

# REVISED JANUARY 2021

## C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

### Public Agency Instructions

This page provides guidance to public agencies entering into contracts with business entities that are required to file Political Contribution Disclosure forms with the agency. It is not intended to be provided to contractors. What follows are instructions on the use of form local units can provide to contractors that are required to disclose political contributions pursuant to N.J.S.A. 19:44A-20.26 (P.L. 2005, c. 271, s.2). Additional information on the process is available in Local Finance Notice 2006-1 ([www.nj.gov/dca/lgs/lfnmenu.shtml](http://www.nj.gov/dca/lgs/lfnmenu.shtml)).

1. The disclosure is required for all contracts in excess of \$17,500 that are **not awarded** pursuant to a “fair and open” process (N.J.S.A. 19:44A-20.7).
2. Due to the potential length of some contractor submissions, the public agency should consider allowing data to be submitted in electronic form (i.e., spreadsheet, pdf file, etc.). Submissions must be kept with the contract documents or in an appropriate computer file and be available for public access. **The form is worded to accept this alternate submission.** The text should be amended if electronic submission will not be allowed.
3. The submission must be **received from the contractor and** on file at least 10 days prior to award of the contract. Resolutions of award should reflect that the disclosure has been received and is on file.
4. The contractor must disclose contributions made to candidate and party committees covering a wide range of public agencies, including all public agencies that have elected officials in the county of the public agency, state legislative positions, and various state entities. The Division of Local Government Services recommends that contractors be provided a list of the affected agencies. This will assist contractors in determining the campaign and political committees of the officials and candidates affected by the disclosure.
  - a. The Division has prepared model disclosure forms for each county. They can be downloaded from the “County PCD Forms” link on the Pay-to-Play web site at [www.nj.gov/dca/lgs/p2p](http://www.nj.gov/dca/lgs/p2p). They will be updated from time-to-time as necessary.
  - b. A public agency using these forms **should edit them to properly reflect the correct legislative district(s)**. As the forms are county-based, **they list all legislative districts** in each county. **Districts that do not represent the public agency should be removed from the lists.**
  - c. Some contractors may find it easier to provide a single list that covers all contributions, regardless of the county. These submissions are appropriate and should be accepted.
  - d. The form may be used “as-is”, subject to edits as described herein.
  - e. The “Contractor Instructions” sheet is intended to be provided with the form. It is recommended that the Instructions and the form be printed on the same piece of paper. The form notes that the Instructions are printed on the back of the form; where that is not the case, the text should be edited accordingly.
  - f. The form is a Word document and can be edited to meet local needs, and posted for download on web sites, used as an e-mail attachment, or provided as a printed document.

5. It is recommended that the contractor also complete a “Stockholder Disclosure Certification.” This will assist the local unit in its obligation to ensure that contractor did not make any prohibited contributions to the committees listed on the Business Entity Disclosure Certification in the 12 months prior to the contract. (See Local Finance Notice 2006-\_\_ for additional information on this obligation) A sample Certification form is part of this package and the instruction to complete it is included in the Contractor Instructions.

# 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:
  - o of the public entity awarding the contract
  - o of that county in which that public entity is located
  - o of another public entity within that county
  - o 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. 52:34-25(b) 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.

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."

## **C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM**

Required Pursuant To N.J.S.A. 19:44A-20.26

<b>This form or its permitted facsimile must be submitted to the local unit no later than 10 days prior to the award of the contract.</b>
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### **Part I – Vendor Information**

Vendor Name:			
Address:			
City:		State:	Zip:

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Printed Named**

\_\_\_\_\_  
**Title**





## 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:**

<b>Name:</b>	<b>Name:</b>
<b>Home Address:</b>	<b>Home Address:</b>
<b><u>Signature and Attestation:</u></b> The undersigned is fully aware that if I have misrepresented in whole or in part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.  <b>Name of Business Entity</b> <b>Signed</b> <b>Title:</b> <b>Print Name:</b> <b>Date:</b>	

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

**HUDSON COUNTY ELECTED OFFICIALS**  
**REVISED JANUARY 2021**

**Election Fund of Brian P. Stack**  
**(Senator)**

**Election Fund of Sandra Bolden Cunningham**  
**(Senator)**

**Election Fund of Nicholas J. Sacco**  
**(Senator)**

**Election Fund of Angela V. McKnight**  
**(Assemblyman)**

**Election Fund of Nicholas Chiaravalloti**  
**(Assemblyman)**

**Election Fund of Raj Mukherji**  
**(Assemblyman)**

**Election Fund of Angelica M. Jimenez**  
**(Assemblyman)**

**Election Fund of Pedro Mejia**  
**(Assemblyman)**

**Election Fund of Annette Chaparro**  
**(Assemblyman)**

**Hudson County Democratic Organization**

**Election Fund of Kenneth Kopacz**

**Election Fund of Fanny Cedeño**

**Election Fund of William O'Dea**

**Election Fund of Jerry Walker**

**Election Fund of Yraida Aponte-Lipski**

**Election Fund of Albert J. Cifelli**



**Election Fund of Anthony Romano**

**Election Fund of Caridad Rodriguez**

**Election Fund of Anthony P. Vainieri, Jr.**

**Committee to Elect E. Junior Maldonado, County Clerk**

**Election Fund of Frank X. Schillari**

**Election Fund of Diane Coleman**

**Election Fund of Tilo Rivas, Hudson County Surrogate**

**Thomas DeGise Election Fund**

**Election Fund of James M. Davis  
(Mayor of the City of Bayonne)**

**Election Fund of Dina Grilo  
(Mayor of the Borough of East Newark)**

**Election Fund of Wayne D. Zitt, Jr.  
(Mayor of the Town of Guttenberg)**

**Election Fund of James A. Fife  
(Mayor of the Town of Harrison)**

**Election Fund of Ravinder S. Bhalla  
(Mayor of the City of Hoboken)**

**Election Fund of Steven Fulop  
(Mayor of the City of Jersey City)**

**Election Fund of Alberto G. Santos  
(Mayor of the Town of Kearny)**

**Election Fund of Nicholas J. Sacco  
(Mayor of the Township of North Bergen)**

**Election Fund of Michael J. Gonnelli  
(Mayor of the Town of Secaucus)**

**Election Fund of Brian P. Stack**  
(Mayor of the City of Union City)

**Election Fund of Richard F. Turner**  
(Mayor of the Township of Weehawken)

**Election Fund of Gabriel Rodriguez**  
(Mayor of the Town of West New York)

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(Council Member of the City of Bayonne)

**Election Fund of Juan M. Perez**  
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**Election Fund of Neil Carroll III**  
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**Election Fund of Salvatore Gullace**  
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**Election Fund of Juana Malave**  
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**Election Fund of Richard Delafuente**  
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**Election Fund of Monica Fundora**  
(Council Member of Town of Guttenberg)

**Election Fund of William Hokien**  
(Council Member of Town of Guttenberg)

**Election Fund of Rose M. Evaristo**  
(Council Member of Borough of East Newark)

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