



Legislation Text

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Int. No. 114

By Council Members Lander, Brannan, Reynoso, Powers and Perkins

A Local Law to amend the administrative code of the city of New York, in relation to a campaign finance small contribution matching option

Be it enacted by the Council as follows:

Section 1. Paragraph (a) of subdivision 2 of section 3-705 of the administrative code of the city of New York is amended to read as follows:

2. (a) If the threshold for eligibility is met, the participating candidate's principal committee shall receive payment for qualified campaign expenditures of six dollars for each one dollar of matchable contributions, up to one thousand fifty dollars in public funds per contributor (or up to five hundred twenty-two dollars in public funds per contributor in the case of a special election), obtained and reported to the campaign finance board in accordance with the provisions of this chapter, except as otherwise provided in subdivision eleven of this section.

§ 2. Section 3-705 of the administrative code of the city of New York is amended to add a new subdivision 11, to read as follows:

11. Notwithstanding any other provision of this chapter to the contrary, a participating candidate may choose, by filing a written certification with the board, to receive public funds based on a small contribution matching system. If such a small contribution matching system is chosen by a participating candidate then the requirements of this chapter shall apply except for paragraph (f) of subdivision 1 of section 3-703, paragraph (a) of subdivision 2 of this section, and subdivision 3 of section 3-706, which shall instead be substituted as described in this subdivision. The amount of any contribution or contributions received prior to the filing of

such certification that are in excess of the limitations of paragraph (a) of this subdivision must be refunded prior to filing and if, after such refunds, such candidate still meets the threshold for eligibility for public financing then such candidate shall be eligible for the small contribution matching system. After filing such certification:

(a) the participating candidate must not accept and his or her principal committee must not accept, either directly or by transfer, any contribution or contributions from any one individual, partnership, political committee, labor organization or other entity for all covered elections held in the same calendar year in which he or she is a participating candidate which in the aggregate: (i) for the office of mayor, public advocate or comptroller shall exceed \$400, or (ii) for borough president shall exceed \$320, or (iii) for member of the city council shall exceed \$250; provided that for the purposes of this paragraph, contributions made by different labor organizations shall not be aggregated or treated as contributions from a single contributor for purposes of the contribution limit that is set forth in this paragraph if those labor organizations make contributions from different accounts, maintain separate accounts with different signatories, do not share a majority of members of their governing boards, and do not share a majority of the officers of their governing boards; and provided further that if state law prescribes a contribution limitation of a lesser amount, this paragraph shall not be deemed to authorize acceptance of a contribution in excess of such lesser amount.

(b) if the threshold for eligibility is met, the participating candidate's principal committee shall receive payment for qualified campaign expenditures of ten dollars for each one dollar of matchable contributions, up to \$1,750 in public funds per contributor, obtained and reported to the campaign finance board in accordance with the provisions of this chapter. In no case shall the principal committee of a participating candidate receive public funds in excess of the limit established pursuant to paragraph (b) of subdivision 2 of this section.

(c) If any candidate in any covered election chooses not to file a certification as a participating or limited participating candidate pursuant to this chapter, and where the campaign finance board has determined that such candidate and his or her authorized committees have spent or contracted or have obligated to spend, or received in loans or contributions, or both, an amount which, in the aggregate:

(1) exceeds half the applicable expenditure limit for such office fixed by subdivision 1 of section 3-706, then such expenditure limit applicable to participating candidates in the small contribution matching system in such election for such office shall be increased to one hundred fifty percent of such limit, provided that in no case shall the principal committee of a participating candidate receive public funds in excess of the limit established pursuant to paragraph (b) of subdivision 2 of this section.

(2) exceeds three times the applicable expenditure limit for such office fixed by subdivision one of section 3-706, then such expenditure limit shall no longer apply to participating candidates in the small contribution matching system in such election for such office, provided that in no case shall the principal committee of a participating candidate receive public funds in excess of the limit established pursuant to paragraph (b) of subdivision 2 of this section.

(d) No funds shall be provided pursuant to this subdivision with respect to any covered election specified in subdivision five of this section.

§ 3. Subdivision 7 of section 3-703 of the administrative code of the city of New York is amended to read as follows:

7. Not later than the first day of March in the year two thousand eighteen and every fourth year thereafter the campaign finance board shall (i) determine the percentage difference between the average over a calendar year of the consumer price index for the metropolitan New York-New Jersey region published by the United States bureau of labor statistics for the twelve months preceding the beginning of such calendar year and the average over the calendar year two thousand fifteen of such consumer price index; (ii) adjust each maximum contribution applicable pursuant to paragraph (f) of subdivision one of this section and subdivision 11 of section 3-705 by the amount of such percentage difference to the nearest fifty dollars; and (iii) publish such adjusted maximum contribution in the City Record. Such adjusted maximum contribution shall be in effect for any election held before the next such adjustment.

§ 4. This local law takes effect on January 1, 2019.

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