

July 21, 1980

Phillip Lewis Paley, Esq.
Kristen, Friedman & Cherin, Esqs.
17 Academy Street
Newark, N. J. 07102

Re: Advisory Opinion Request 0-29-80

Dear Mr. Paley:

You have asked whether the New Jersey Campaign Contributions and Expenditures Reporting Act of 1973, N.J.S.A. 19:44A-1, et seq., (hereafter, the "Act") permits candidates for public office to designate a single joint campaign depository for their contributions and expenditures. For the reasons herein stated, you are advised that such a practice is consistent with the requirements of the Act.

A "political committee" is defined by the Act to mean "...any two or more persons acting jointly, or any corporation, partnership, or any other incorporated or unincorporated association which is organized to, or does, aid or promote the nomination, election or defeat of any candidate or candidates for public office ..." N.J.S.A. 19:44A-3 (emphasis added). A "political committee" supporting two or more candidates must appoint one campaign treasurer and designate one campaign depository prior to receiving any contributions or expending any money. N.J.S.A. 19:44A-10. Therefore, it is evident that the Act contemplates that, if they so wish, two or more candidates may utilize a single treasurer and a single campaign depository. While two or more candidates may utilize a single depository, each candidate and his or her treasurer retain their individual obligations to file complete and timely campaign reports. N.J.S.A. 19:44A-16. Further, the political committee itself retains its obligation to file a complete and timely campaign report. N.J.S.A. 19:44A-8. Therefore, where several candidates were being supported by a political committee, the committee would file a report detailing contributions and expenditures, and allocating those expenditures among each of the candidates it was supporting. In turn, the candidates would file reports that would show as a contribution their allocated share of the committee's expenditures. In the

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event any candidate received contributions outside of the committee, that candidate would have an obligation to establish a separate bank account pursuant to N.J.S.A. 19:44A-9 and include the contributions and expenditures made under that account in his or her report.

N.J. ELECTION LAW ENFORCEMENT COMMISSION

By: _____
GREGORY E. NAGY, Staff Counsel

GEN/cm
cc:Lewis B. Thurston, III,
Executive Director