



**Board of
Elections**

2015

Campaign Finance Seminar- Update

July 1, 2015

Overview

Part 1:

The Law; Registration; When to File

Part 2:

Contribution and Receipt Limits; Limits Chart; Compliance

Part 3:

Software and Schedules;

Additional Responsibilities; Concluding the Campaign

Part 1: The Law; Registration; When to File

Applicable Laws

Article 14 of NYS Election Law deals with *Campaign Receipts and Expenditures*.

Part 6200 of NYSBOE's Rules and Regulations, *Filing Statements of Campaign Receipts and Expenditures*, mandates how financial activity, including independent expenditures, is to be disclosed.

What is a Campaign Disclosure Report?

- A report of all monies raised and spent during a specific period of time (reporting period)

Why Must Reports Be Filed?

- Ensures transparency of election funding, allowing for an informed electorate
- Allows public to see who is contributing to candidates and political committees, which assists NYSBOE and the public in determining whether or not applicable contribution limits have been complied with

Who Must Comply?

- Candidates
- Committees

State and Local Candidates/Committees

- State candidates/committees
- Local candidates/committees

Legal Definitions

- What is a candidate

Legal Definitions

- What is a committee

Candidate Obligations

- Candidate discloses all
- Candidate uses authorized committee
- Both candidate and authorized committee disclose

Types of Committees

- Solely supporting one candidate
- Supporting multiple candidates
- PACs (political action committees)
- Independent expenditure committees (EL-14-107)
- Constituted committees
- Duly constituted sub-committees
- Party committees
- Housekeeping

Registration Forms

- Campaign Financial Disclosure Report (CF-01)
- Committee Registration/Treasurer and Bank Information (CF-02)
- Committee Authorization Status form (CF-03)
- Candidate Campaign Finance Registration Form and/or to Request NYSBOE Filer ID# and PIN (CF-04)
- Candidate's Authorization for a Committee to Make All Campaign Financial Disclosures (CF-16)

Exceptions to Filing

Submit Candidate or Committee Claim of Exemption (CF-05)

- Candidates who do not receive or spend over \$50 (inform the appropriate board of status)
- Candidate/committee solely supporting one candidate for public office, or a ballot proposition committee, in towns, cities or villages having a population under 10,000 where the candidate or committee does not raise and/or spend in excess of \$1000
- A committee formed solely to support or oppose a ballot proposition and has not/will not raise or spend over \$100

Additional Filing Requirements

BCRA (Bipartisan Campaign Reform Act)

- 1-800-424-9530 or www.fec.gov

IRS Filing Requirements

- 1-800-829-5500 or www.irs.gov

Judicial Candidates

- 1-888-600-5232 or www.nycourts.gov/ip/jcec

Village Candidates

- EL 14-102; 14-104; 14-124

New York City Campaign Finance Board

- 1-212-306-7100 www.nyccfb.info

When Do I File?

Report Period

July 2015 Periodic

Cut-Off Date

July 11, 2015

Filing Date

July 15, 2015

PRIMARY ELECTION - SEPTEMBER 10, 2015

32-Day Pre-Primary

August 06, 2015

August 10, 2015

11-Day Pre-Primary

August 27, 2015

August 31, 2015

10-Day Post-Primary*

September 17, 2015

September 21, 2015

*24-Hour Notice: August 28, 2015 thru September 09, 2015***

*Additional Independent Expenditure Reporting 24-Hour Notice: August 11, 2015 thru September 09, 2015****

GENERAL ELECTION - NOVEMBER 03, 2015

32-Day Pre-General

September 28, 2015

October 02, 2015

11-Day Pre-General

October 19, 2015

October 23, 2015

27-Day Post-General*

November 26, 2015

November 30, 2015

*24-Hour Notice: October 20, 2015 thru November 02, 2015***

*Additional Independent Expenditure Reporting 24-Hour Notice: October 05, 2015 thru November 02, 2015****

January 2016 Periodic

January 11, 2016

January 15, 2016



24-Hour Notice

- For any contribution/loan exceeding \$1,000 in certain time periods

When to File IE Reports

Weekly Disclosure

- Up to 30 days prior to the applicable primary, general or special election, submit Weekly disclosures on Fridays after receipt of a contribution/loan over \$1,000 or expenditure made over \$5,000.

