



# Newsletter

## *ELEC*tronic

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AN ELECTION LAW ENFORCEMENT COMMISSION NEWSLETTER  
"Furthering the Interest of an Informed Citizenry"

### Filing Deadlines Loom for Candidates in 2023 General Election

By Joe Donohue

For candidates participating in the 2023 general election, the clock is ticking.

The election is November 7- just 35 days away.

Nearly all candidates for state legislative seats, or county or municipal offices, must file 29-day preelection reports with the New Jersey Election Law Enforcement Commission (ELEC) by October 10.<sup>1</sup>

The amount of paperwork depends on the amount of spending.

#### No Fund-raising or Spending

Candidates who spend nothing still have a filing obligation, though it is minimal.

Single candidates that did not open a bank account can simply submit a simple A-1 short form that publicly declares they have done no fund-raising. Two or more candidates filing jointly must submit a similar A-2 short form. This filing obligation does not apply to school board or write-in candidates running for any elected office who do no fund-raising.

#### Organizational Reports Required for Candidates Who Raise Funds

Candidates who raise money must file D-1 (single candidate) or D-2 (multiple candidates) forms that designate a treasurer and a depository.

#### Candidate committees that spend \$5,800 or less (single), \$11,000 or less (two candidates filing jointly) or \$15,800 or less (three or more candidates filing jointly).

An A-1 short form can be filed for a candidate to declare they will spend \$5,800 or less on their campaign. Two candidates filing jointly who spend \$11,000 or less, or three or more candidates filing jointly who spend \$15,800 or less, can file an A-2 short form that certifies their spending. Additional disclosure reports must be filed if either type of candidate committee receives or spends more than \$200 (see chart for more details).

<sup>1</sup> No forms required from school board and write-in candidates who have spent nothing.

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#### COMMISSIONERS

- P. 1 Thomas H. Prol, Chairman
- P. 3 Norma R. Evans, Commissioner
- P. 4 Ryan Peters, Commissioner
- P. 7 Jon-Henry Barr, Commissioner
- P. 8 Edwin R. Matthews, Legal Counsel

### Candidate committees that spend more than \$5,800

Single candidates who spend more than \$5,800 in an election, two candidates filing jointly who spend more than \$11,000, or three or more candidates filing jointly who spend more than \$15,800, must publicly disclose details about their campaign finance activities. They must file R-1 forms that give specifics about contributions above \$200, and all expenditures.

Additional notices must be filed on contributions and expenditures above \$200 that arrive during the last 13 days of the election.

Under a new law enacted in April, the 13-day window has been divided into two separate reporting periods. Contributions and expenditures more than \$200 must be reported within 72 hours between day 13 and day 8 before an election. In the final seven days before the election, all transactions above \$200 must be reported within 24 hours.

#### FILING DEADLINES FOR GENERAL ELECTION CANDIDATES

Money Raised	Reports Designating Treasurer and Depository	Required Disclosure Reports	Main Reporting Deadlines	Other Reporting Requirements
None	None	A-1 (single candidate) or A-2 short form (two or more candidates filing jointly)	October 10	No
\$5,800 or less (single candidate), \$11,000 or less (two candidates filing jointly) or \$15,800 or less (three or more candidates filing jointly)	D-1 (single) or D-2 (joint committee)	A-1 or A-2 short form unless the candidate receives contributions or makes expenditures of more than \$200. In this case, they must file C-1 forms to report contributions and E-1 forms to report expenditures.	A-1 or A-2 by October 10	C-1 and E-1 forms must be filed by October 10, October 27, and November 27. These forms also must be filed within 72 hours of a transaction occurring between days 13 and 8 before the November 7 election, and within 24 hours during the final seven days of the election
\$5,800 or more (single candidate), \$11,000 or more (two candidates filing jointly) or \$15,800 or more (three or more candidates filing jointly)	D-1 (single) or D-2 (joint committee)	R-1 report giving details about contributions of more than \$200 and all expenditures.	October 10 and 27, and November 27	Contributions and expenditures above \$200 must be reported within 72 hours between days 13 and 8 before the November 7 election, and within 24 hours during the final seven days of the election.

## Five ELEC Employees Honored for Long Public Service

Five employees of the New Jersey Election Law Enforcement Commission (ELEC) have been honored by the Commission for serving 40 or more years in New Jersey state government.

During their regular monthly meeting on September 19, the four commissioners recognized the contributions of Elaine J. Salit (56 years, 36 at ELEC), Shirley R. Bryant (42 years at ELEC), Brenda A. Brickhouse (41 years, 39 years at ELEC), Kimberly A. Key (41 years, 39 years at ELEC) and Brian Robbins (40 years, 22 years at ELEC).

Each employee has received a certificate of appreciation honoring their “dedicated service with the state of New Jersey.” It was signed by ELEC Chairman Thomas H. Prol.

