

Local Candidate Guide to Campaign Finance

For assistance with campaign finance reporting requirements, you may contact one of our helpful staff members:

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For purposes of this document, a Local Candidate is defined as a candidate who is running for municipal office (mayor, council, attorney/law director, auditor, etc.), board of education member, or township trustee or fiscal officer. For detailed information, review Chapter 2 of the Secretary of State’s Campaign Finance Handbook. This document is for information purposes only and should not be construed as legal advice.

What to do first:

Before receiving any contribution or making any expenditure, a potential candidate must file a *Designation of Treasurer* (Form 30-D). This is considered a “registration” form. The candidate must either designate himself or another person as the campaign committee treasurer. The candidate must, and the treasurer should, sign the *Designation of Treasurer* form.
[R.C. 3517.081, 3517.10(D)]

Candidates who spend only personal funds must still file a *Designation of Treasurer* form prior to making out-of-pocket expenditures related in any way to their campaign. Purchase of goods and services for which no reimbursement is expected would be considered In-Kind Contributions to the campaign committee.

Exception: Filing Fee Only Candidate - A candidate who receives **NO** contributions and who makes **NO** expenditures (including the candidate’s personal funds) except for the filing fee, is not required to file the *Designation of Treasurer* form, is not required to create a campaign committee, and is not subject to the reporting requirements. The payment of filing fees by the candidate shall not be considered an expenditure that requires the filing of a *Designation of Treasurer* form. [OAC 111-5-01]

Naming the Committee: A campaign committee name must include at least the last name of the candidate. When choosing a name for the campaign committee, it may be prudent to make it general in nature rather than office-specific. For example: Friends of John Doe rather than Doe for Council. If the candidate runs for a different office, all of the committee bank account information, checks, and assets with a disclaimer would need to be corrected.

Bank Account:

Campaign contributions may not be placed in a candidate's personal or business account. A campaign committee must establish a bank account that is separate from a personal or business account of the candidate, or member of the candidate's campaign committee. All monetary campaign contributions received must be deposited into this account.

Exception: Candidates who will not accept monetary contributions (use only personal funds) need not establish a separate bank account for the committee.

A federal identification number may be required by the committee's chosen financial institution. This number is issued by the [Internal Revenue Service](#) upon request.

Report filing requirements:

A full, true, and itemized statement, made under penalty of election falsification, setting forth in detail the contributions and expenditures of the committee, must be filed with the Board of Elections not later than 4:00 p.m. of the following dates.

Annual: The last business day of January to disclose activity through December 31. The annual report is not required if the committee filed a post-general report.

Pre-Primary: The 12th day before the election to disclose activity through the 20th day before the election. Required if the committee has raised or spent more than \$1,000 during the pre-primary period.

Post-Primary: The 38th day after the election to disclose activity through the 31st day after the election.

Semiannual: The last business day of July to disclose activity through June, 30.

Exceptions:

- The semiannual report is not required if the committee filed a post-primary report
- Committees of candidates for judicial office are not required to file a semiannual report.
- The committee of a local candidate is not required to file a semiannual report unless that committee **both:** Receives, during the semiannual reporting period, contributions exceeding ten thousand dollars, and did not file a post-primary election report.

Pre-General: The 12th day before the election to disclose activity through the 20th day before the election. Required if the committee has raised or spent more than \$1,000 during the pre-general period.

Post-General: The 38th day after the election to disclose activity through the 31st day after the election.

All reports must be filed with a zero or positive balance. No finance report may be filed with a negative balance on hand. Additionally, some charters may require additional campaign finance reporting (i.e. the Columbus city charter requires municipal candidates to file a 5-DayReport due 5 days before the primary and general election).

Local Candidate Waiver:

A candidate's campaign committee may be exempt from the requirement to file campaign finance reports, except for the *Designation of Treasurer* form, if the candidate is running for:

- An elected municipal office that pays an annual amount of compensation of \$5,000 or less;
- A board of education office;
- Township trustee or fiscal officer.

