

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,  
P.L. 2004, c. 121, § 19.

**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Subchapter 4, Reporting Requirements, was repealed and Subchapter 4, Establishment of Reporting Committees, was adopted as new rules; Subchapter 5, Appointment of Treasurers and Depositories, was repealed and Subchapter 5, Appointment of Campaign Officers and Depositories, was adopted as new rules; Subchapter 6, Deposit of Funds, was repealed and Subchapter 6, Receipt and Use of Funds, was adopted as new rules; Subchapter 7, Use or Transmittal of Deposited Funds; Surplus Campaign Funds, was in part repealed and in part recodified as Subchapter 6, Receipt and Use of Funds; Subchapter 8, Recordkeeping, was recodified as Subchapter 7, Recordkeeping; Subchapter 8,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Political Committee Reporting, was adopted as new rules; and Subchapter 9, Pre-Election and Post-Election Reports, was repealed by R.1993 d.509, effective October 18, 1993.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and Legislative Leadership Committee Reporting, was adopted as new rules, and Subchapter 10, Quarterly Reports, was repealed by R.1994 d.573, effective November 21, 1994.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Subchapter 11, Contributions; Reporting of, was repealed and Subchapter 10, Contribution Reporting, and Subchapter 11, Contribution Limits, were adopted as new rules by R.1995 d.209, effective April 17, 1995.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, Electric 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. 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.

Subchapter 23, New Jersey Fair and Clean Elections Pilot Project, was adopted as R.2005 d.272, effective August 15, 2005. See: 37 N.J.R. 1704(a), 37 N.J.R. 3051(b).

Subchapter 20, Lobbyists and Legislative Agents, was renamed Lobbyists and Governmental Affairs Agents 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).

Subchapter 24, State Contractor Contributions Prohibited; and Subchapter 25, Legislative, County and Municipal Contractor Contributions Prohibited, were adopted as new rules by R.2006 d.166, effective May 1, 2006. See: 38 N.J.R. 111(a), 38 N.J.R. 1864(a).

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 19:25-1.1 Scope of regulations
- 19:25-1.2 Short title
- 19:25-1.3 Liberal construction of regulations
- 19:25-1.4 Relaxation
- 19:25-1.5 Amendment of regulations
- 19:25-1.6 Practice where regulations do not govern
- 19:25-1.7 Definitions
- 19:25-1.8 Gender, use of masculine to include feminine
- 19:25-1.9 Candidates and committees subject to thresholds and limits
- 19:25-1.10 Preparation of reports

**SUBCHAPTER 2. ADMINISTRATIVE**

- 19:25-2.1 Office
- 19:25-2.2 Access to documents
- 19:25-2.3 Copies of documents; fees
- 19:25-2.4 Release of documents
- 19:25-2.5 Signatures

**SUBCHAPTER 3. ELECTRONIC FILING**

- 19:25-3.1 Application for registration number and personal identification number
- 19:25-3.2 Filing of an electronic report
- 19:25-3.3 Required electronic filing

**SUBCHAPTER 4. ESTABLISHMENT OF REPORTING COMMITTEES**

- 19:25-4.1 Candidate and joint candidates committees
- 19:25-4.1A Establishment of a candidate committee
- 19:25-4.2 Establishment of a joint candidates committee
- 19:25-4.3 Individual seeking multiple offices
- 19:25-4.4 Establishment of a political committee
- 19:25-4.5 Establishment of a continuing political committee
- 19:25-4.6 Designation by a political party committee

- 19:25-4.7 Establishment of a legislative leadership committee
- 19:25-4.8 Approval of abbreviation or acronym as name

#### SUBCHAPTER 5. APPOINTMENT OF CAMPAIGN OFFICERS AND DEPOSITORIES

- 19:25-5.1 Qualifications of campaign or committee officers
- 19:25-5.2 Qualifications of depositories
- 19:25-5.3 Required treasurer training
- 19:25-5.4 Deputy treasurers and additional depositories
- 19:25-5.5 Removal or resignation of treasurers

#### SUBCHAPTER 6. RECEIPT AND USE OF FUNDS

- 19:25-6.1 Receipt and deposit of funds
- 19:25-6.2 Transfer of funds without deposit
- 19:25-6.3 Receipt of transferred funds
- 19:25-6.4 Expenditures through treasurer
- 19:25-6.5 Use or disposition of campaign funds
- 19:25-6.6 Limitations on permissible expenses
- 19:25-6.7 Ordinary and necessary officeholding expenses
- 19:25-6.8 Vehicle use
- 19:25-6.9 Funds remaining unspent at death of candidate
- 19:25-6.10 Use of funds for legal fees

#### SUBCHAPTER 7. RECORDKEEPING

- 19:25-7.1 Recordkeeping requirements
- 19:25-7.2 Recordkeeping for credit card transactions
- 19:25-7.3 Period of retention
- 19:25-7.4 Affidavit for missing records

