



Newsletter

ELECtronic

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

EARLIER RELEASE OF ANNUAL LOBBYING REPORTS THIS YEAR

By Joe Donohue

In a continuing effort to speed up the public release of reports filed with the New Jersey Election Law Enforcement Commission (ELEC), annual lobbying reports due at 5 p.m. February 15, 2024 will be posted later that evening on the agency’s website (www.elec.nj.gov).

February 15 traditionally has been the due date for Governmental Affairs Agents and Represented Entities (lobbyists) to file reports with ELEC summarizing their financial activity for the previous calendar year. In the past, there was a time lag before the reports were made public.

For instance, in 2023, they became available on ELEC’s website on March 9 – 22 days after the due date.

Delayed release of the reports occurred primarily to give staff members time to prepare a comprehensive spreadsheet and charts of lobbying activity for the previous year along with a press release that offered an overview.

The enactment of the Elections Transparency Act in April 2023, the appointment of four new commissioners and media requests prompted ELEC to begin releasing campaign finance reports quicker during the 2023 legislative election.

This year, for the first time, the policy will apply to annual lobbying reports.

One disadvantage is that the spreadsheet and press release will not be available at the same time as the reports. ELEC staff will try to make them public as soon as possible after February 15.

Under the law, any governmental affairs agent or represented entity that receives or expends more than \$2,500 in the previous calendar year is required to disclose financial activity with the Commission.

Reporting is required when lobbying is undertaken for the purpose of influencing legislation, regulations, or governmental processes.

Governmental processes include contracts, grants, permits, rate setting, executive orders, fines and penalties, and procedures for purchasing.

Lobbyists must disclose any financial activity conducted for the purpose of communicating with or providing benefits to a member of the Legislature, legislative staff, the Governor, his or her staff, or an officer or staff member of the executive branch.

The reporting law also covers “grassroots” lobbying. Any individual or group (regardless of whether they are registered lobbyists) spending in excess of \$2,500 to communicate with the public for the purpose of influencing legislation or regulation must disclose this activity to the Commission.

The financial reports submitted by the lobbying community provide information involving five general categories: in-house salaries, compensation to contract lobbying firms, communication expenses, support personnel, and travel and lodging.

Current disclosure laws for lobbyists cover activity only at the state level. For several years, ELEC has recommended that the law be extended to cover lobbying at the local level of government.

IN THIS ISSUE

- Earlier Release of Annual Lobbying Reports this Year
- ELEC’s former Chairman Ronald DeFilippis Dead at 72
- 2024 Commission Meeting Schedule
- Compliance Director Speaks at National Conference
- ELEC Granted Approval to Join Election Case
- Higher Contribution Limits Under New Law Invigorates “Big Six” Committees
- 2024 Training Webinars & Seminars
- 2024 Reporting Dates

- P. 1
- P. 2
- P. 2
- P. 3
- P. 3
- P. 4
- P. 6
- P. 7

COMMISSIONERS

- Thomas H. Prol, Chairman
- Norma R. Evans, Commissioner
- Ryan Peters, Commissioner
- Jon-Henry Barr, Commissioner
- Edwin R. Matthews, Legal Counsel

ELEC's FORMER CHAIRMAN RONALD DEFILIPPIS DEAD AT 72

By Joe Donohue



Ronald "Ron" DeFilippis, the second-longest serving chairman of the New Jersey Election Law Enforcement Commission (ELEC), died January 18, 2024. He was 72.

DeFilippis served for six years and eight months between 2010 and 2017.

As a long-time Republican who served as treasurer for several GOP campaign committees, he was appointed in 2010 by former Governor Chris Christie. He is believed to be the only campaign treasurer to ever head the Commission.

Former ELEC Chairman Eric Jaso, also a Republican, praised his late colleague.

