



Legislation Details (With Text)

File #: Int 0986-2015 **Version:** A **Name:** Early public funds payments in local elections
Type: Introduction **Status:** Enacted
In control: Committee on Governmental Operations

On agenda: 11/10/2015

Enactment date: 12/22/2016 **Enactment #:** 2016/168

Title: A Local Law to amend the administrative code of the city of New York, in relation to early public funds payments in local elections

Sponsors: Ben Kallos, Rory I. Lancman, Brad S. Lander, Donovan J. Richards, Carlos Menchaca

Indexes:

Attachments: 1. Legislative History Report, 2. Summary of Int. No. 986-A, 3. Summary of Int. No. 986, 4. Int. No. 986 - 11/10/15, 5. November 10, 2015 - Stated Meeting Agenda with Links to Files, 6. Committee Report 5/2/16, 7. Hearing Testimony 5/2/16, 8. Hearing Transcript 5/2/16, 9. Committee Report 12/14/16, 10. Hearing Transcript 12/14/16, 11. December 15, 2016 - Stated Meeting Agenda with Links to Files, 12. Fiscal Impact Statement, 13. Int. No. 986-A (FINAL), 14. Mayor's Letter, 15. Local Law 168, 16. Hearing Transcript - Stated Meeting 12-15-16, 17. Minutes of the Stated Meeting - December 15, 2016

Date	Ver.	Action By	Action	Result
11/10/2015	*	City Council	Introduced by Council	
11/10/2015	*	City Council	Referred to Comm by Council	
5/2/2016	*	Committee on Governmental Operations	Hearing Held by Committee	
5/2/2016	*	Committee on Governmental Operations	Laid Over by Committee	
12/14/2016	*	Committee on Governmental Operations	Hearing Held by Committee	
12/14/2016	*	Committee on Governmental Operations	Amendment Proposed by Comm	
12/14/2016	*	Committee on Governmental Operations	Amended by Committee	
12/14/2016	A	Committee on Governmental Operations	Approved by Committee	Pass
12/15/2016	A	City Council	Approved by Council	Pass
12/15/2016	A	City Council	Sent to Mayor by Council	
12/22/2016	A	Mayor	Hearing Held by Mayor	
12/22/2016	A	Mayor	Signed Into Law by Mayor	
12/22/2016	A	City Council	Recved from Mayor by Council	

Int. No. 986-A

By Council Members Kallos, Lancman, Lander, Richards and Menchaca

A Local Law to amend the administrative code of the city of New York, in relation to early public funds payments in local elections

Be it enacted by the Council as follows:

Section 1. Paragraph (a) of subdivision 1 of section 3-703 of the administrative code of the city of New York, as amended by local law number 69 for the year 1990, is amended to read as follows:

(a) meet all the requirements of law to have his or her name on the ballot, or, for the disbursement of optional public financing occurring prior to two weeks after the last day to file designating petitions for a primary election, certify that he or she intends to meet all the requirements of law to have his or her name on the ballot for the primary or general election;

§ 2. Paragraph (b) of subdivision 2 of section 3-705 of the administrative code of the city of New York, as amended by local law number 58 for the year 2004, is amended to read as follows:

(b) Except as otherwise provided in subdivision three of section 3-706, in no case shall the principal committee of a participating candidate receive public funds pursuant to paragraph (a) above in excess of an amount equal to fifty-five percent of the expenditure limitation provided in subdivision one of section 3-706 for the office for which such candidate seeks nomination for election or election. For the disbursement of optional public financing occurring prior to two weeks after the last day to file designating petitions for a primary election, the principal committee of a participating candidate shall not receive public funds in excess of \$250,000 for any candidate for nomination for election to the office of mayor, \$125,000 for any candidate for nomination for election to the office of public advocate or comptroller, \$50,000 for any candidate for nomination for election to the office of borough president, and \$10,000 for any candidate for nomination for election to the office of member of the city council.

§ 3. Subdivision 10 of section 3-705 of the administrative code of the city of New York, as amended by local law number 67 for the year 2007, is amended to read as follows:

10. A participating candidate who loses in the primary election but remains on the ballot for the general election must certify to the board before receiving public funds that he or she will actively campaign for election to a covered office; such campaign activity shall include, but not be limited to, raising and spending

funds for election to a covered office, seeking endorsements, and broadly soliciting votes.

§ 4. Subdivision 5 of section 3-709 of the administrative code of the city of New York, as amended by local law number 69 for the year 1990, is amended to read as follows:

5. No moneys shall be paid to participating candidates in a primary or general election any earlier than [two weeks after the last day to file designating petitions for such primary election] four business days after the final day to file a written certification pursuant to paragraph (c) of subdivision 1 of section 3-703.

§ 5. Paragraph (a) of subdivision 6 of section 3-709 of the administrative code of the city of New York, as amended by local law number 12 for the year 2003, is amended to read as follows:

(a) No moneys shall be paid to participating candidates in a run-off primary election held pursuant to section 6-162 of the election law [or in a general election] any earlier than the day after the day of the primary election held to nominate candidates for such election.

§ 6. Subdivision 3 of section 3-710 of the administrative code of the city of New York, as amended by local law number 69 for the year 1990, is amended to read as follows:

3. (a) If a participating candidate whose principal committee has received public funds is disqualified by a court of competent jurisdiction on the grounds that such candidate committed fraudulent acts in order to obtain a place on the ballot and such decision is not reversed, such candidate and his or her principal committee shall pay to the board an amount equal to the total of public funds received by such principal committee.

(b) If a participating candidate whose principal committee has received public funds fails to actively campaign for election to a covered office, such candidate and his or her principal committee shall pay to the board an amount equal to the total of public funds received by such principal committee. For the purposes of this subdivision, the term “actively campaign for a covered office” shall mean filing designating or nominating petitions for inclusion on the ballot, and activities that include, but are not limited to, raising and spending funds for nomination for election or election to a covered office, seeking endorsements, and broadly soliciting votes.

§ 7. This local law takes effect on January 1, 2018.

Dss/bjr
LS 2394/2014
12/06/16 6:57PM