“How wonderful to recognize the vital service of the staff members here and the important contributions they make to the Election Law Enforcement Commission mission. Thank you for your service, everyone,” Prol said at the meeting.



From Top Left: Elaine Salit, Shirley R. Bryant, Kimberly Key and Chairman Thomas Prol.  
Bottom Left: Brian Robbins and Brenda A. Brickhouse.

## 2021 Legislative Election Featured Two of Top Ten Most Expensive Races

Heavy spending in the 2021 legislative election led to two of the top ten costliest races of all time, according to White Paper 31: "[Legislative Election 2021- The Southern Tsunami.](#)"

The research report by the New Jersey Election Law Enforcement Commission found that the 8<sup>th</sup> legislative district race in 2021 ranked third all-time while the 2<sup>nd</sup> legislative district race ranked 5<sup>th</sup>.

<b>District</b>	<b>Counties</b>	<b>Year</b>	<b>Total Spending</b>	<b>Inflation Adjusted</b>
3	Gloucester/Salem/Cumberland	2017	\$24,102,940	\$29,132,386
4	Camden/Gloucester	2003	\$ 6,142,441	\$10,152,620
<b>8</b>	<b>Atlantic/Burlington/Camden</b>	<b>2021</b>	<b>\$ 8,495,560</b>	<b>\$ 9,535,112</b>
12	Monmouth	2007	\$ 5,963,939	\$ 8,747,841
<b>2</b>	<b>Atlantic</b>	<b>2021</b>	<b>\$ 7,766,259</b>	<b>\$ 8,716,570</b>
2	Atlantic	2011	\$ 5,806,467	\$ 7,850,588
38	Bergen/ Passaic	2013	\$ 5,910,318	\$ 7,715,962
3	Gloucester/Salem/Cumberland	2003	\$ 4,548,302	\$ 7,517,725
1	Cape May/Cumberland	2007	\$ 4,975,772	\$ 7,298,408
38	Bergen/ Passaic	2011	\$ 5,183,499	\$ 7,008,309

Joseph Donohue, ELEC's Deputy Executive Director and author of the report, said the \$59.5 million cost of the 2021 general election fell far short of the \$70.7 million record in 2017. The latter election featured a Third Legislative District showdown that was the most expensive legislative campaign in United States history.

"While it set no new record, the 2021 general election still was the second most expensive legislative contest in dollars unadjusted for inflation," Donohue said. "Factoring in inflation, it ranked fifth among election years since 2001 when both houses were up for grabs."

The election whittled down the Democratic majority from 77 total legislative seats to 70.

After a Republican Senator changed parties, Democrats now hold 71 of the 120 seats. The margins are 25-to-15 in the state Senate, and 46-to-34 in the state Assembly.

Table 2 2021 Election Spending Versus Other Elections With Both Houses Running		
Year	Total Spending	In 2023 Dollars
2017	\$70,726,901	\$87,752,775
2013	\$58,822,048	\$76,792,597
2003	\$44,995,112	\$74,370,807
2007	\$47,396,847	\$69,521,182
<b>2021</b>	<b>\$59,475,800</b>	<b>\$66,239,103</b>
2011	\$45,859,772	\$62,004,343
2001	\$35,716,857	\$61,369,834

Spending by independent committees funded by special interests played a major role in 2021 as they have in New Jersey elections since 2009.

Fifteen independent groups combined spent \$14 million on the 2021 general election (See Table 26). It was the third largest expenditure by independent groups since 2009. Only spending in 2017 and 2013 was higher.

Since 2011, four fund-raising committees established with the main purpose of electing southern New Jersey candidates have spent a combined \$33.8 million on legislative elections.

Table 3 Top Ten Independent Spenders in Legislative Elections- 2011-2021 (Primary and General Elections)	
	Amount
<b>American Democratic Majority, General Majority PAC, General Growth Fund, Fund for Jobs Growth and Security*</b>	<b>\$33,846,302</b>
Garden State Forward (New Jersey Education Association)	\$21,882,943
Carpenters Action Fund, Carpenters Fund for Growth and Progress, Working for Working Americans (Carpenters)	\$ 6,546,405
New Jerseyans for a Better Tomorrow	\$ 6,431,203
NJ Coalition of Real Estate, National Association of Realtors Fund	\$ 3,754,163
Stronger Foundations Inc (Operating Engineers)	\$ 2,534,723
Republican State Leadership Committee	\$ 1,447,187
NJ United	\$ 1,411,073
Better Education for NJ Kids Inc.	\$ 1,002,653
Americans for Prosperity	\$ 900,000
<b>Total</b>	<b>\$79,756,652</b>

\*Fund-raising committees set up primarily to elect southern NJ candidates.

Following a long-time ELEC recommendation, the Legislature expanded disclosure requirements for independent expenditure committees.