In order to qualify for the *Local Candidate Waiver*, the campaign committee must file a certificate within 10 days of filing a candidacy petition. This certificate is prescribed as form No. 31-BB, *Local Candidate Waiver*, and requires that the committee **will not:**

- accept more than \$2,000 of aggregate contributions during an election period;
- accept more than \$100 from any one individual (excluding the candidate's personal funds);
- make expenditures that total more than \$2,000.

Waiver continued: If the campaign committee exceeds any of those limitations, the certificate is void and the campaign committee is thereafter responsible for filing all required reports including all activity occurring since the candidacy petition was filed.

Following the general election (or the primary election if the candidate is not nominated) *the campaign committee must terminate or be subject to all reporting requirements*. A letter of termination signed by the committee treasurer must be submitted by the last business day of January following the general election (or the last business day of July for an unsuccessful candidate at a primary election). The letter should state:

“Per the requirements of the Local Candidate Waiver, [committee name] did not raise or expend more than \$2,000, nor did it accept more than \$100 from any one individual. The committee has a balance on hand of \$0.00 and has settled all outstanding debts and loans. Please terminate [committee name] from the role of active committees.”

If the committee does not terminate, it must begin filing the required statements (the Semiannual report following the primary election if not nominated or the Annual report following the general election).

Short Form Report

If a candidate has no activity before January 1 of the year in which he or she appears on the ballot, and spends \$500 or less and receives \$500 or less in the year he or she appears on the ballot, then only the cover page of a campaign finance report is required to be filed. If all of these criteria are met, the candidate may file a *Short Form Report composed of only an Ohio Campaign Finance Report Cover Page* (form 30-A) at either the post-primary or post-general filing deadline.

If the candidate lost the primary, then the committee must also terminate on the post-primary report. If a Short Form Report is filed for the post-general, then the committee must simultaneously terminate.

If the candidate does not qualify for the *Short Form Report*, then a full campaign finance report must instead be filed. [R.C. 3517.10(H)]

Terminating the Committee

Following the campaign, you may wish to terminate your campaign committee to avoid having to file regular reports. In order to terminate, the committee must have a balance on hand of \$0.00 and no outstanding loans or debts. You may dispose of any remaining funds by making a contribution to another campaign committee or donating the money to a non-profit organization. Mark the termination box on the cover sheet (Form 30-A) of the final report, and we will remove the committee from our role of active committees.

Tips

- The trend in banking practices is moving away from mailing a paper copy of statements and returning canceled checks. Treasurers should download and save bank statements and copies (images) of canceled checks each month in case the financial institutions only provides online access to these items for a limited time.
- If a candidate or other individual pays for items for the campaign committee out of personal funds, such as when a candidate purchases a sign or stamps and does not expect reimbursement, then the contributions should be reported as in-kind contributions from the candidate or individual. If reimbursement is expected, the individual should submit an itemized list of reimbursable items as well as receipts. A check should be written to that individual and the itemized list and receipts should be attached to the report. Items that are not reimbursed during the reporting period must be reported as outstanding debts.

Additional Resources:

Franklin County Board of Elections: <http://vote.franklincountyohio.gov>

Ohio Secretary of State: <http://www.sos.state.oh.us/>

Campaign Finance Handbook: <http://www.sos.state.oh.us/SOS/CampaignFinance/cfGuide/Chapters.aspx>

Ohio Revised Code Section 3517.10: <http://codes.ohio.gov/orc>

Ohio Administrative Code Section 111: <http://codes.ohio.gov/oac>

Ohio Elections Commission: <http://elc.ohio.gov/>

Ohio Ethics Commission: <http://www.ethics.ohio.gov/>

Campaign Finance Report Forms:

- 30-D Designation of Treasurer
- 30-A Ohio Campaign Finance Report (cover page)
- 31-A Statement of Contributions Received
- 31-A-2 Statement of Other Income
- 31-B Statement of Expenditures
- 31-BB Local Candidate Finance Report Waiver
- 31-C Statement of Loans Received
- 31-E Statement of Contributions Received at a Social or Fund-Raising Event
- 31-F Statement of Expenditures for Social or Fund-Raising Event
- 31-G Contributors in Officeholder's Employ
- 31-J-1 In-Kind Contributions Received
- 31-J-2 In-Kind Contributions Made
- 31-K Statement of Loans Made
- 31-N Statement of Outstanding Debts
- 31-P Contributions for Debt Retirement

Visit <http://www.sos.state.oh.us/SOS/CampaignFinance/Filing/CFForms.aspx> for forms in PDF or Excel.

