July

Ronald E. Bookbinder
P.O. Box 400
513 High Street
Burlington, New Jersey

Re: The New Jersey Campaign Contributions and Expenditures Reporting Act, Chapter 83, Laws of 1973, As Amended and Supplemented ("the Act")
Your Letter Dated February 27, 1975
Opinion #(0-4-75)

Dear Mr. Bookbinder:

Your letter dated February 27, 1975 to the New Jersey Election Law Enforcement Commission ("the Commission"), including a request for advisory opinion, has been forwarded to me for reply.

In view of the continuing nature of the Club and the fact that the activities of the Club are necessarily related closely to the local political activities of the Burlington Township Democratic Committee, we believe that the Burlington Township Democratic Club is a political club as defined in the regulations of the Commission and is subject to the requirement of filing an annual report and the requirements related thereto as set forth in the Act and the regulations. Non-filing by the Club of the report due March 1, 1975 as described in your letter is protected, up until receipt of this Opinion and prompt compliance therewith, by virtue of the provisions of Section 6 of the Act.

Although your letter sets forth certain activities as principal receipts and principal expenditures of the Act, you should be aware that, in the event the Club is active in the campaign efforts on behalf of any candidate, it may in proper circumstances become a political committee by virtue of such activity, and may therefore become subject to the pre-election and post-election reporting provisions of the Act, in addition to the annual reporting requirements. You
should also be aware that any use of a system of receipt of contributions by a club and subsequent use of those contributions in such a way as to conceal identity of donors or to conceal "earmarked" funds would be regarded by the Commission as a violation of the Act.

Yours very truly,

Edward J. Farrell
Legal Counsel

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