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In the matter of the Complaint
 Against
John Sarcone for NYS Supreme Court
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WHEREAS, on or about October 2, 2023, the Division of Election Law Enforcement (DELE) received an anonymous email complaint alleging that candidate John Sarcone improperly transferred monies (\$50,000) from Filer Id – 186225 Sarcone for NYS Attorney General (SAG) to Filer Id – 227528 John Sarcone for NYS Supreme Court (JSSC). The complaint alleged that this was a violation of ethics and campaign finance laws; and

WHEREAS, the relevant statutes and regulations pertaining to this matter are New York State Election Law §§ 3-102, 3-104, 14-100, 14-102, 14-104, 14-106, 14-108, 14-110, 14-118; and 9 NYCRR §§ 6200; and

WHEREAS, based on a DELE staff review of the campaign financial disclosure statements filed by both committees, these alleged transfers were proper. Filings show several transfers from SAG to JSSC and at least one transfer from SAG to Filer Id – 9547 Westchester Republican County Committee. The above transactions do not violate election law as all were technically transfers out. Pursuant to NYS Election Law §14-100(10), a transfer is defined as “any exchange of funds or anything of value between political committees authorized by the same candidate and taking part solely in his campaign, or any exchange of funds between a party or constituted committee and a candidate or any of his authorized political committees.” When a transaction is considered a transfer, the monies exchanged are not a contribution, and contribution limits do not apply. *See* NYS Election Law §14-100(9)(2); and

WHEREAS, as both SAG and JSSC were authorized solely by Candidate Sarcone, the transfer of monies between them was proper. Additionally, the transfers to the Westchester Republican County Committee were proper as Candidate Sarcone was a Republican Party candidate; and

WHEREAS, it is noted that, as of August 2024, the committee JSSC has changed its name to Filer Id – 227528 John Sarcone for District Attorney, as Candidate Sarcone ran for Westchester District Attorney in 2024. This does not change the result or analysis in any way; and

NOW, THEREFORE, based on the foregoing, this matter is closed with no further enforcement action.

DETERMINATION
E2023-120

DIVISION OF ELECTION
LAW ENFORCEMENT

A handwritten signature in black ink, appearing to read "Michael L. Johnson". The signature is written in a cursive style with a large, stylized initial "M".

By: Michael L. Johnson
Chief Enforcement Counsel