24-Hour Disclosure

- Within 30 days of the applicable primary, general or special election, submit 24-Hour disclosures after receipt of a contribution/loan over \$1,000 or expenditure made over \$5,000.

Miscellaneous Items

- Attributions – *“Paid for by...”*
 - Not required except by Independent Expenditure Committees, when more than \$1,000 in the aggregate, the communication must state the name of the person who paid for the IE and that the communication was not expressly authorized or requested by any candidate or by any candidate’s political committee
- Solicitations – *“Contributions are not tax deductible”*
- Party funds for primaries – party or constituted committees can now support candidates in primary elections
- Cash

Part 2: Contribution and Receipt Limits Limits Chart; Compliance

Contributions

- What is a political contribution?

What Is Not a Contribution?

- Must report
 - Candidate's \$\$
 - Funds from candidate's spouse
 - Transfers
 - Housekeeping
 - Independent expenditures (Note: Citizens United)
- Not necessary to report
 - Volunteer services (unless reimbursed)
 - House parties under \$500
 - Travel under \$500

Contribution and Receipt Limits

- Giving
 - Limits on what can be given (Note NYSBOE directive on limits)

- Receiving
 - Limits on what can be received

Election Limits

- Election cycle
- Primary elections
- General elections
- Special elections

Receiving Limits – Candidates

- State candidates – limits at www.elections.ny.gov
 - Family
 - Non-family
- Local candidates – limits calculated by county boards
 - Family
 - Non-family

Note – the limits proposed below are currently in the rule-making process. They were published in NYS Register on June 17, 2015, and have a 45-day comment period (SBE-24-15-00007-P).

Office	Election	Column A Non-Family Limit	Column B Family Limit
Statewide Governor, Lt. Governor, Comptroller, Att. Gen.	Primary	Total number of enrolled voters in candidate's party in the state, excluding voters in inactive status, multiplied by \$0.005*	Total number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied of \$0.025.
Statewide Governor, Lt. Governor, Comptroller, Att. Gen.	General	\$44,000 **	Total number of registered voters in the state, excluding voters in inactive status, multiplied by \$0.025.
NYS Senate	Primary	\$7,000	Total number of enrolled voters in the candidate's party in the district, excluding voters in inactive status, multiplied by \$0.25, but at least \$20,000 and no more than \$100,000.
NYS Senate	General	\$11,000	Total number of registered voters in the candidate's district, excluding voters in inactive status, multiplied by \$0.25, but at least \$20,000, and no more than \$100,000.
NYS Assembly	Primary	\$4,400	Total number of enrolled voters in the candidate's party in the district, excluding voters in inactive status, multiplied by \$0.25, but at least \$12,500, and no more than \$100,000.
NYS Assembly	General	\$4,400	Total number of registered voters in the candidate's district, excluding voters in inactive status, multiplied by \$0.25, but at least \$12,500, and no more than \$100,000.
NYC Offices of Mayor, Public Advocate and Comptroller	Primary	Total number of enrolled voters in the candidate's party in the city, excluding voters in inactive status, multiplied by \$0.05*	Total number of enrolled voters in the candidate's party in the city, excluding voters in inactive status, multiplied by \$0.25, but at least \$1,250, and no more than \$100,000.
NYC Offices of Mayor, Public Advocate and Comptroller	General	\$44,000	Total number of registered voters in the city, excluding voters in inactive status, multiplied by \$0.25, but at least \$1,250, and no more than \$100,000.



Office	Election	Column A Non-Family Limit	Column B Family Limit
All Other Public Offices*** and Supreme Court Justice	Primary	Total number of enrolled voters in the candidate's party in the district, excluding voters in inactive status, multiplied by \$0.05, but at least \$1,000, and no more than \$50,000	Total number of enrolled voters in the candidate's party in the district, excluding voters in inactive status, multiplied by \$0.25, but at least \$1,250 and no more than \$100,000.
	General	Total number of registered voters in the candidate's district, excluding voters in inactive status, multiplied by \$0.05, but at least \$1,000 and no more than \$50,000	Total number of registered voters in the candidate's district, excluding voters in inactive status, multiplied by \$0.25, but at least \$1,250 and no more than \$100,000.