Independent expenditure groups that participate in state, county or local elections must now disclose contributions above \$7,500 as well as all expenses.

For a general election, they must do so 29 days and 11 days before an election, and 20 days after. Reports must disclose all campaign finance activity beginning January 1 of the election year unless pre-general election activity was disclosed in a primary election report.

While expanded disclosure is welcome, it falls short. The new law, which in bill form was entitled “The Elections Transparency Act,” exempted independent expenditure groups from promptly disclosing contributions and expenditures that occur within the last 13 days before an election. Under the old law, their significant last-minute expenditures were publicly disclosed.

Table 4 Reporting of Last-Minute Contributions and Expenditures		
Requirements	Old Law	New Law
Disclosure Threshold	Above \$1,900	<b>Above \$200</b>
Reporting period- Days before election	13	<b>13 to 8 days/ 7 days</b>
Transaction should be reported to ELEC within:	48 hours	<b>72 hours/ 24 hours</b>
Last minute reporting must be done by:	All committees	<b>All but independent expenditure committees</b>

It is recommended that the contribution disclosure threshold for independent expenditure committees be lowered from \$7,500 to \$5,000, which is the donor disclosure threshold for 501(c) 4 reports filed with the Internal Revenue Service.

In addition, lawmakers should require disclosure of contributions above \$5,000 within the final 13 days of the campaign subject to the same turnaround time as candidates, parties and traditional political action committees.

In addition, independent expenditure groups should be required to disclose all expenditures above \$200 within the 13-day pre-election period.

All 31 white papers are available on ELEC’s website at [www.elec.nj.gov/aboutelec/whitepapers.htm](http://www.elec.nj.gov/aboutelec/whitepapers.htm).

## Contribution Limits Chart for Candidates and Committees

Entities Receiving Contributions							
Entities Making Contributions	Candidate Committee*	Political Committee**	Continuing Political Committee	Legislative Leadership Committee	State Political Party Committee	County Political Party Committee	Municipal Political Party Committee
Individual to:	\$5,200 per election	\$14,400 per election	\$14,400 per year	\$75,000 per year	\$75,000 per year	\$75,000 per year	\$14,400 per year
Corporation or Union to:	\$5,200 per election	\$14,400 per election	\$14,400 per year	\$75,000 per year	\$75,000 per year	\$75,000 per year	\$14,400 per year
Association or Group to:	\$5,200 per election	\$14,400 per election	\$14,400 per year	\$75,000 per year	\$75,000 per year	\$75,000 per year	\$14,400 per year
Candidate Committee to:	\$16,400 per election	\$14,400 per election	\$14,400 per year	\$75,000 per year	\$75,000 per year	\$75,000 per year	\$14,400 per year
Political Committee to:	\$16,400 per election	\$14,400 per election	\$14,400 per year	\$75,000 per year	\$75,000 per year	\$75,000 per year	\$14,400 per year
Continuing Political Committee to:	\$16,400 per election	\$14,400 per election	\$14,400 per year	\$75,000 per year	\$75,000 per year	\$75,000 per year	\$14,400 per year
Legislative Leadership Committee to:	-	-	-	No Limits	-	-	-
State Political Party Committee to:	-	-	-	No Limits	-	-	-
County Political Party Committee to:	No limits, but from January 1 <sup>st</sup> through June 30 <sup>th</sup> of each year, a county political party committee is prohibited from making a contribution to another county political party committee and a county political party committee is prohibited from accepting a contribution from another county political party committee. A county political party committee is subject to other restrictions; see <a href="#">N.J.A.C. 19:25-11.7</a> .						
Municipal Political Party Committee to:	-	-	-	No Limits	-	-	-
National Political Party Committee to:	\$16,400 per election	\$14,400 per election	\$14,400 per year	\$75,000 per year	\$144,000 per year	\$75,000 per year	\$14,400 per year
Political Party Housekeeping Accounts:	N/A	N/A	N/A	N/A	\$37,500 per year	\$37,500 per year	N/A

*A National Political Party Committee is the principal organization supporting election activities of a State political party committee, which activities include making contributions to that State political party committee pursuant to [N.J.S.A. 19:44A-11.4a\(2\)](#). There shall be no more than a single national political party committee of a political party for each State political party committee.*

**\*Note: The contribution limit to a gubernatorial candidate is \$4,900 per election.**

**\*\*Public Question Political Committee and Independent Expenditure Only Committees may receive unlimited contributions.**

