

Does my organization need to register as a New Jersey PAC?

Factual background	Registration required?
The organization engages in fundraising activities (such as soliciting and accepting contributions) and then expends funds to aid or promote the candidacy of an individual, or the candidacies of individuals, for elective public office in New Jersey, or the passage or defeat of a public question or public questions in New Jersey.	Yes , registration as a PAC is required. ¹ If the organization anticipates being active for the duration of only one election, the organization is viewed as a Political Committee and must register accordingly. If the organization anticipates being active for the duration of multiple elections, the organization is viewed as a Continuing Political Committee ² and must register accordingly.
The organization does not engage in any fundraising activities but merely uses its own funds to aid or promote the candidacy of an individual, or the candidacies of individuals, for elective public office in New Jersey, or the passage or defeat of a public question or public questions in New Jersey.	No , registration as a PAC is not required. ³ Instead, the organization is subject to the contribution limits applicable to individuals, corporations, unions, or associations (as applicable).
The organization is active as a PAC in another jurisdiction, files regular reports in that jurisdiction, and the support of New Jersey candidates or committees is not the “major purpose” ⁴ of the organization.	No , registration as a PAC is not required. Please note that it is a fact-sensitive inquiry to determine whether the major purpose of an out-of-state PAC is the support of New Jersey candidates or committee. ⁵

¹ See *N.J.A.C.* 19:25-1.7.

² Continuing Political Committee, or CPC, is New Jersey’s term of art for what is known in other jurisdictions as a Political Action Committee, or PAC.

³ See *N.J.A.C.* 19:25-1.7.

⁴ Whether support of New Jersey candidates or committees is the major purpose of an organization is determined by examining:

- The organization’s receipt of contributions from New Jersey residents as a percentage of contributions received from residents of all jurisdictions.
- The organization’s making of contributions to New Jersey candidates or committees as a percentage of contributions made to recipients in all jurisdictions.
- The fact that the organization does not solicit contributions for the stated purpose of supporting New Jersey candidates or committees.

⁵ See New Jersey ELEC Advisory Opinion 02-2003 (available at: <http://www.elec.state.nj.us/pdf/ao/2003/ao022003.pdf>).

The information contained in this fact sheet and any attachments is being provided for informational purposes only and not as part of an attorney-client relationship. The information is not a substitute for expert legal, tax, or other professional advice tailored to your specific circumstances, and may not be relied upon for the purposes of avoiding any penalties that may be imposed under the Internal Revenue Code. Alliance for Justice publishes plain-language guides on nonprofit advocacy topics, offers educational workshops on the laws governing the advocacy of nonprofits, and provides technical assistance for nonprofits engaging in advocacy. For additional information, please feel free to contact Alliance for Justice at 866-NPLOBBY.

www.bolderadvocacy.org | www.allianceforjustice.org