Receiving Limits – Committees

- Party or constituted committees- \$109,600 in a calendar year
- Housekeeping- unlimited
- PACs- unlimited but limited by corporation's giving limits
- Ballot propositions- unlimited

Giving Limits

- Corporations
- Limited liability companies
- Sole proprietors
- Partnerships
- Individuals

Compliance Unit

- Works closely with treasurers of committees to ensure compliance with the NYS Election Law
- Is charged with reviewing each itemized filing

Compliance Checklist

New York State Board of Elections Compliance Unit
 Compliance Review Checklist – 2015 January periodic
 Committee Type 1: Single Candidate Authorized Committee

Committee Name and Filer ID #:			
Deficiencies Found: (D)*	NO	Reviewer Name:	Lorraine DelCostello
Training Issues Found: (T) *	NO	Reviewer Contact Phone #:	(518) 474-2063
Compliant:	YES	Date of Review:	February 27, 2015
Report Information:	Report period: January periodic		Report year: 2015
	Date Range of report: 11/28/14 - 01/11/15		
	Date Report Filed: January 14, 2015		Amendment: No
Schedules Used in this report:	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R		

COMMENTS: [Click here to enter text.](#)

REVIEW OF ALL SCHEDULES:		Y/N	D/T*	Instructions:	LIST SCHEDULES:
1.	Date Range of filed report incorrect	N	D	If Yes, must amend	
2.	Negative Balance	N	D	If Yes, must amend	
3.	Missing or incomplete names	N	D	If Yes, must amend	
4.	Missing or incomplete addresses	N	D	If Yes, must amend	
5.	Missing check #'s	N	D	If Yes, must amend	
6.	Missing or incomplete dates	N	D	If Yes, must amend	
7.	Missing amounts	N	D	If Yes, must amend	
8.	Anonymous Contributions	N	D	If Yes, see FAQ sheet	
9.	Cash contribution greater than \$100	N	D	If Yes, see FAQ sheet	
10.	Raffles	N	D	If Yes, see FAQ sheet	

SCHEDULE A: INDIVIDUAL & PARTNERSHIP CONTRIBUTIONS

11.	Incorrect use of schedule	N	T	If Yes, please amend	
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Compliance Checklist

The Compliance Unit utilizes a checklist for each committee type due to different reporting requirements. The 4 possible results from a compliance review are:

- Compliant
- Deficient
- Training
- Deficient and Training

Compliant

- The report contains no deficiencies or training issues
- No correspondence is sent to the filer

Deficient

- The report is missing statutorily required data or contains other entries identified as deficiencies
- The completed checklist is collated with a deficiencies letter and FAQ sheet and is mailed to treasurers via certified mail
- Copies are mailed to candidates as applicable, via first class mail

Training or Both Deficient and Training

- **Training:** the report is not missing statutorily required data, however, there are errors in reporting that need to be corrected
- **Both deficient and training:** the report has deficiencies and training issues. The same procedure for deficient letters is utilized

Coming Into Compliance

- Notifies committees of any deficiencies by certified mail
- Committees must correct deficiencies to come into compliance with the Election Law
- Committees have to correct deficiencies:
 - Within 30 days OR
 - Within 7 days if within 30 days of election

Top Issues That Result In Deficiencies

- Failure to itemize reimbursements
- Negative balances
- Missing data
- Out of date range disclosures
- Missing loan documentation
- Raffles

Compliance Tips

- All entries must have complete details: date, name, address, etc.
- Use correct schedules (e.g. B for corporations, etc.) Entries on certain schedules add or subtract to your balance
- No negative balances
- A letter of indebtedness/forgiveness
- Campaign material
- Cash contributions/expenses over \$100
- Reimbursement details on Schedule F
- Allocation: party, constituted, multi candidate and independent expenditure committees must allocate expenses using schedule R
- Housekeeping Schedules P & Q are only used by party, constituted committees