"When I joined ELEC (initially as Commissioner), Ron welcomed me warmly and patiently helped me learn the ropes of what was an unfamiliar agency," Jaso said. "As a CPA, he brought a uniquely grounded perspective to the Chairmanship of a Commission typically peopled by lawyers."

"When he left ELEC, I was honored to be appointed as his replacement, and in that role, I tried to emulate his professionalism, practicality, fairness and sound judgment," he said.

Former ELEC Chairwoman Jerry Fitzgerald English, a Democratic member who also served on the Commission with DeFilippis, called him "truly a valiant chairman who doggedly tried to further the responsibilities of the Commission. He always had a smile for everyone. It was an honor to know him."

Former ELEC Executive Director Jeff Brindle, who worked closely with DeFilippis throughout his tenure, shared his regrets.

"Ron will be remembered as a splendid servant of the people who rounded out his public career as chairman of ELEC. It was my good fortune to know him and to have worked for him. He will be missed," he said.

During a one-year span between 2016 and 2017, DeFilippis was the Commission's lone member after one commissioner died and another was named to the state Supreme Court. He finally stepped down in July 2017 after the appointment of three new members.

"ELEC staff will always be grateful to Ron's unselfish dedication. His leadership helped the agency endure a rocky stretch," said Acting Executive Director Joe Donohue.

After working for the Internal Revenue Service from 1973 to 1975, DeFilippis started Mills and DeFilippis, CPAs in 1978, which continues today.

He co-chaired the national finance committee for Bob Dole's 1988 presidential campaign. After leaving the Commission, DeFilippis was elected Morris County GOP Chairman in 2018 but resigned in late 2019 for health reasons.

DeFilippis is survived by his wife, Patti of 48 years, his son, Christopher, and wife, Brie, his son Kevin, and his wife, Rosemary, and grandchildren, Caden, Landon, Siena and Ella, and brothers, Joseph and Garry. He resided in Roxbury

Township in Morris County for more than four decades and was active in the community.

Here is a link to his full obituary: <https://normandean.com/tribute/detail/s/11323/Ronald-DeFilippis/obituary.html#tribute-start>

2024 Commission Meeting Schedule

The New Jersey Election Law Enforcement Commission has announced its meeting schedule for 2024. Unless otherwise indicated in the future, meetings will be held at the Commission's offices at 25 South Stockton Street, 5th Floor, in Trenton. It is anticipated that meetings will begin at 11:00 a.m., unless otherwise indicated.

January	16, 11:00 a.m.
February	20, 11:00 a.m.
March	19, 11:00 a.m.
April	16, 11:00 a.m.
May	21, 11:00 a.m.
June	18, 11:00 a.m.
July	16, 11:00 a.m.
August	20, 11:00 a.m. (if necessary)
September	17, 11:00 a.m.
October	15, 11:00 a.m.
November	19, 11:00 a.m.
December	17, 11:00 a.m.

COMPLIANCE DIRECTOR SPEAKS AT NATIONAL CONFERENCE

By Joe Donohue

Stephanie Olivo, Compliance Director for the New Jersey Election Law Enforcement Commission (ELEC), was a



dual guest speaker in December at the annual conference of the Council on Governmental Ethics Laws (COGEL) in Kansas City, Missouri.

Olivo, a Hammonton native who has overseen ELEC's compliance program for eight years, spoke at two different sessions- one on campaign finance issues, and one about lobbying.

Olivo initially took part in a session on state laws aimed at pay-to-play abuses by public contractors. A new law enacted by Governor Phil Murphy on April 3, 2023 made several changes to New Jersey's pay-to-play laws along with many other amendments to statutes that ELEC enforces. Olivo gave an overview of those changes to officials from ELEC sister agencies across America as well as Canada.

A second panel focused on the "Tricky Laws with Grassroots and Procurement Lobbying" also included Olivo.

"It's a very good resource to have to see what other states do in the same type of jurisdiction, Olivo said at the Commission's December 19 monthly meeting. Olivo said she was the only attendee from New Jersey.