#### SUBCHAPTER 8. CANDIDATE, JOINT CANDIDATES, AND POLITICAL COMMITTEE REPORTING

- 19:25-8.1 Candidate or joint candidates committee election fund reports
- 19:25-8.2 Election-cycle reports
- 19:25-8.2A Winning primary election candidates
- 19:25-8.3 Quarterly reports
- 19:25-8.4 Candidate certified statements (Form A-1 or A-2)
- 19:25-8.5 Candidate not receiving contributions or making expenditures
- 19:25-8.6 Contributions received immediately before an election
- 19:25-8.6A Expenditure made immediately before an election
- 19:25-8.7 Termination of candidate reporting
- 19:25-8.7A Retirement of net liabilities
- 19:25-8.8 Political committee election fund reports
- 19:25-8.9 Political committee contributions received immediately before an election
- 19:25-8.10 Political committee expenditures made immediately before an election
- 19:25-8.11 Termination of political committee quarterly reporting
- 19:25-8.12 Time and place of filing reports

#### SUBCHAPTER 9. CONTINUING POLITICAL COMMITTEE, POLITICAL PARTY COMMITTEE, AND LEGISLATIVE LEADERSHIP COMMITTEE REPORTING

- 19:25-9.1 Quarterly reports
- 19:25-9.2 Certified statement (Form A-3)
- 19:25-9.3 Contributions received immediately before an election
- 19:25-9.4 Continuing political committee expenditures made immediately before a primary or general election
- 19:25-9.4A Political party committee and legislative leadership committee expenditures made immediately before a primary or general election
- 19:25-9.5 Termination of continuing political committee reporting
- 19:25-9.6 Time and place of filing reports

#### SUBCHAPTER 10. CONTRIBUTION REPORTING

- 19:25-10.1 General provisions
- 19:25-10.2 Contributions of more than \$300.00; currency contributions

- 19:25-10.2A Reporting of occupation and employer information
- 19:25-10.3 Contributions of \$300.00 or less
- 19:25-10.4 Computation of contribution amounts
- 19:25-10.5 Contributions of paid personal services
- 19:25-10.6 Currency contributions
- 19:25-10.7 Public solicitations
- 19:25-10.8 Prohibition of anonymous contributions and of contributions in the name of another
- 19:25-10.9 Contributions for an inaugural or other election-related event
- 19:25-10.10 Political communication contributions
- 19:25-10.11 Reporting of political communication costs
- 19:25-10.12 Interest income
- 19:25-10.13 Loans as contributions
- 19:25-10.14 Contributions by minors
- 19:25-10.15 Contributions made by check
- 19:25-10.16 Contributions by electronic transfer of funds

#### SUBCHAPTER 11. CONTRIBUTION LIMITS

- 19:25-11.1 Candidates subject to contribution limits
- 19:25-11.1A Committees subject to contribution limits
- 19:25-11.2 Contribution limit chart
- 19:25-11.3 Candidate contributions
- 19:25-11.4 Joint candidates committee contribution limits
- 19:25-11.5 Equal attribution requirements
- 19:25-11.6 Public question political committees
- 19:25-11.7 County political party contribution limits
- 19:25-11.7A Limitations on contributions between county political party committees
- 19:25-11.8 Return of excessive contributions
- 19:25-11.9 Contributions from affiliated corporations, associations or labor organizations
- 19:25-11.10 Partnership contributions prohibited
- 19:25-11.11 Contributions received from out-of-State candidates and committees
- 19:25-11.12 Contribution received for a recount or election contest
- 19:25-11.13 Contribution from an estate
- 19:25-11.14 Solicitation and making of contributions on State property prohibited

#### SUBCHAPTER 12. REPORTING OF EXPENDITURES; INDEPENDENT EXPENDITURES

- 19:25-12.1 General provisions
- 19:25-12.2 Expenditure reporting
- 19:25-12.3 Written notification of a coordinated expenditure
- 19:25-12.4 Expenditures made by credit card
- 19:25-12.4A Expenditures made by debit card
- 19:25-12.5 Expenditures by currency; petty cash fund
- 19:25-12.6 Payments to individuals; "street money"
- 19:25-12.7 Independent expenditures
- 19:25-12.8 Reporting of independent expenditures
- 19:25-12.8A Independent expenditures made immediately before an election
- 19:25-12.9 Expenditures for an inaugural or other election related event
- 19:25-12.10 Allocation
- 19:25-12.11 Expenditures for a recount or election contest

#### SUBCHAPTER 13. POLITICAL IDENTIFICATION STATEMENTS

- 19:25-13.1 Definitions
- 19:25-13.2 Political identification requirements
- 19:25-13.3 Independent expenditure communications
- 19:25-13.4 Vendor records
- 19:25-13.5 Exemptions

#### SUBCHAPTER 14. RECALL ELECTIONS

- 19:25-14.1 Definitions
- 19:25-14.2 Recall committee subject to candidate committee requirements; penalties
- 19:25-14.3 Commencement of fundraising by recall committee