Ohio Secretary of State's TREASURER'S CHECKLIST

For Use in Completion of Ohio Campaign Finance Reports

DESIGNATION OF TREASURER (Form 30-D To Be Filled Out Completely Each Time)

- Filed prior to contributions received or expenditures made
- Name and street address of entity provided
- Office, election year, party, subdivision and district indicated (Candidates only)
- Name and street address of treasurer provided
- Corporate or labor organization sponsorship indicated (PACs only)
- Reason for filing form indicated
- Candidate's original signature (campaign committee) or officer (PAC/party)
- Last name of candidate included in committee name (candidate's only)
- Information on Designation of Treasurer updated if change occurs
- Committee, other than candidate's authorized committee, does not include candidate name
- Connected organization included in PAC name (PACs only)

COVER PAGE (Form 30-A)

- Committee and street address provided
- Correct type of report and date of election indicated
- Amount brought forward matches ending balance of last report (Zero if new)
- Totals on all report lines equal corresponding form totals
- Total of independent expenditures made included in total expenditure line
- Math computations on lines 1 through 6 done correctly
- Positive number or zero balance on hand
- Termination marked only if zero balance, zero debts and zero loans
- Original signature of designated treasurer or deputy treasurer
- Total number and type of pages provided

CONTRIBUTIONS RECEIVED (Forms 31-A, 31-E, 31-G, 31-P, etc)

- Complete contributor names provided (Initials allowed if that is how a person maintains their business or financial records)
- Individual contributions not reported under two names, i.e. "John & Jane Doe"
- Dates provided
- Dates are from appropriate reporting period
- Addresses provided (Political parties are exempt)
- Form provided, i.e. cash, check, etc.
- Amount provided
- Contributions received from statewide PACs have reported registration number
- Contributions on a partnership or unincorporated business account reported the name of the partner or owner making the contribution - **must be allocated among 1 or more.**
- Fund-raiser itemization exemption not based on ticket price
- No cash contributions totaling over \$100 from any source
- No corporate or non PCE labor organization contributions received (Except to ballot issues)
- Explanation of efforts to determine identity of anonymous contributions provided
- Contributions from Officeholder's Employees on Form 31-G when necessary.
- Fund-raiser contributions on proper form (31-E)
- Separate forms for each fund-raising event; no ongoing fund-raisers
- Page totals correct
- Correct total of Contributions transferred to correct cover page line

Statewide and General Assembly Committees Only

- No employee contributions
- Employer or occupation included for contributors over \$100. If contributor is self employed, the name of the business, if any, also included.
- No contributions retained in excess of limits; see chart
- Notice filed if personal funds threshold reached; see chart
- Excess funds disposed of in a timely and correct manner; see chart
- Unpaid debt properly reported; see chart
- Two day business statement filed if threshold reached within 19 days of general election; see chart (Statewide Candidates Only)

OTHER INCOME (Form 31-A-2)

- Other Income form lists all refunds, interest, uncashed checks, own committee's insufficient funds checks and loan transfers
- Appropriate category indicated on Other Income form
- Correct total of Other Income transferred to correct cover page line

EXPENDITURES (Forms 31-B, 31-F, 31-I, etc.)

- Dates provided
- Dates are from appropriate reporting period
- Payee Names provided
- Street addresses provided with zip codes except for banks, post offices, utilities or gasoline companies
- Adequate purpose provided (*Expenses, Reimbursement, or Services* too vague)
- Only charitable or election-related expenses made (PACs only)
- No personal or business use of campaign funds by candidates
- Credit card payments itemized by underlying vendors/Proper documentation attached
- Page totals correct
- Total of all expenditures transferred to correct cover page line
- Total of independent expenditures made transferred to last line of cover page as well as being included in total expenditures made line
- Copies of canceled checks or paid receipts attached for each expense over \$25
- PAC checks include full name and address. PAC Number included if State PAC
- Establishment, Administrative form (Form 31-I) used by corporate or labor organization PACs when required