"It was a very worthwhile endeavor and I hope I get to go again," she said. She recommended that ELEC send staff to the conference on a regular basis as it has in the past.

The primary purpose of ELEC's 14-person compliance section is to help

candidates, treasurers, lobbyists, and others understand their legal obligations for filing disclosure reports with the agency. Staff members hold regular training sessions and are available by telephone. They also prepare guidance documents that are available online.

In addition, the division oversees a program that dispenses millions of dollars in public funds to candidates for governor every four years. The agency will be hiring another four temporary employees to help with that program.

ELEC is a member of COGEL. The conference was held between December 3 and 6.

ELEC GRANTED APPROVAL TO JOIN ELECTION CASE

The New Jersey Election Law Enforcement Commission (ELEC) has been permitted by an Atlantic County Superior Court judge to file an amicus brief in a case where it believes it has jurisdiction.

Judge Michael J. Blee has approved a motion for the four-member, bipartisan commission to enter as an amicus filer in a case entitled New Jersey Republican State Committee et al. v. Jersey Freedom et al.

The amicus brief states in part:

"Clearly, the Legislature intended that the Commission adjudicate potential violations of the Reporting Act, as it authorized the Commission to impose various penalties and sanctions upon violators of the Act.... The Commission respectfully requests this Court to abstain from considering Plaintiff's claims of violations of the Act. Those alleged violations are presently under review by the Commission."

A unanimous Commission decided to move to file an amicus brief at its December 19, 2023 monthly meeting. The Commission has two Democratic and two Republican members.

Joe Donohue, Acting Executive Director, said while the Commission wants to take part in the case to uphold its statutory prerogatives, it is not taking sides in the matter. Parties in the case have until January 19 to file a position on ELEC's amicus brief. ELEC will have until January 26 to respond to any filings. The court intends to hold an oral argument February 1 in Atlantic City.

The Commission is being represented in the case by its counsel, Edwin R. Matthews of Bourne, Noll and Kenyon.

HIGHER CONTRIBUTION LIMITS UNDER NEW LAW INVIGORATES “BIG SIX” COMMITTEES

The two state political parties and four legislative leadership committees got a significant boost in the 2023 general election under higher contribution limits enacted in April 2023, according to an analysis by the New Jersey Election Law Enforcement Commission (ELEC).

The so-called “Big Six” committees raised \$15.8 million, nearly 28 percent more than the average for six state election years from 2013 to 2023.

An analysis of contributions received by the committees found that they collectively raised \$2.1 million extra under the higher limits enacted by Governor Phil Murphy on April 3, 2023.

Table 1
Campaign Finance Activity by “Big Six”
January 1 through December 31

BOTH PARTIES	RAISED	SPENT	CASH-ON-HAND	STATE OR FEDERAL	ELECTION TYPE
2013	\$13,885,028	\$14,727,957	\$ 841,599	State	G/S/A
2014	\$ 4,872,907	\$ 4,048,955	\$1,662,052	Federal	S/H
2015	\$ 8,027,793	\$ 8,661,126	\$ 979,220	State	A
2016	\$ 4,518,172	\$ 3,842,223	\$1,667,465	Federal	P/H
2017	\$12,243,328	\$13,348,131	\$ 738,454	State	G/S/A
2018	\$ 6,194,632	\$ 5,393,169	\$1,546,522	Federal	S/H
2019	\$ 7,155,435	\$ 8,016,939	\$ 660,067	State	A
2020	\$ 4,260,928	\$ 3,542,610	\$1,378,385	Federal	P/S/H
2021	\$16,892,473	\$17,046,596	\$1,017,094	State	G/S/A
2022	\$ 5,872,014	\$ 4,071,602	\$2,820,447	Federal	H
2023	\$15,797,733	\$16,809,781	\$1,748,148	State	S/A
Average- Six state election years (boldfaced)	\$12,333,632	\$13,101,755	\$ 997,430		
2023 Versus Average- %	28%	28%	75%		

P=Presidential; S=US or State Senate; H=House; G=Gubernatorial; A=Assembly

“Big Six receipts in 2021 were higher than in 2023. But the 2021 election featured a gubernatorial contest that brought a temporary out-of-state windfall into party coffers,” said Acting Executive Director Joe Donohue. “The new law may provide a more lasting lift to the bottom line of the Big Six.”