Part 3:

Software and Schedules; Additional Responsibilities; Concluding the Campaign

Electronic Filing System Software

- Download at www.elections.ny.gov
- Create report
- Submit – a two-step process

Save to computer

Email attachment to NYSBOE

Contributions: Itemized, Unitemized

**Aggregate
contribution
greater than
\$99.00**

- Must be itemized, reporting contributor's name, address and other required details

**Aggregate
contribution
\$99.00 or less**

- May be unitemized
- No details required

Expenditures: Itemized, Unitemized

**Expenditure
greater than
\$49.99**

- Must provide required details for single expenditures

**Expenditure
\$49.99 or less**

- May be unitemized
- No details required

Reporting Schedules

- Contributions
- Expenditures
- Transfers
- Loans, Liabilities, Refunds
- Record-keeping
- Housekeeping
- Allocations

Contribution Schedules: A-E

- Individuals – Schedule A
- Candidate/candidate's spouse – Schedule A
- Family members of candidate – Schedule A
- Partnerships – Schedule A
- Corporations – Schedule B
- Other Organizations – Schedule C
- In-kind – Schedule D
- Other receipts – Schedule E

Expenditure Schedule: F

- Expenditure/payments:
 - For candidate/committee expenses
 - Reimbursements to individuals
 - Reimbursements for credit card expenses

Reimbursements: Schedule F

- Reimbursements to individuals
- Reimbursements for credit card expenses

When checks to individuals are made out or a committee credit card is used to pay expenses, the details for those reimbursements must be reported on Schedule F, using Purpose Codes:

- Reimbursement (REIMB) and
- Reimbursement Details (R-DET)

Transfer Schedules: G and H

- Schedule G
 - Transfers in
- Schedule H
 - Transfers out

There are only two types of transfers:

Type 1 – transfers of money between a party or constituted committee and a candidate or candidate's authorized committee

Type 2 – Transfer of money or anything of value between two authorized committees solely supporting the same candidate

Loans and Liabilities Schedules: I-K

- Schedule I
 - Loans received
 - Evidence of indebtedness required to be filed
- Schedule J
 - Loans repaid
 - Keep track of outstanding loan balances on Schedule N
- Schedule K
 - Liabilities/loans forgiven
 - Evidence of forgiveness required to be filed and adjust Schedule N to reflect forgiveness

Loans or Liabilities

- Considered contributions for limit purposes
- Subject to contribution limits
- Letters of forgiveness, as applicable, are required

Refund Schedules: L and M

- Schedule L
 - Expenditure refunds (increases cash balance)
 - Overpayments
 - Return of deposits
- Schedule M
 - Contributions refunded (decreases cash balance)

Record-keeping Schedule: N

- Record-keeping

Outstanding liabilities/loans (detail on the following schedules should also be entered on Schedule N as applicable):

Liabilities

Schedule K – forgiven

Schedule F- payment

Loans

Schedule I – report

Schedule J – repayment

Schedule K - forgiven

Record-keeping Schedule: O

- Partners/subcontracts

Partners

(from Schedule A)

Detail over \$2,500

Subcontracts

(from Schedule F)

Detail over \$10,000
statewide

\$5,000 all other

Housekeeping Schedules: P and Q

- Schedule P
 - Non-campaign receipts
- Schedule Q
 - Non-campaign expenses

Schedules P and Q can only be used by party and constituted committees

Allocation Schedule: R

- Expense allocation among candidates (for party and constituted committees, independent expenditure committees and authorized multi-candidate committees only)

Web-based Filing Options

- In-Lieu-of Statement
- No-Activity Report
- 24-Hour Notice
- Notice of Non-Participation in Election(s) by Registered PACs, Party and Constituted Committees or Independent Expenditure Committees (CF-20)
- 24-Hour and Weekly disclosure of Independent expenditures

How to File IE Reports

- Go to the NYSBOE website,
www.elections.ny.gov/IndependentExpenditureReporting.html
- Choose the appropriate option
 - I want to file my Weekly or 24 Hour Independent Expenditure Contributions/Loans
 - I want to file my Weekly or 24 Hour Independent Expenditure Expenditures/Payments