IN-KIND CONTRIBUTIONS (Forms 31-J-1 & 31-J-2)

- Dates provided
- Complete names
- Addresses provided for in-kind received
- No corporate or labor organization contributions received (Except to ballot issues)
- Complete names provided for in-kind made
- Employer or occupation included for contributors over \$100 (When required)
- Street addresses provided for in-kind made
- Adequate description of item or service
- Amounts provided
- Totals not included in cover page monetary lines
- Correct totals transferred to appropriate lines on cover page

LOANS (Forms 31-C & and 31-K)

- Complete names provided
- Addresses provided
- Dates provided
- Balance equals amount outstanding from previous period plus amount incurred this period minus any payments made this period
- Page totals correct
- Total payments made transferred to Statement of Expenditures
- Total payments received from Loans Made transferred to Statement of Other Income
- Total of new loans transferred to Statement of Other Income
- Total still outstanding transferred to appropriate line on cover page

DEBTS (Form 31-N)

- Complete names provided
- Addresses provided
- Dates provided
- Outstanding balance equals amount outstanding from previous period plus amount incurred this period minus payments made this period
- Page totals correct
- Total payments made transferred to Statement of Expenditures
- Total forgiven included on in-kind received line of cover page
- No debts forgiven by corporations or labor organizations except to ballot issues

OTHER

- Pages of report numbered consecutively with the cover as page one
- Only one campaign committee per candidate
- Currently prescribed forms used or forms having the same format and all of the required information
- Report is legible
- Report filed electronically if required

Designation of Treasurer

Prescribed by Secretary of State 07/05

All Committees			
Full Name of Committee			
Street Address	Telephone Number	e-mail Address	
City	State	Zip Code	FAX Number
Full Name of Treasurer			
Street Address	Telephone Number	e-mail Address	
City	State	Zip Code	FAX Number
Full Name of Deputy Treasurer (if any)			
Street Address	Telephone Number	e-mail Address	
City	State	Zip Code	FAX Number
Candidate's Campaign Committees Only			
Full Name of Candidate			Party Affiliation/Independent/Non-Partisan
Street Address	Office Sought		Subdivision/District
City	State	Zip Code	Election Year
Signature of Candidate			Date
Political Action Committees Only			
Is the PAC sponsored by a labor organization or corporation? <input type="checkbox"/> No <input type="checkbox"/> Yes.	If Yes, name the sponsor		Acronym, if any
PAC Registration Number	Authorized Signature	Date	List any affiliated PACs
Political Parties, Political Contributing Entities, or Legislative Campaign Funds Only			
Authorized Signature		Date	Ballot Issue PAC? <input type="checkbox"/> Yes <input type="checkbox"/> No

Signature of Treasurer _____

Date _____

Reason(s) for filing this form:

- Original Designation of Treasurer/Acknowledgement of Appointment
- Change of Treasurer/Acknowledgement of Appointment
- Designation or change of Deputy Treasurer
- Change of Address for _____

- Change of Committee name. The previous name was: _____
- Change of Filing Location. The previous location was: _____
The new location is: _____

- Change of Office Sought from _____ to _____
- Other. Please explain: _____

Designation of Treasurer — Form 30-D

A Designation of Treasurer form must be filed before a candidate's campaign committee, political action committee (PAC), political contributing entity (PCE), legislative campaign fund or political party makes any expenditures or receives any contributions. It is recommended that candidates who do not anticipate receiving or spending anything also file this form. [R.C. 3517.10(D)]

This form has been designed so that candidates' campaign committees, political contributing entities, legislative campaign committees, political action committees and political parties all use the same form. Each type of committee should complete the top third of the form. Note that a street address, *not* a post office box is required in all addresses.

The State block should be completed with the U.S. Post Office's standard two-letter abbreviation. For example, Ohio would appear as OH.

