

MAR 10 2025

March 5, 2025

New Jersey Election Law Enforcement Commission (ELEC)
28 West State Street, 13th Floor
P.O. Box 185
Trenton, NJ 08625-0185

Subject: Request for Advisory Opinion on Campaign Fundraising and Contribution Limits

Dear Commissioners,

I am a Hoboken City Councilwoman and a candidate for Mayor of Hoboken in the November 2025 election. I am submitting this time sensitive request for an advisory opinion regarding the use of funds across multiple campaign committees and the potential to exceed maximum contribution limits.

Specifically, my inquiry seeks clarification on **whether a candidate may accept contributions from the same donors through multiple committees and use those combined funds, potentially in amounts that exceed the statutory limits, for a single election**—a practice that could undermine the intent of New Jersey's campaign finance laws.

The Elections Transparency Act (ETA) was enacted to reinforce transparency and integrity in campaign finance, including the enforcement of expanded contribution limits. However, it remains unclear whether a candidate can bypass contribution caps by raising funds under one committee/election (e.g., City Council) and later using those funds, along with new contributions from the same donors, for a different election (e.g., Mayor).

Given that N.J.S.A. 19:44A-11.3 establishes maximum contribution limits per election, I seek **ELEC's guidance on whether such practices violate the law and constitute a circumvention of its intent.**

I have standing to request this advisory opinion because the outcome will directly impact the Hoboken Mayoral election, which I am a candidate, by ensuring that all candidates operate under the same legal framework. Given the importance of transparency and fairness in municipal elections, I seek the Commission's guidance on the proper application of campaign finance laws to ensure compliance and uphold the integrity of Hoboken's electoral process.

I appreciate your time and consideration and look forward to your response. Please do not hesitate to contact me should you require any additional information.

Sincerely,



ENGAGE. INFORM. ADVOCATE.

1500 Hudson St. #2H HOBOKEN, NJ 07030 ♦ 201-208-1674
HOBOKEN2NDWARD.COM ♦ COUNCILWOMANFISHER2@GMAIL.COM



Advisory Opinion Request For Candidates and Committees

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION
P.O. Box 185, Trenton, NJ 08625-0185
(609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)
Website: www.elec.state.nj.us

FOR STATE USE ONLY

ELEC RECEIVED

MAR 10 2025

PLEASE PROVIDE THE INFORMATION REQUESTED BELOW

A person, committee or entity subject to, or reasonably believing he, she or it may be subject to, any provision or requirement of the Campaign Reporting Act may request that the Commission provide an advisory opinion pursuant to N.J.S.A. 19:44A-6. Such request must include the following:

1. This request for an Advisory Opinion is being submitted on behalf of:

Full name of Person, Committee, or Entity:

Tiffanie Fisher

Mailing Address:

1500 Hudson St. #2H Hoboken, NJ

*Day Telephone Number:

2012081674

*Evening Telephone Number:

2012081674

2. Indicate if the above named person, committee, or entity currently files reports with the Commission:

☒ Yes

☐ No

a. If yes, indicate in what capacity it is filing:

Candidate committee

☒

Joint candidates committee

☐

Political committee

☐

Continuing political committee

☐

Political party committee

☐

Legislative leadership committee

☐

Recall committee

☐

Recall defense committee

☐

Personal financial disclosure statement

☐

Other (please describe):

☐

I am a candidate running for Mayor in Hoboken,
asking for rules for all candidates in this race.

b. If no, indicate if the above named person, committee, or entity has in the past filed reports with the Commission, giving elections (i.e., 2005 general election) or calendar years, and identify filing capacity:

c. If reports are or were filed under a different name than that appearing in Question #1 above, provide that name:

3. Please provide below a statement of the cognizable question of law arising under the Campaign Reporting Act, including specific citations to pertinent sections of the Campaign Reporting Act and Commission regulations (if known).

