

NEW YORK STATE BOARD OF ELECTIONS



This is a summary of provisions that appear in the [Campaign Finance Handbook](#). Please refer to the Handbook for more detailed information.

Continuing Obligation to File

If you are registered with NYSBOE you must continue to make all required filings until you request termination in writing with the [CF-18](#) form, provide all additional required documents, and termination is granted by NYSBOE. (EL 14-108(1).) Terminating with a county/city board does not terminate your filing obligation with NYSBOE and vice versa. Termination must be requested and processed separately with each board where a filer is registered.

Careful attention to these requirements will result in a letter from NYSBOE indicating that you successfully terminated or resigned from the committee.

Common Issues Relating to Post Election Reporting

It's a common misconception that the filing of a post election report ends the filing obligation. The filing of a 10-Day Post Primary Election Report or 27-Day Post General Election Report does not end your filing obligation. If you want to end your filing obligation you must request termination by submitting a [CF-18](#) form and must receive approval from NYSBOE.

Another common misconception is that simply closing the candidate/committee bank account or having an ending cash balance of \$0 in the bank account after the election means your filing obligation has ended. This is not the case. The termination process must be followed.

Don't forget to include in your post election report any contribution or loan over \$1,000 that was previously disclosed in a 24-Hour Notice. These are the contributions or loans required to be disclosed within 24 hours of receipt beginning the day after the cut-off date of the 11-Day Pre Election report up to the day before the election day. This applies to all primary, general and special elections.

You are obligated to send us all campaign materials at the same time the post election report is filed, or a written disclaimer that there were none. A corresponding letter with the Filer ID, name of committee and the election must be included with the campaign materials.

Submitting Campaign Materials

Campaign materials include all broadcast, cable or satellite schedules and scripts, internet, print and other types of advertisements, pamphlets, circulars, flyers, brochures, letterheads and other printed matter, purchased or produced, and reproductions of statements or information published to 500 or more members of a general public audience by computer or other electronic device including but not limited to electronic mail or text message, purchased in connection with such election.

Copies can include duplicate originals (e.g., posters, flyers, buttons, etc.) or photocopies. For practical purposes, large, unwieldy items (e.g., billboards, sandwich boards, etc.), which cannot be readily reproduced in a paper copy, may be photographed. All copies must be legible.

If no campaign material was produced, a written disclaimer so stating must be sent to the applicable board when the post election report is filed.

Rules for Settling Debts; Evidence of Indebtedness/Forgiveness

Evidence of Indebtedness - When your candidate or committee receives a loan, you must submit to applicable board(s) copies of the document(s) evidencing such loan. Evidence can include a signed copy of a promissory note or the letter outlining loan details. If the loan was received from a lending institution, the evidence must include the name and address of any co-signor, obligor or any person providing security for or guaranteeing the loan.

Evidence of Forgiveness - When your candidate or committee has a loan/liability forgiven, you must submit to applicable board(s) copies of the document(s) evidencing such forgiveness. Evidence that is obtained from the lender can be a letter outlining the liability details including the name and address of the person forgiving the liability.

Such documents must be sent in conjunction with the electronically submitted campaign financial disclosure report covering the period when the transaction took place. (EL 14-102(1).)

Any loan or liability that is forgiven must not constitute an excess contribution.

Termination

If at this time you want to terminate your committee, there are several steps you need to take before you request termination.

All previously required campaign financial disclosure reports must have been filed to date.

- All outstanding loans or liabilities must have been repaid or forgiven, and required letters of indebtedness/forgiveness must have been submitted to the appropriate board(s).
- Your committee bank account must have an ending cash balance of \$0, which also must be reflected in your final campaign financial disclosure report.
- File your final itemized campaign financial disclosure report using the Electronic Filing System (EFS) Software, **or** your non-itemized campaign financial disclosure report (i.e., No-Activity Report) online at www.elections.ny.gov or by paper using this [CF-18](#) form, if applicable.
- Submit a fully completed paper [CF-18](#) form by mail in conjunction with the filing of your final campaign financial disclosure report for termination purposes.

Notes about termination: *Termination can be requested with Periodic, Post-Primary, Post-General and Post-Special Election report filings. Termination can also be requested with an Off-Cycle report, which is defined as a report which does not correspond to any specific filing period. All applicable reports must continue to be filed until termination is approved by NYSBOE. Termination with a local board of elections does not constitute termination with NYSBOE.*

Treasurer Resignation

If at this time you want to resign as treasurer, there are several steps you need to take before you request resignation.

- All previously required campaign financial disclosure reports must have been filed to date.
- File your final itemized campaign financial disclosure report using the Electronic Filing System (EFS) Software, **or** your non-itemized campaign financial disclosure report (i.e., No-Activity

Report) online at www.elections.ny.gov or by paper using this [CF-18](#) form, if applicable.

- Submit a fully completed paper [CF-18](#) form by mail in conjunction with the filing of your final campaign financial disclosure report for resignation purposes.
- Attach a letter of resignation to the [CF-18](#) form. You should also submit your letter to any board where you are required to file, and to the candidate of an authorized committee.
- The committee's filing obligation continues with the resignation of the treasurer, so the new treasurer must submit amended [CF-02](#), [CF-03](#) and [CF-16](#) forms, as applicable.

Notes about resignation: *A treasurer can request resignation with Periodic, Primary, General or Special Election report filings. A treasurer can also request resignation with an Off-Cycle report, which is defined as a report which does not correspond to any specific filing period. All applicable reports must continue to be filed until resignation is approved by NYSBOE.*