Democrats raised nearly twice as much as Republicans in 2023, spent nearly 77 percent more and ended the election with nine times more cash in the bank.

Compared to the legislative election four years earlier, when only the state Assembly was in contention, fundraising and spending totals of both parties were significantly higher last year.

Table 2
Campaign Finance Activity by “Big Six” Committees
for 2023 Versus 2019

REPUBLICANS	RAISED	SPENT	CASH-ON-HAND	NET WORTH*
New Jersey Republican State Committee	\$ 3,287,004	\$ 3,280,977	\$ 27,628	\$ 27,628
Senate Republican Majority	\$ 1,099,946	\$ 1,217,561	\$ 73,876	\$ 73,876
Assembly Republican Victory	\$ 1,238,125	\$ 1,578,743	\$ 71,108	\$ 64,478
Total – Republicans – 2023	\$ 5,625,075	\$ 6,077,281	\$ 172,612	\$ 165,982
2019 Totals	\$ 3,150,740	\$ 3,422,698	\$ 205,127	\$ 205,127
Versus 2019 (Percent)	79%	78%	-16%	-19%
DEMOCRATS				
New Jersey Democratic State Committee	\$ 3,819,096	\$ 3,905,448	\$ 134,537	\$ (49,942)
Senate Democratic Majority	\$ 2,644,279	\$ 2,719,448	\$ 867,336	\$ 867,336
Democratic Assembly Campaign Committee	\$ 3,709,283	\$ 4,107,603	\$ 573,663	\$ 543,224
Total – Democrats – 2023	\$10,172,658	\$10,732,499	\$1,575,536	\$1,360,618
2019 Totals	\$ 4,004,695	\$ 4,594,241	\$ 454,940	\$ 375,082
Versus 2018 (Percent)	154%	134%	246%	263%
BOTH PARTIES				
Total Both Parties– 2023	\$15,797,733	\$16,809,781	\$1,748,148	\$1,526,601
2019 Totals	\$ 7,155,435	\$ 8,016,939	\$ 660,067	\$ 580,209
Versus 2019 (Percent)	121%	110%	165%	163%

*Net worth is cash-on-hand adjusted for debts owed to or by the committee.

The new law (P.L. 2023, Chapter 30) enacted in April made several changes to the state’s main campaign finance statute. One was the first significant increase since 2005 in contribution limits for party committees and legislative leadership committees.

For several years prior to the bill’s enactment, ELEC, on a bipartisan basis, had recommended an increase in limits on non-gubernatorial candidates and committees to offset the erosive effect of inflation on buying power. Contribution limits that apply to gubernatorial candidates historically have been raised every four years.

The old law limited the two state parties and four legislative leadership committees from accepting more than \$25,000 annually from a private contributor such as an individual, a business, or a special interest political action committee. Contributions from party or legislative leadership committees are unlimited.

All Big Six committees can now accept contributions up to \$75,000 each year to accounts that pay for media costs, direct mail, staff salaries, get-out-the-vote and other costs closely related to campaigns. The same donors can give an additional \$37,500 annually to new “housekeeping” accounts that can be created by the two state parties- up to a maximum of \$112,500.

Housekeeping accounts are earmarked solely for general administrative expenses, including mortgages, rent, taxes, compliance costs, legal bills and collective bargaining outlays.

County parties- but not legislative leadership committees- also can create housekeeping accounts.