After Submitting Reports

- Verify
- Amend

View Disclosure Reports



The screenshot shows the website for the New York State Board of Elections. The header features the state seal and the text 'Board of Elections'. A navigation bar includes links for HOME, ABOUT US, FAQs, CONTACT US, and SITE INDEX. A search bar is powered by Google. The main content area is titled 'View Disclosure Reports' and includes a list of options: Query the Database, Data Availability, Data Accuracy, and Database Files in ASCII Delimited Format. Below this is a section for 'Query the Database' with instructions and a list of options: View Contributions and Expenditures, View Committee by Name, View Committees by Office, and View 24 Hour Notices Filed - Sorted by Name. A left sidebar contains various navigation links, with 'View Disclosure Reports' highlighted.

Board of Elections

HOME | ABOUT US | FAQs | CONTACT US | SITE INDEX | Powered by Google

Campaign Finance Home
Are You a Candidate?
Are You a Committee?
Register/Request Filer ID# & PIN
Handbook, Forms & Publications
File Disclosure Reports
View Disclosure Reports
Contribution Limits
Treasurer/Candidate Duties
Resignation/Termination
Campaign Finance FAQs
Calendar of Events

NYSBOE HOME » VIEW DISCLOSURE REPORTS

View Disclosure Reports

- Query the Database
- Data Availability
- Data Accuracy
- Database Files in ASCII Delimited Format

Query the Database

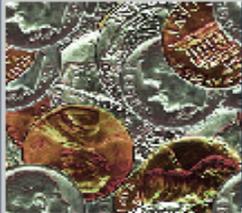
Query Instructions

- View Contributions and Expenditures
- View Committee by Name
- View Committees by Office
- View 24 Hour Notices Filed - Sorted by Name





NEW YORK STATE



Campaign Financial Disclosure Provided by the New York State Board of Elections Candidate and Committee Search Page

[Campaign Finance Disclosure Reports»Candidate and Committee Search](#)

Welcome!

**You have chosen to search our Database by Candidate Name or
Committee Name**

**Enter Candidate Last Name or Committee Name:

Position

Submit Query

Reset

**** Enter all or part of the name of the filer you are looking for or leave blank to list all filers in the Electronic Filing Database.**



**Board of
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NEW YORK STATE



Campaign Financial Disclosure Provided by the New York State Board of Elections Candidate and Committee Search Page

Search by Candidate or Committee Name»Name Matches

List of filers where name is like %CRANDALL%
Oracle found [2] records matching your criteria.

Record are sorted by [NAME]

Filer Name	Office	District	County	Subdivision	Municipality	FilerID Detail Link
FRIENDS TO ELECT ROGER CRANDALL	Highway Superintendent	N/A	Saratoga	Town	Malta	C47704
ROGER WILLIAM CRANDALL	Highway Superintendent	N/A	Saratoga	Town	Malta	C47705



Campaign Materials

- Political communication includes all brochures, media, etc.
- Must be sent to NYSBOE
- Independent Expenditure Committees have additional responsibilities

Additional Treasurer Responsibilities

- True name of contributor
- Deposits
- Turn over receipts
- Campaign funds for personal use (EL-14-130)
- Record retention – five years

Treasurer Resignation

- File all campaign financial disclosure reports to date
- Submit letter of resignation request attached to CF-18 or CF-01

Committee Termination

- File all campaign financial disclosure reports to date
- Ending cash balance of \$0
- All outstanding loans/liabilities repaid or forgiven
- Letters of forgiveness submitted, applicable to contribution limits
- Submit a paper Termination or Resignation Request form (CF-18) with the final termination report

When Funds Remain

Subject to certain conditions:

- Contributed to a charity recognized by IRS
- Contributed to a candidate or political committee
- Transferred between two authorized committees:
 - Solely supporting same candidate
 - Candidate's authorized committee
- Refunded on pro-rated basis

Contact Us

New York State Board of Elections with questions:

www.elections.ny.gov

800-458-3453