

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a “fair and open” process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor’s submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

* N.J.S.A. 19:44A-3(s): “The term “legislative leadership committee” means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures.”

**List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26**

County Name: Bergen

State: Governor, and Legislative Leadership Committees

Legislative District #: 32, 35, 36, 37, 38, 39, 40

State Senator and two members of the General Assembly per district.

County:

Freeholders

County Executive

County Clerk

Surrogate

Sheriff

Municipalities (Mayor and members of governing body, regardless of title):

Allendale Borough

Alpine Borough

Bergenfield Borough

Bogota Borough

Carlstadt Borough

Cliffside Park Borough

Closter Borough

Cresskill Borough

Demarest Borough

Dumont Borough

East Rutherford Borough

Edgewater Borough

Elmwood Park Borough

Emerson Borough

Englewood City

Englewood Cliffs Borough

Fair Lawn Borough

Fairview Borough

Fort Lee Borough

Franklin Lakes Borough

Garfield City

Glen Rock Borough

Hackensack City

Harrington Park Borough

Hasbrouck Heights Borough

Haworth Borough

Hillsdale Borough

Ho-Ho-Kus Borough

Leonia Borough

Little Ferry Borough

Lodi Borough

Lyndhurst Township

Mahwah Township

Maywood Borough

Midland Park Borough

Montvale Borough

Moonachie Borough

New Milford Borough

North Arlington Borough

Northvale Borough

Norwood Borough

Oakland Borough

Old Tappan Borough

Oradell Borough

Palisades Park Borough

Paramus Borough

Park Ridge Borough

Ramsey Borough

Ridgefield Borough

Ridgefield Park Village

Ridgewood Village

River Edge Borough

River Vale Township

Rochelle Park Township

Rockleigh Borough

Rutherford Borough

Saddle Brook Township

Saddle River Borough

South Hackensack Township

Teaneck Township

Tenafly Borough

Teterboro Borough

Upper Saddle River Borough

Waldwick Borough

Wallington Borough

Washington Township

Westwood Borough

Woodcliff Lake Borough

Wood-Ridge Borough

Wyckoff Township

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Boards of Education (Members of the Board):

| | | |
|---------------------------|-----------------------------|-----------------------------|
| Allendale Borough | Haworth Borough | Ramapo-Indian Hill Regional |
| Alpine Borough | Hillsdale Borough | Ramsey Borough |
| Bergenfield Borough | Ho Ho Kus Borough | Ridgefield Borough |
| Bogota Borough | Leonia Borough | Ridgefield Park Township |
| Carlstadt Borough | Little Ferry Borough | Ridgewood Village |
| Carlstadt-East Rutherford | Lodi Borough | River Dell Regional |
| Cliffside Park Borough | Lyndhurst Township | River Edge Borough |
| Closter Borough | Mahwah Township | River Vale Township |
| Cresskill Borough | Maywood Borough | Rochelle Park Township |
| Demarest Borough | Midland Park Borough | Rockleigh |
| Dumont Borough | Montvale Borough | Rutherford Borough |
| East Rutherford Borough | Moonachie Borough | Saddle Brook Township |
| Edgewater Borough | New Milford Borough | Saddle River Borough |
| Elmwood Park | North Arlington Borough | South Hackensack Township |
| Emerson Borough | Northern Highlands Regional | Teaneck Township |
| Englewood Cliffs Borough | Northern Valley Regional | Tenafly Borough |
| Fair Lawn Borough | Northvale Borough | Teterboro |
| Fairview Borough | Norwood Borough | Upper Saddle River Borough |
| Fort Lee Borough | Oakland Borough | Waldwick Borough |
| Franklin Lakes Borough | Old Tappan Borough | Wallington Borough |
| Garfield City | Oradell Borough | Westwood Regional |
| Glen Rock Borough | Palisades Park | Wood Ridge Borough |
| Hackensack City | Paramus Borough | Woodcliff Lake Borough |
| Harrington Park Borough | Park Ridge Borough | Wyckoff Township |
| Hasbrouck Heights Borough | Pascack Valley Regional | |

Fire Districts (Board of Fire Commissioners):

None

STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business:

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

Partnership

Corporation

Sole Proprietorship

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

| | |
|---------------|---------------|
| Name: | Name: |
| Home Address: | Home Address: |
| Name: | Name: |
| Home Address: | Home Address: |
| Name: | Name: |
| Home Address: | Home Address: |

| | |
|---|--|
| Subscribed and sworn before me this ____ day of _____, 2 ____. | _____ (Affiant) |
| (Notary Public) | _____ (Print name & title of affiant) |
| My Commission expires: | (Corporate Seal) |