An ELEC analysis found that the “Big Six” received 75 checks larger than \$25,000, the old contribution ceiling. Under the new, higher limits, the committees jointly raised an extra \$2.1 million for the general election.

Democrats received 44 contributions larger than \$25,000 and enjoyed a total windfall of \$1.2 million. Republicans received 31 contributions larger than \$25,000 from private sources and an additional \$834,175 under the expanded limits.

Table 3
How Higher Contribution Limits Benefited Big Six Coiffers in 2023 General Election

COMMITTEE	CONTRIBUTIONS LARGER THAN \$25,000*	ADDITIONAL FUNDS UNDER HIGHER LIMIT
DEMOCRATIC	44	\$1,239,400
NJ Democratic Assembly Campaign Committee	19	\$ 456,225
NJ Democratic State Committee	11	\$ 495,000
NJ Senate Democratic Majority	14	\$ 288,175
REPUBLICAN	31	\$ 834,175
Assembly Republican Victory	8	\$ 189,000
NJ Republican State Committee	17	\$ 500,675
Senate Republican Majority	6	\$ 144,500
Grand Total	75	\$2,073,575

*Excludes contributions from candidate, party or legislative leadership committees.

State parties and legislative leadership committees are required to report their financial activity to the Commission on a quarterly basis.

The reports are available on ELEC's website www.elec.nj.gov. ELEC also can be accessed on Facebook (www.facebook.com/NJElectionLaw) and Twitter (www.twitter.com/elecnj).

TRAINING WEBINARS & SEMINARS

PAY-TO-PLAY TRAINING FOR BUSINESS ENTITIES	
January 31, 2024	
CAMPAIGN COMPLIANCE SEMINAR AND eFILE TRAINING	
January 24, 2024	May 02, 2024
January 30, 2024	June 12, 2024
February 06, 2024	July 09, 2024
March 05, 2024	August 06, 2024
March 14, 2024	September 12, 2024
April 02, 2024	October 03, 2024
May 01, 2024	October 08, 2024
CPC/PPC COMPLIANCE SEMINARS AND eFILE TRAINING	
January 25, 2024	June 13, 2024
February 07, 2024	July 11, 2024
March 06, 2024	August 08, 2024
March 26, 2024	September 10, 2024
April 03, 2024	October 10, 2024
May 15, 2024	
IN PERSON SEMINARS	
Wednesday, March 27 – CPC	Wednesday, June 26 – CPC
Wednesday, April 24 – Campaign	Wednesday, September 25 – Campaign
Wednesday, June 19 – Campaign	Wednesday, October 2 – CPC

*All webinars and seminars will begin at 10:00 and run for approximately 2 hours.

