amended by R.1992 d.251, effective June 15, 1992.

See: 24 N.J.R. 1245(a), 24 N.J.R. 1692(a), 24 N.J.R. 2294(a).

Revised (a) and (b).

Amended by R.1995 d.152, effective March 20, 1995.

See: 26 N.J.R. 4978(a), 27 N.J.R. 1201(b).

Recodified from 19:25-20.19 by R.1997 d.420, effective October 6, 1997.

See: 29 N.J.R. 2809(a), 29 N.J.R. 4302(a).

Amended by R.2000 d.322, effective August 7, 2000.

See: 32 N.J.R. 1291(a), 32 N.J.R. 2930(a).

In (c), substituted "made" for "due" following "shall be".

Amended by R.2002 d.231, effective July 15, 2002.

See: 34 N.J.R. 1370(a), 34 N.J.R. 2468(a).

Rewrote (a).

Amended by R.2005 d.427, effective December 5, 2005 (operative date of January 1, 2006).

See: 37 N.J.R. 2838(a), 37 N.J.R. 4559(a).

Substituted "governmental affairs" for "legislative" throughout; in (a) and (b), increased annual fee from \$325.00 to \$425.00; in (a), changed the 12-month period from August 1-July 31 of the following year to August 1-December 31 of the same year; in (c), changed the deadline for payment from August 1st of each year to "no later than November 15th for the 12-month period which begins on the following January 1."

SUBCHAPTER 21. PROFESSIONAL CAMPAIGN FUND RAISERS

19:25-21.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless a different meaning clearly appears from the context.

"Candidate" means a candidate for nomination for election or election to the office of Governor or the office of member of the Senate or General Assembly, and any candidate committee, joint candidates committee, or both, of such a candidate.

"Committee" means a political committee, continuing political committee, political party committee, or legislative leadership committee.

"Person" means an individual, partnership, committee, association, corporation, or any other organization or group of persons.

"Professional campaign fund raiser" or "fund raiser" means a person who is employed, retained, or engaged for monetary compensation of at least \$5,000 per year in the aggregate to perform for any candidate or committee, or both, any service directly related to the solicitation of contributions for that candidate or committee. The terms "professional campaign fund raiser" and "fund raiser" do not include any person who is reimbursed only for incurred costs by a candidate or committee for performing any service directly related to the solicitation of contributions for that candidate or committee.

19:25-21.2 Registration

(a) A professional campaign fund raiser shall register with the Commission within five business days of the earlier of the following:

1. The professional campaign fund raiser plans or organizes or is involved in the planning or organizing of, or attends, at least three events within a three-month period at which contributions are raised by the professional campaign fund raiser for a candidate or committee by whom he or she has been employed, retained or engaged; or

2. The professional campaign fund raiser raises money or any other thing of value at least equivalent to the maximum amount of contributions permitted to be made by an individual to a candidate for public office pursuant to N.J.S.A. 19:44A-11.3 in the aggregate in contributions for such a candidate or committee prior to a primary election or prior to a general election.

(b) The professional campaign fund raiser shall register on a form provided by the Commission which shall include the following:

1. The name, business mailing address, and regular occupation or business of the fund raiser;

2. The resident mailing address of a State resident designated as the fund raiser's agent for the service of process;

3. The general nature of the services to be offered, the dates and locations of each fund raising event the person planned or organized, or was involved in the planning or organizing of, or attended;

4. The amount of money the person raised at each event; and

5. The name of each individual employed by the professional campaign fund raiser who receives monetary compensation of at least \$5,000 per year from the fund raiser to perform for any candidate or committee, or both, any service directly related to the solicitation of contributions for that candidate or committee, or both.

(c) A professional campaign fund raiser shall upon filing the initial registration form in (b) above pay a registration fee of \$1,000. The \$1,000 initial registration fee shall also be applicable to each individual employed by a professional campaign fund raiser who is employed, retained, or engaged for monetary compensation of at least \$5,000 per year in the aggregate to perform for any candidate or committee, or both, any service directly related to the solicitation of contributions for that candidate or committee, or both, and who meets either of the registration criteria in (a) above.