## 2023 Reporting Dates

	INCLUSION DATES	REPORT DUE DATE
<b>FIRE COMMISSIONER – FEBRUARY 18, 2023</b>		
29–day Preelection Reporting Date	Inception of campaign* – 1/17/2023	1/20/2023
11–day Preelection Reporting Date	1/18/2023 – 2/4/2023	2/7/2023
20–day Postelection Reporting Date	2/5/2023 – 3/7/2023	3/10/2023
48–Hour Notice Reporting Starts on 2/5/2023 through 2/18/2023		
<b>SCHOOLBOARD – APRIL 25, 2023 – UPDATED PER CHANGE BY THE COMMISSION OF EDUCATION</b>		
29–day Preelection Reporting Date	Inception of campaign* – 3/24/2023	3/27/2023
11–day Preelection Reporting Date	3/25/2023 – 4/11/2023	4/14/2023
20–Day Postelection Reporting Date	4/12/2023 – 5/12/2023	5/15/2023
48–Hour Notice Reporting Starts on 4/12/2023 through 4/25/2023		
<b>MAY MUNICIPAL – MAY 9, 2023</b>		
29–day Preelection Reporting Date	Inception of campaign* – 4/7/2023	4/10/2023
11–day Preelection Reporting Date	4/8/2023 – 4/25/2023	4/28/2023
20–Day Postelection Reporting Date	4/26/2023 – 5/26/2023	5/30/2023
48–Hour Notice Reporting Starts on 4/26/2023 through 5/9/2023		
<b>RUNOFF (JUNE)** – JUNE 13, 2023</b>		
29–day Preelection Reporting Date	No Report Required for this Period	
11–day Preelection Reporting Date	4/26/2023 – 5/30/2023	6/2/2023
20–Day Postelection Reporting Date	5/31/2023 – 6/30/2023	7/3/2023
48–Hour Notice Reporting Starts on 5/31/2023 through 6/13/2023		
<b>PRIMARY (90 DAY START DATE: MARCH 8, 2023)*** - JUNE 6, 2023</b>		
29–day Preelection Reporting Date	Inception of campaign* – 5/5/2023	5/8/2023
11–day Preelection Reporting Date	5/6/2023 -5/23/2023	5/26/2023
20–Day Postelection Reporting Date	5/24/2023 – 6/23/2023	6/26/2023
48–Hour Notice Reporting Starts on 5/24/2023 through 6/6/2023		
<b>GENERAL (90 DAY START DATE: AUGUST 9, 2023)*** - NOVEMBER 7, 2023</b>		
29–day Preelection Reporting Date	6/24/2023 – 10/6/2023	10/10/2023
11–day Preelection Reporting Date	10/7/2023 – 10/24/2023	10/27/2023
20–day Postelection Reporting Date	10/25/2023 -11/24/2023	11/27/2023
72-Hour Notice Reporting Starts on 10/25/2023 through 10/30/2023		
24-Hour Notice Reporting Starts on 10/31/2023 through 11/7/2023		
<b>RUN–OFF (DECEMBER)** – DECEMBER 5, 2023</b>		
29–day Preelection Reporting Date	No Report Required for this Period	
11–day Preelection Reporting Date	10/25/2023 – 11/21/2023	11/24/2023
20–day Postelection Reporting Date	11/22/2023 – 12/22/2023	12/26/2023
72-Hour Notice Reporting Starts on 11/22/2023 through 11/27/2023		
24-Hour Notice Reporting Starts on 11/28/2023 through 12/5/2023		



**PACS, PCFRS & CAMPAIGN QUARTERLY FILERS**

1 <sup>st</sup> Quarter	1/1/2023 – 3/31/2023	4/17/2023
2 <sup>nd</sup> Quarter	4/1/2023 – 6/30/2023	7/17/2023
3 <sup>rd</sup> Quarter	7/1/2023 – 9/30/2023	10/16/2023
4 <sup>th</sup> Quarter	10/1/2023 – 12/31/2023	1/16/2024

**GOVERNMENTAL AFFAIRS AGENTS (Q-4)**

1 <sup>st</sup> Quarter	1/1/2023 – 3/31/2023	4/10/2023
2 <sup>nd</sup> Quarter	4/1/2023 – 6/30/2023	7/10/2023
3 <sup>rd</sup> Quarter	7/1/2023 – 9/30/2023	10/10/2023
4 <sup>th</sup> Quarter	10/1/2023 – 12/31/2023	1/10/2024

\*Inception Date of Campaign (first time filers) or from January 1, 2023 (Quarterly filers).

\*\*A candidate committee or joint candidates committee that is filing in a 2023 Runoff election is not required to file a 20-day postelection report for the corresponding prior election (May Municipal or General).

\*\*\*Form PFD-1 is due on April 6, 2023 for Primary Election Candidates and June 19, 2023 for Independent General Election Candidates.

Note: A fourth quarter 2022 filing is needed for Primary 2023 candidates if they started their campaign prior to December 8, 2022. A second quarter 2023 filing is needed by Independent/Non-Partisan General Election candidates if they started their campaign prior to May 10, 2023.

**HOW TO CONTACT ELEC**

[www.elec.nj.gov](http://www.elec.nj.gov)

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