2024 REPORTING DATES

	INCLUSION DATES	REPORT DUE DATE
FIRE COMMISSIONER – FEBRUARY 17, 2024		
29–day Preelection Reporting Date	Inception of campaign* – 01/16/2024	01/19/2024
11–day Preelection Reporting Date	01/17/2024 – 02/03/2024	02/06/2024
20–day Postelection Reporting Date	02/04/2024 – 03/05/2024	03/08/2024
72–Hour Notice Reporting Starts on 02/04/2024 through 02/09/2024		
24–Hour Notice Reporting Starts on 02/10/2024 through 02/17/2024		
APRIL SCHOOL BOARD – APRIL 16, 2024		
29–day Preelection Reporting Date	Inception of campaign* – 03/15/2024	03/18/2024
11–day Preelection Reporting Date	03/16/2024 – 04/02/2024	04/05/2024
20–Day Postelection Reporting Date	04/03/2024 – 05/03/2024	05/06/2024
72–Hour Notice Reporting Starts on 04/03/2024 through 04/08/2024		
24–Hour Notice Reporting Starts on 04/09/2024 through 04/16/2024		
MAY MUNICIPAL – MAY 14, 2024		
29–day Preelection Reporting Date	Inception of campaign* – 04/12/2024	04/15/2024
11–day Preelection Reporting Date	04/13/2024 – 04/30/2024	05/03/2024
20–Day Postelection Reporting Date	05/01/2024 – 05/30/2024	06/03/2024
72–Hour Notice Reporting Starts on 05/01/2024 through 05/06/2024		
24–Hour Notice Reporting Starts on 05/07/2024 through 05/14/2024		
RUNOFF (JUNE)** – JUNE 11, 2024		
29–day Preelection Reporting Date	No Report Required for this Period	
11–day Preelection Reporting Date	05/01/2024 – 05/28/2024	05/31/2024
20–Day Postelection Reporting Date	05/29/2024 – 06/28/2024	07/01/2024
72–Hour Notice Reporting Starts on 05/29/2024 through 06/03/2024		
24–Hour Notice Reporting Starts on 06/04/2024 through 06/11/2024		
PRIMARY (90 DAY START DATE: MARCH 06, 2024)*** – JUNE 04, 2024		
29–day Preelection Reporting Date	Inception of campaign* – 05/03/2024	05/06/2024
11–day Preelection Reporting Date	05/04/2024 -05/21/2024	05/24/2024
20–Day Postelection Reporting Date	05/22/2024 – 06/21/2024	06/24/2024
72–Hour Notice Reporting Starts on 05/22/2024 through 05/27/2024		
24–Hour Notice Reporting Starts on 05/28/2024 through 06/04/2024		
GENERAL (90 DAY START DATE: AUGUST 07, 2024)*** – NOVEMBER 05, 2024		
29–day Preelection Reporting Date	06/22/2024 – 10/04/2024	10/07/2024
11–day Preelection Reporting Date	10/05/2024 – 10/22/2024	10/25/2024
20–day Postelection Reporting Date	10/23/2024 -11/22/2024	11/25/2024
72–Hour Notice Reporting Starts on 10/23/2024 through 10/28/2024		
24–Hour Notice Reporting Starts on 10/29/2024 through 11/05/2024		

RUN-OFF (DECEMBER) – DECEMBER 03, 2024**

29-day Preelection Reporting Date	No Report Required for this Period	
11-day Preelection Reporting Date	10/23/2024 – 11/19/2024	11/22/2024
20-day Postelection Reporting Date	11/20/2024 – 12/20/2024	12/23/2024
72-Hour Notice Reporting Starts on 11/20/2024 through 11/25/2024		
24-Hour Notice Reporting Starts on 11/26/2024 through 12/03/2024		

PACS, PCFRS & CAMPAIGN QUARTERLY FILERS

1 st Quarter	01/01/2024 – 03/31/2024	04/15/2024
2 nd Quarter	04/01/2024 – 06/30/2024	07/15/2024
3 rd Quarter	07/1/2024 – 09/30/2024	10/15/2024
4 th Quarter	10/01/2024 – 12/31/2024	01/15/2025

GOVERNMENTAL AFFAIRS AGENTS (Q-4)

1 st Quarter	01/01/2024 – 03/31/2024	04/10/2024
2 nd Quarter	04/01/2024 – 06/30/2024	07/10/2024
3 rd Quarter	07/01/2024 – 09/30/2024	10/10/2024
4 th Quarter	10/01/2024 – 12/31/2024	01/10/2025

* Inception Date of Campaign (first time filers) or from January 1, 2024 (Quarterly filers).

** A candidate committee or joint candidates committee that is filing in a 2024 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 04, 2024 for Primary Election Candidates and June 14, 2024 for Independent General Election Candidates.

Note: A 4th quarter 2023 filing is needed for Primary 2024 candidates if they started their campaign prior to December 06, 2023. A 2nd quarter 2024 filing is needed by Independent/Non-Partisan General Election candidates if they started their campaign prior to May 07, 2024.

HOW TO CONTACT ELEC

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