



Legislation Details (With Text)

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Int. No. 293

By Council Members Dilan, Fidler, Koppell, Liu, Perkins, Sanders, Yassky and Oddo

A Local Law to amend the administrative code of the city of New York, in relation to disallowing participants in the Campaign Finance Program from making payments to family members.

Be it enacted by the Council as follows:

Section 1. Subdivision 1 of section 3-703 of the administrative code of the city of New York is amended by adding a new paragraph (m), to read as follows:

1. To be eligible for optional public financing under this chapter, a candidate for nomination for election or election must:

* * * * *

(m) not make and his or her principal committee and any other political committee authorized by such candidate must not make any payments to the candidate or a spouse, domestic partner, child, grandchild, parent, grandparent, brother or sister of the candidate or spouse or domestic partner of such child, grandchild, parent, grandparent, brother or sister, or to a business entity in which the candidate or any such person has a ten percent or greater ownership interest;

§2. Subdivision 2 of section 3-704 of the administrative code of the city of New York is amended by deleting paragraph (b),

to read as follows:

2. Such public funds may not be used for:

(a) an expenditure in violation of any law;

[(b) payments made to the candidate or a spouse, domestic partner, child, grandchild, parent, grandparent, brother or sister of the candidate or spouse or domestic partner of such child, grandchild, parent, grandparent, brother or sister, or to a business entity in which the candidate or any such person has a ten percent or greater ownership interest;]

[(c)] (b) payments in excess of the fair market value of services, materials, facilities or other things of value received in exchange;

[(d)] (c) (i) any expenditure made after the candidate has been finally disqualified or had his or her petitions finally declared invalid by the New York city board of elections or a court of competent jurisdiction, except that such expenditures may be made:

(A) as otherwise permitted pursuant to subdivision seven of section 3-709 of this chapter, or

(B) for a different covered election, other than a special election to fill a vacancy, held later in the same calendar year in which the candidate seeks election for the same office; provided, however, that public funds originally received for a special election to fill a vacancy may not be retained for expenditure in any other election;

(ii) any expenditure made after the only remaining opponent of the candidate has been finally disqualified or had his or her petitions finally declared invalid by the New York city board of elections or a court of competent jurisdiction, except that such expenditures may be made for a different covered election, other than a special election to fill a vacancy, held later in the same calendar year in which the candidate seeks election for the same office; provided, however, that public funds originally received for a special election to fill a vacancy may not be retained for expenditure in any other election;

[(e)] (d) payments in cash;

[(f)] (e) any contribution, transfer, or loan made to another candidate or political committee;

[(g)] (f) gifts, except brochures, buttons, signs and other printed campaign material; or

[(h)] (g) any expenditures to challenge or defend the validity of petitions of designation or nomination, or of certificates of nomination, acceptance, authorization, declination, or substitution, made pursuant to subdivision four of section 3-706.

§3. This local law shall take effect immediately.

MT
3/4/04