Please see attached

*Leave this field blank if your telephone number is unlisted. Pursuant to N.J.S.A. 47:1A-1.1, an unlisted telephone number is not a public record and must not be provided on this form.

4. Please provide below a full and complete statement of all pertinent facts and contemplated activities that are the subject of the inquiry. Your statement must affirmatively state that the contemplated activities have not already been undertaken by the person, committee, or entity requesting the opinion, and that the person, committee, or entity has standing to seek the opinion, that is the opinion will affect the person's or committee's reporting or other requirements under the Act. Attach additional sheets if necessary.

Statement of Facts:

Please see attached

5. Please provide below a statement of the result that the person, committee, or entity seeks, and a statement of the reasoning supporting that result:

Please see attached

6. Person who is submitting this advisory opinion request on behalf of the committee or entity listed in Question #1:

Full Name:

Tiffanie Fisher

Mailing Address:

1500 Hudson St. 2H Hoboken, NJ 07030

*Day Telephone Number:

201-208-1674

*Evening Telephone Number:

201-208-1674

Fax Number:

a. Official Capacity of Person Requesting Opinion:

Candidate



Treasurer



Organizational Treasurer



New Jersey Attorney representing requesting person, committee, or entity



Other (please describe):



7. I hereby consent to an extension of the 10-day response period provided in N.J.S.A. 19:44A-6f to a 30-day period for Commission response, which period shall start on the date of Commission receipt of the completed advisory opinion request.

~~(CROSS OUT THIS PARAGRAPH IF CONSENT IS WITHHELD).~~

8. A request for an advisory opinion will not be considered filed until a fully completed and signed application is received by the Commission.

3/4/25
Dated:


Signature:

*Leave this field blank if your telephone number is unlisted. Pursuant to N.J.S.A. 47:1A-1.1, an unlisted telephone number is not a public record and must not be provided on this form.

3. Statement of the Cognizable Question of Law

This request seeks guidance on the application of New Jersey campaign finance laws as they relate to **the use of funds across multiple campaign committees and the potential to exceed maximum contribution limits**. Specifically, whether a candidate may **aggregate funds raised under separate committees and use them for a single election**, and whether a donor may effectively **exceed individual contribution limits** by donating separately to multiple committees for the same candidate.

For illustrative purposes, assume the following scenario:

- In 2024, City Council members begin plans to run for Mayor in 2025.
- These City Council members have existing and active committees for a future City Council race in 2027.
- They actively fundraise and spend money on campaign assets (e.g., websites, literature, advertisements) in preparation for announcing their Mayoral campaigns.
- In early 2025, these City Council members publicly declare their candidacy for Mayor, and most, but not all, file D-1s for new Mayoral committees.

Several current City Council members, including Emily Jabbour, Ruben Ramos, Michael Russo, and myself, have announced their candidacy for Mayor while maintaining or previously maintaining active campaign committees for City Council. This raises questions about how funds raised under one committee for a future race can be used or transferred for another election and whether this creates an avenue to exceed contribution limits. Example:

- Joan Smith donates \$5,500 to Candidate A for the 2027 City Council race
- Joan Smith donates \$5,500 to Candidate A for the 2025 Mayoral race.
- Candidate A uses the entire \$11,000 from Joan Smith for the Mayoral race.

To clarify these issues, I am seeking an advisory opinion on the following questions:

Use of Funds for a Different Race:

1. Can a candidate who has established a committee and raised money for one municipal race (2027 City Council) instead expend those funds for a different race (2025 Mayor)?
2. Can the candidate do this without setting up a new committee?

Transfers Between Committees:

3. When a candidate establishes a second committee for a different race (2025 Mayor) after already raising funds under a 2027 City Council committee, can the candidate transfer the funds from the 2027 City Council committee to the 2025 Mayor committee?
4. If so, what is the maximum allowable transfer amount?
5. If a candidate wants to use 2027 City Council donations for the 2025 Mayor race, is the candidate required to transfer the funds to the Mayoral committee first, or can they be spent directly from the City Council committee?

