



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

SIDNEY GOLDMANN
CHAIRMAN

NATIONAL STATE BANK BLDG., SUITE 1114
26 W. STATE STREET
TRENTON, NEW JERSEY 08608
18081 292-8700

FEB 15 '81

LEWIS B. THURSTON III
EXECUTIVE DIRECTOR

JOSEPHINE S. MARGETTS
ANDREW C. AXTELL
M. Robert DeCotiis

RECEIVED
LAW ENFORCEMENT
COMMISSION

EDWARD J. FARRELL
COUNSEL

February 10, 1981

Joseph P. Galluzzi
Certified Public Accountant
10 Washington Avenue
Irvington, New Jersey 07111

Re: The New Jersey Campaign Contributions and Expenditures Reporting Act, Chapter 83, Laws of 1973 as Amended and Supplemented ("the Act")
Your letter dated January 19, 1981
Opinion #0-02-81

Dear Mr. Galluzzi:

Your letter dated January 19, 1981 to the New Jersey Election Law Rnforcement Commission ("the Commission"), including a request for advisory opinion, has been forwarded to me for reply.

Your letter first raises the question whether expenditures for attendance at political and social functions by an office holder, during the time when he is not a candidate for public office, may be paid out of funds remaining after a campaign. The Commission has been asked this question on numerous occasions, particularly with respect to whether such funds may be expended for maintenance of an office by a legislator. The Act does not address the question of such expenditures, and the Commission feels that it is without jurisdiction to deal with that question. Copies of earlier opinions of the Commission with respect to this point are enclosed.

With regard to your second question, to the extent such expenditures may have been campaign-related expenditures, the Act requires that they be made through the tressurer and from campaign accounts. Monies in a campaign account could not be returned to the candidate at the close of a campaign, except upon evidence of a loan by the candidate to the campaign, properly documented as such from the outaet. I am enclosing a copy of Opinion #0-27-78, dealing with this question.

Yours very truly,

Edward J. Farrell
Edward J. Farrell
Legal Councel

EJF:no
Enclosures - #0-27-78
#0-23-78
#0-10-77
#0-20-79