



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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June 1, 1981

William L. Brach
33 Evergreen Place
East Orange, NJ 07018

ADVISORY OPINION NO. 21-1981

Dear Mr. Brach:

I am writing in response to your letter of May 15, 1981 requesting an advisory opinion from the Commission. You have asked whether an organization associated with a public office holder that has raised funds from events sponsored by the organization has any reporting requirements under the Campaign Contributions and Expenditures Reporting Act if it uses those funds to pay past election campaign debts of the office holder. For the reasons stated herein, you are advised that the sponsoring organization must report under the Act.

The term "testimonial affair" is defined at N.J.S.A. 19:44A-3 (k) to mean "...an affair of any kind or nature including, without limitation, cocktail parties, breakfasts, luncheons, dinners, dances, picnics or similar affairs directly or indirectly intended to raise campaign funds in behalf of a person who holds, or who is or was a candidate for nomination or election to a public office in this State...". On the limited facts before it, the Commission is satisfied that the described fund raising activity was on behalf of the office holder's past election campaign because proceeds were used to defray campaign debts. Your observation that the campaign debts were incurred prior to the formation of the organization does not affect the reporting requirements the organization assumed upon undertaking fund raising activities. Particularly, your attention is directed to N.J.S.A. 19:44A-18 which expressly contemplates post-election fund raising activity.

Therefore, you are advised the sponsoring organization should file a report pursuant to N.J.S.A. 19:44A-18 forthwith.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By: GREGORY E. NAGY
Staff Counsel