A candidate, legislative campaign committee, PAC, PCE, or political party registers by filing a Designation of Treasurer form. Thereafter, the form is used to update basic information. For example, if a committee has already registered, but subsequently changes its address, the Designation of Treasurer form is used to update the information. In addition to address changes, the form can be used to update a committee name change, a treasurer or deputy treasurer change, change of place of filing or to indicate that a candidate is running for a different office. The appropriate box at the bottom of the form should be marked to reflect why the form is being filed. **The form should be completed in full each time it is filed.**

A Designation of Treasurer form should *not* be filed as part of a report. It is a separate filing. It is not required whenever a report is filed.

Political action committees filing with the secretary of state that have not yet been assigned a registration number may leave that block empty.

The name of a candidate's campaign committee must include the last name of the candidate. A candidate may have only one campaign committee.

If a committee wishes to change its place of filing, it does not have to terminate the committee. For example, a candidate or PAC may decide to change its focus from the local level to the statewide level. The committee may send an original Designation of Treasurer form to register with the new place of filing, while sending a photocopy of the form to the old place of filing so that no further reports are expected at the prior location. The box indicating a change in the place of filing should be checked.

A PAC must indicate whether it is a "ballot-issue PAC."

Candidates must, and the treasurers should, sign their Designation of Treasurer forms. Any authorized person may sign PAC, PCE and political party forms.

When a treasurer or deputy treasurer resigns or is replaced, a revised Designation of Treasurer form should be filed immediately. The fact that the previous treasurer's name is no longer listed will indicate that he or she no longer holds the position.

Local Candidate Finance Report Waiver

Prescribed by Secretary of State 10/11

Due: Ten days after declaration of candidacy, nominating petition, or declaration of intent to be a write-in is filed.

The _____ campaign committee established for the candidacy of
(Committee's name, if applicable)

_____ who is running for the office of _____ ,
(Candidate's name) (Office sought)

to appear on the ballot in the year _____ states the office sought is:

(Choose one applicable option)

___ a municipal office that pays an annual amount of compensation of five thousand dollars or less;

___ a member of a board of education except member of the state board of education; or

___ township trustee or township fiscal officer.

The undersigned attests that the campaign committee will not accept total aggregate contributions that exceed two thousand dollars from all contributors nor more than one hundred dollars from any single individual contributor and will not make total expenditures in excess of two thousand dollars during any election period. Therefore the committee is not required to file any campaign finance reports otherwise required to be filed by R.C. 3517.10(A).

If the committee exceeds these limits, the committee is responsible to report all contributions received and expenditures made from the time the candidate filed the candidacy petition on the next required finance statement to be filed under R.C. 3517.10(A).

This statement made under the penalty of election falsification. Whoever commits election falsification is guilty of a felony of the fifth degree.

Print Treasurer's or Deputy Treasurer's Name

Treasurer's or Deputy Treasurer's Signature

Date

Local Candidate Waiver of Reporting Requirements - *Form 31-BB*

A candidate's campaign committee may be exempt from the requirement to file campaign finance reports during an election year (except for the Designation of Treasurer) if the candidate is a candidate for:

- an elected municipal office that pays an annual amount of compensation of \$5,000 or less, or;
- member of a board of education, except for state board of education, or;
- a candidate for township trustee or clerk.

In order to qualify for the Local Candidate Waiver, the campaign committee must file a certificate within 10 days after filing a candidacy petition. This certificate is prescribed as form No. 31-BB – Local Candidate Waiver – and must state that the campaign committee will not accept more than \$2,000 of aggregate contributions during an election period and no more than \$100 from any one individual, and that the committee will not make expenditures that total more than \$2,000. If the campaign committee exceeds any of those limitations, the certificate is void and the campaign committee is thereafter responsible for filing all required reports including all activity occurring since the candidacy petition was filed. The \$100 per individual contribution restriction does not apply to contributions made from the personal funds of the candidate. [OAC 111-1-09]

The Local Candidate Waiver covers activity occurring through the post-general reporting period of the year in which the waiver is filed. After that election year, the campaign committee must either terminate or begin filing campaign finance reports as prescribed by section 3517.10 of the Revised Code. [R.C. 3517.10(K); OAC 111-1-09]
If a candidate has not filed a Designation of Treasurer to establish a campaign committee, then there is no need to file a Local Candidate Waiver.