6. **Whether funds are transferred from the 2027 City Council committee to the 2025 Mayor committee, or not, do the contribution amounts and donor limits transfer as well, or are they reset under the new committee?**

Contribution Limits and Donor Restrictions:

7. Can a donor contribute the maximum allowable amount twice to the same candidate—once to a 2027 City Council Committee and again to a 2025 Mayor Committee—and have the candidate use both contributions solely for the 2025 Mayoral race?
8. Would this practice allow a candidate to effectively bypass contribution limits by first raising money under a 2027 City Council committee, then later forming a 2025 Mayor committee, and using both donations toward the Mayor campaign?

Permissible Use of Funds and Circumvention of Limits:

10. Would spending 2027 City Council campaign donations on 2025 Mayoral campaign expenses constitute an impermissible use of campaign funds under **N.J.S.A. 19:44A-11.2 (Use of Campaign Funds)**?
 11. If a candidate solicits contributions for a future election (2027 City Council) and later forms a new committee for a different race (2025 Mayor), may the candidate request new contributions from the same donor, even if that donor has already contributed the maximum legal amount to the first committee?
 12. Would such a practice constitute a **circumvention of contribution limits** under **N.J.S.A. 19:44A-11.3 (Limitations on Contributions)**?
-

4. Full and Complete Statement of Pertinent Facts and Contemplated Activities

This request seeks clarification on **how New Jersey's campaign finance laws apply to candidates who establish multiple committees for different municipal races and whether these practices comply with contribution limits and permissible fund usage rules.** The inquiry is made to **ensure compliance with the law and to promote a fair election for Mayor in Hoboken.**

The specific **factual context** of this request involves:

- Several current City Council members, including Emily Jabbour, Ruben Ramos, Michael Russo, and myself, have announced their candidacy for Mayor while maintaining or previously maintaining active campaign committees for City Council. This raises questions about how funds raised under one committee can be used or transferred for another election and whether this creates an avenue to exceed contribution limits.
- Candidate(s) has established a campaign committee for a future City Council election (e.g., 2027 City Council) and has raised funds under that committee.
- The same candidate(s) subsequently establish a new campaign committee for a different election (Mayor 2025).
- The candidates have been spending money under the 2027 City Council committee on campaign assets that are now being used for the 2025 Mayoral race, including website development, platform materials, email distribution lists, videos, and literature. To date, the bulk of this spending occurred prior to filing a D-1 for the 2025 Mayoral committee.
- In one instance, it is well known that a candidate has been raising money in the 2027 City Council committee under the guise of running for Mayor prior to officially declaring intent in February 2025.
- Candidates are considering raising additional money from donors who have already contributed the maximum allowed under law for the City Council election (\$5,500).
- The possibility of the candidate using the combined funds from both committees solely for the mayoral race, thereby effectively allowing individual donors to exceed the \$5,500 contribution limit by contributing the maximum to both committees, with all funds benefiting the Mayoral campaign.

This request seeks an **advisory opinion from ELEC** to determine:

1. Whether a candidate may lawfully solicit and use contributions from the same donors for both committees, particularly where those donors have already contributed the maximum legal amount to the 2027 City Council committee, and all funds are used for the 2025 Mayoral race.
2. Whether the use of assets paid for by the 2027 City Council committee for the 2025 Mayoral campaign constitutes an improper expenditure of funds or a reporting violation.

3. Whether such practices constitute a **circumvention of campaign finance laws** governing **maximum contribution limits and permissible fund usage**.

Affirmation of Standing & Non-Engagement in Activities

As the requesting party, I have not engaged in these activities but am seeking guidance to ensure compliance with ELEC regulations before making any campaign finance decisions. The opinion sought will directly impact on my compliance obligations under the New Jersey Campaign Reporting Act, including fundraising, spending, and reporting requirements.
